

CITY COUNCIL MONTHLY MEETING CALENDAR

March-16							
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
		1	Municipal Court	2	3	4	5
					EDC Noon	S&CC 1st Friday	
		CCI 5:30pm		National League or Cities (NLC) Congressional Conference, Washington, DC			
6	7	8	9	10	11	12	
Planning Comm 7pm	Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	MPAC 5pm		PAC 5pm Ford Leadership	WC Mayors Ford Leadership	Chamber Auction 5:30pm Ford Leadership	
National League or Cities (NLC) Congressional Conference, Washington, DC							
13	14	15	16	17	18	19	
	CITY COUNCIL 5:30 PM - WORK SESSION (Council Goals) 6:00 PM - WORK SESSION (Retirement Plan) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Fernhill Wetlands 5:30pm	Municipal Court P&R (CAC 6:30pm) CFC 5:15pm CAO 5pm CWAC 5:30pm	Food Film 7:30pm			
20	21	22	23	24	25	26	
Chamber Luncheon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	HLB 7:15pm	PSAC 7:30am MPAC 5pm		WEA Breakfast Sustainability 6pm			
27	28	29	30	31			
	CITY COUNCIL 6:00 PM - WORK SESSION (Council Team Agmt) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Kidd out		CEP Deadline			
Apr-16							
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
					Steve Huffman's Party 2pm - 5pm Comm Aud S&CC 1st Friday	1	2
Sister Cities Plant Sale Student Fundraiser through April 28th							
3	4	5	6	7	8	9	
Planning Comm 7pm	CCI 5:30pm	Water Providers EC 5:30pm	EDC Noon	WC Mayors			
10	11	12	13	14	15	16	
	CITY COUNCIL 5:30 PM - WORK SESSION (Marijuana Status) 6:15 PM - WORK SESSION (Urban Forest Plan) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	CEPC SPECIAL MEETING CEP PRESENTATIONS 7:00 PM - COMMUNITY AUDITORIUM	PAC 5pm	If I Were Mayor Deadline		
17	18	19	20	21	22	23	
Chamber Luncheon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	JOINT WORK SESSION FG CITY COUNCIL CORNELIUS COUNCIL & FG SCHOOL BOARD TBA ?PM - COMMUNITY AUDITORIUM	Fernhill Wetlands 5:30pm	Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	BUDGET COMMITTEE Info Mtg 7:00 PM - COMMUNITY AUDITORIUM			
24	25	26	27	28	29	30	
	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC 7:30am WC Managers' Mtg 1:30pm Comm Aud WCCLS Bd Mtg 1:30pm Comm Aud MPAC 5pm	WEA Breakfast Sustainability 6pm	Kidd out thru May 8		
May-16							
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
1	2	3	4	5	6	7	
Planning Comm 7pm	CCI 5:30pm		Municipal Court	BUDGET COMMITTEE 1st Meeting 7:00 PM - COMMUNITY AUDITORIUM	S&CC 1st Friday	Spring Clean Up Event City Shred Event 9am-1pm ORCC Run Hagg Lake	
8	9	10	11	12	13	14	
	CITY COUNCIL TBA ?PM - CEPC SPECIAL MEETING 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	MPAC 5pm	BUDGET COMMITTEE 2nd Meeting 7:00 PM - COMMUNITY AUDITORIUM	LOC Mtg WC Mayors		
Kidd returns				PAC 5pm			
15	16	17	18	19	20	21	
Chamber Luncheon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	Fernhill Wetlands 5:30pm	Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	Latino Summit 6pm - UCC	Food Film 7:30pm			
22	23	24	25	26	27	28	
	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC 7:30am MPAC 5pm	WEA Breakfast Sustainability 6pm			
29	30	31					
	CITY HALL CLOSED HOLIDAY Memorial Day Flag Ceremony 12:30pm						

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CITY COUNCIL MEETING AGENDA

MONDAY, APRIL 11, 2016

**5:30 PM – Work Session (Marijuana Status Update)
6:15 PM – Work Session (Urban Forest Management Plan)
7:00 PM – 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, aruggles@forestgrove-or.gov, 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, aruggles@forestgrove-or.gov, 503-992-3235, at least 48 hours prior to the meeting.

Brandi Walstead, Program
Coordinator
Jeff King, Economic Development
Manager
Dan Riordan, Senior Planner
Jesse VanderZanden, City Manager

5:30

WORK SESSION: MARIJUANA STATUS UPDATE

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

Dan Riordan, Senior Planner
Jesse VanderZanden, City Manager

6:15

WORK SESSION: URBAN FOREST MANAGEMENT PLAN

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

Dan Riordan, Senior Planner

7:00

1. **REGULAR MEETING:** Roll Call and Pledge of Allegiance

1. A. **PROCLAMATION:**

- *Arbor Day, Tree City USA*

2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. *Please sign-in before the meeting on the Citizen Communications form posted in the foyer.* In the interest of time, please limit comments to two minutes. Thank you.

3. **CONSENT AGENDA:** See Page 4

4. **ADDITIONS/DELETIONS:**

5. **PRESENTATIONS:**

Peter Truax, Mayor

7:10

5. A. • *Bienestar Affordable Housing, presentation by Ann Blaker, Executive Director*

Peter Truax, Mayor
Bev Maughan, Executive Assistant

7:30

5. B. • *NLC Congressional Conference in Washington, D.C. Student Delegates: Briana Larios, Committee for Citizen Involvement Student Advisor; Mitchell Faris, Library Commission Student Advisor; and Edgar Sanchez-Fausto, Sustainability Commission Student Advisor*

Dan Riordan, Senior Planner
Jon Holan Community Development
Director
Jesse VanderZanden, City Manager

7:50

6. **CONTINUE PUBLIC HEARING FROM MARCH 28, 2016: SECOND READING OF ORDINANCE NO. 2016-09 AMENDING THE FOREST GROVE COMPREHENSIVE PLAN MAP TO DESIGNATE THE SOUTH URBAN GROWTH BOUNDARY ADDITION AS CAMPUS EMPLOYMENT (600 ELM STREET, WASHINGTON COUNTY TAX LOTS 1S30000100 AND 1S306D000700); FILE NO. 311-15-00032-PLNG**

-
- | | | |
|--|--------------------|--|
| Paul Downey, Administrative Services
Director
Jesse VanderZanden, City Manager | 8:00 | 7. <u>PUBLIC HEARING AND RESOLUTION NO. 2016-24
FIXING SOLID WASTE RATES TO BE CHARGED BY
FRANCHISE (WASTE MANAGEMENT) IN THE CITY OF
FOREST GROVE AND REPEALING RESOLUTION NO.
2013-72, EFFECTIVE JUNE 1, 2016</u> |
| Paul Downey, Administrative Services
Director
Jesse VanderZanden, City Manager | 8:10 | 8. <u>CONSIDER MOTION AUTHORIZING EXPENDITURE OF
CITY BUDGETED FUNDS FOR RE-USEABLE BAGS
PRIOR TO POTENTIAL ADOPTION OF THE PLASTIC
BAG BAN</u> |
| Brenda Camilli, Human Resources
Manager
Jesse VanderZanden, City Manager | 8:15 | 9. <u>RESOLUTION NO. 2016-25 ADOPTING EMPLOYEE
HANDBOOK REVISIONS AND REPEALING
RESOLUTION NO. 2015-66</u> |
| Michael Kinkade, Fire Chief
Jesse VanderZanden, City Manager | 8:25 | 10. <u>RESOLUTION NO. 2016-26 AUTHORIZING CITY
MANAGER TO ENDORSE AN INTERGOVERNMENTAL
AGREEMENT BETWEEN THE CITY OF FOREST GROVE
AND GASTON RURAL FIRE PROTECTION DISTRICT
FOR FIRE ADMINISTRATIVE SERVICES</u> |
| Peter Truax, Mayor
Jesse VanderZanden, City Manager | 8:35 | 11. <u>RESOLUTION NO. 2016-21 OF THE FOREST GROVE
CITY COUNCIL ADOPTING CITY COUNCIL GOALS FOR
FISCAL YEAR 2016-17</u> |
| Peter Truax, Mayor
Jesse VanderZanden, City Manager | 8:45 | 12. <u>RESOLUTION NO. 2016-22 OF THE CITY OF FOREST
GROVE CITY COUNCIL ADOPTING CITY COUNCIL
OBJECTIVES FOR FISCAL YEAR 2016-17</u> |
| Peter Truax, Mayor
Jesse VanderZanden, City Manager | 8:55 | 13. <u>RESOLUTION NO. 2016-23 OF THE CITY OF FOREST
GROVE CITY COUNCIL ADOPTING CITY COUNCIL
TEAM AGREEMENT</u> |
| City Councilors | 9:05 | 14. <u>CITY COUNCIL COMMUNICATIONS:</u> |
| Jesse VanderZanden, City Manager | 9:20 | 15. <u>CITY MANAGER'S REPORT:</u> |
| Peter Truax, Mayor | 9:25 | 16. <u>MAYOR'S REPORT:</u> |
| | <u>9:30</u> | 17. <u>ADJOURNMENT:</u> |

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 remaining Consent Agenda item(s).

- A. Approve City Council Work Session (Defined Benefit Retirement) Meeting Minutes of March 14, 2016.
 - B. Approve City Council Work Session (Council Goal-Setting and Council Team Agreement) Meeting Minutes of March 28, 2016.
 - C. Approve City Council Regular Meeting Minutes of March 28, 2016.
 - D. Accept Public Arts Commission Meeting Minutes of February 11 and February 20, 2016.
 - E. Community Development Department Monthly Building Activity Informational Report for March 2016.
 - F. **ENDORSE LIQUOR LICENSE RENEWAL APPLICATIONS FOR YEAR 2016:**
 - 1. Little Monkey Deli, 1919 Pacific Avenue (Full On-Premises Sales)
-



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	_____
MEETING DATE:	_____
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

WORK SESSION

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *April 11, 2016*

PROJECT TEAM: *Brandi Walstead, Program Coordinator; Daniel Riordan, Senior Planner; Jeff King, Economic Development Manager; Jon Holan, Community Development Director*

SUBJECT TITLE: *Work Session: Marijuana Status and Update*

ACTION REQUESTED:

<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Order	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Motion	<input checked="" type="checkbox"/>	Informational
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X all that apply

ISSUE STATEMENT:

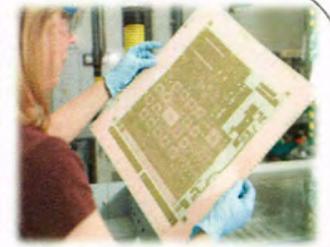
The purpose of the Work Session is to report back on Council questions regarding marijuana regulations in Industrial Zones, including comparisons to Colorado, Washington, and other Washington County cities. Another purpose is to recap existing city regulations and establish a clear framework for considering future potential regulations as unforeseen issues arise.

BACKGROUND:

Per testimony from TTM Technologies at the Council Public Hearing held on March 14, 2016, regarding potential economic impacts should marijuana growing, processing, and wholesaling occur adjacent to their business located in an industrial zone and Council Public Hearing held on March 28, 2016, discussion was held regarding potential marijuana regulations in industrial zones. Council voiced concern regarding outdoor grow operations in industrial zones and that additional research was needed. The research results are the focus of this Work Session.

ATTACHMENT:

- A. PowerPoint Presentation Slides for the April 11, 2016, Work Session



Marijuana Update

City Council Work Session

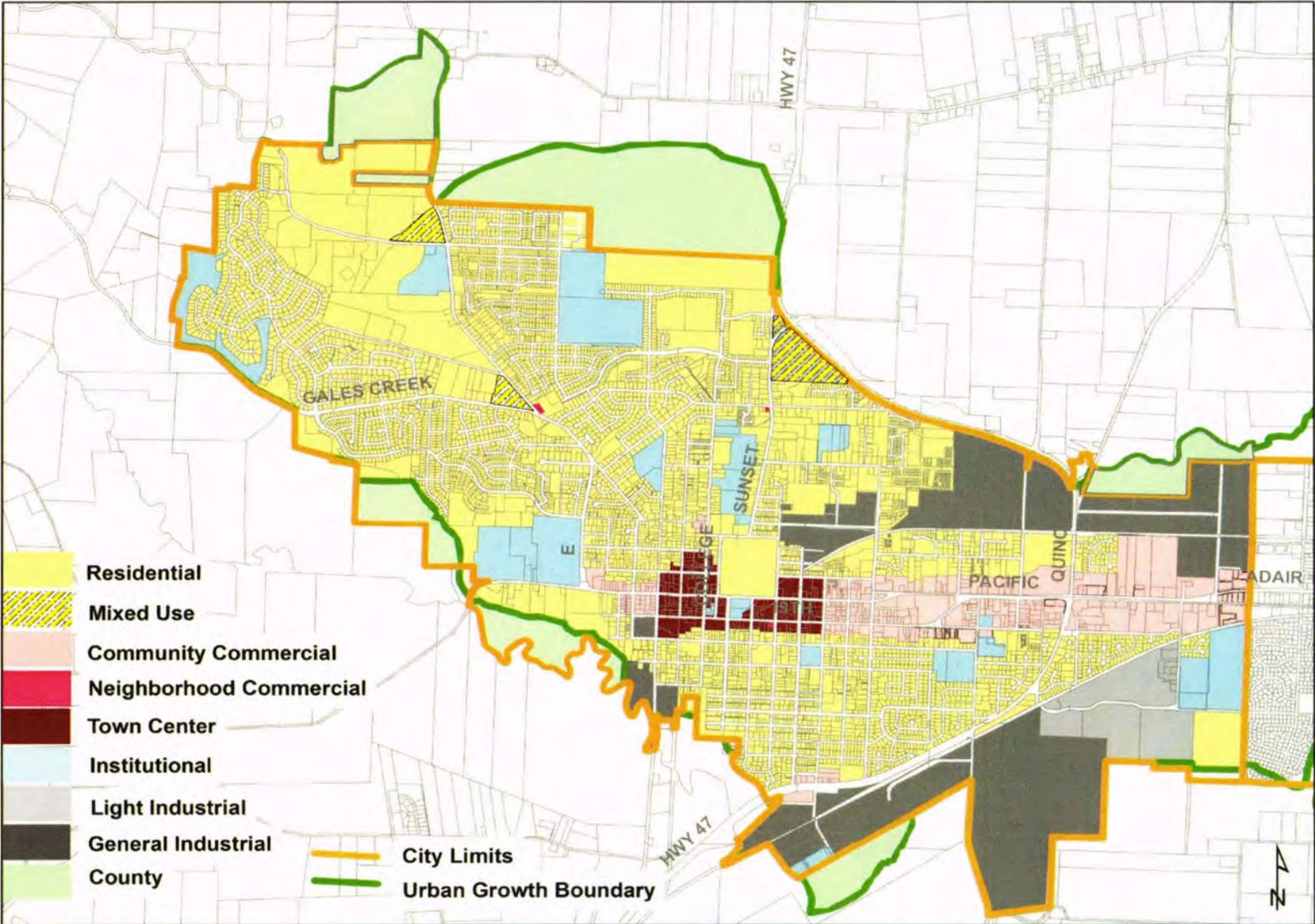
April 11, 2016

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Purpose of Presentation

- 1) Recap Forest Grove Marijuana Regulations.
- 2) Present research findings of adopted regulations within Industrial Zones.
- 3) Provide an update of Business Community feedback.
- 4) Establish a framework for future marijuana considerations.

ZONING



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Requirements of Regulated Marijuana Activities within Forest Grove

District	Medical Dispensary	Medical Processor	Medical Producer	Recreational Retail	Recreational Processor	Recreational Producer	Recreational Wholesaler
Residential	N	N	N	N	N	N	N
Mixed Use	P	N	N	P	N	N	N
Neighborhood Commercial	N	N	N	N	N	N	N
Community Commercial	P	N	N	P	N	N	N
Town Center	P*	N	N	P*	N	N	N
Light Industrial	N	N	P	N	N	P	P
General Industrial	N	P	P	N	P	P	P
County Zoning	N	N	P	N	N	P	N

*Not allowed due to State school buffer requirements

P = Currently Permitted

N= Not Allowed

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State of Washington Local Community Adopted Restrictions for Industrial Zones

Community	Total Ban?	Banned from Industrial Zone?	Banned Open Grow?	Additional Set-backs Adopted?
Yakima, WA	Yes	_____		
Spokane, WA	No	No	Yes	No
Oak Harbor, WA	No	No	Yes	Yes
Bremerton, WA	No	No	Yes	No
Tacoma, WA	No	No	Yes	Yes

Notes:

1. All Washington researched communities are near Federal Military Facilities
2. Additional Set-backs referenced throughout slides range between 100-3,000 ft.

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State of Colorado Local Community Adopted Restrictions for Industrial Zones

Community	Total Ban?	Banned from Industrial Zone?	Banned Open Grow?	Additional Set-backs Adopted?
El Paso, CO	Yes	_____		
Colorado Springs, CO	Yes	_____		
Ft. Collins, CO	No	No	Yes	No
Aurora, CO	No	No	Yes	Yes
Denver, CO	No	No	Yes	No

Notes:

1. All Colorado researched communities are near Federal Military Facilities
2. Additional Set-backs referenced throughout slides range between 100-3,000 ft.

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State of Oregon Local Community Adopted Restrictions for Industrial Zones

Community	Total Ban?	Banned from Industrial Zone?	Banned Open Grow?	Additional Set-backs Adopted?
Sherwood, OR*	Yes	_____		
Tigard, OR	No	No	Yes	Yes
Hillsboro, OR	No	No	Yes	Yes
Beaverton, OR	No	Only growing**	Yes	No
Cornelius, OR	No	Yes	Yes	No
Tualatin, OR	No	No	Yes	Yes
Banks, OR	No	No	No***	No

Notes:

1. Additional Set-backs referenced throughout slides range between 100-3,000 ft.

*North Plains, Lake Oswego, Sherwood, and Wilsonville have banned all marijuana activities through moratorium until Aug/Nov 2016

**Beaverton does not allow agricultural activities in city limits, therefore growing is banned.

***Only retail sales have been addressed at this time due to lack of Industrial Zone space

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	_____
MEETING DATE:	_____
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

WORK SESSION

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *April 11, 2016*

PROJECT TEAM: *Daniel Riordan, Senior Planner; Jon Holan, Community Development Director*

SUBJECT TITLE: *Work Session: Urban Forest Management Plan*

ACTION REQUESTED:

<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Order	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Motion	<input checked="" type="checkbox"/>	Informational
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X all that apply

ISSUE STATEMENT: The Community Forestry Commission completed an urban forest management plan to address the long term health and viability of the City’s urban forest. The purpose of the work session is to brief Council on the plan prior to a request for formal consideration on April 25th.

BACKGROUND: The Community Forestry Commission (CFC) was created by City Council to provide advice on matters related to protection of trees in the community (i.e. the urban forest). The powers and duties of the CFC are described in detail in Article 9 of the Municipal Code (Section 9.230). To assist City Council’s efforts related to protection of trees in the community, the CFC prepared an urban forest management plan (Attachment A) for Council consideration. The plan provides a strategic framework for addressing long term needs associated with the urban forest.

The impetus for the plan resulted from concerns about the condition of trees in the wooded area at Thatcher Park. As the CFC discussed the issues related to the Thatcher Park woods it became apparent that a comprehensive strategic plan is needed to address the health and viability of the urban forest as a whole including trees within parks. The CFC approached the Parks and Recreation Commission about interest in the CFC preparing a comprehensive urban forest management plan. The Parks and Recreation Commission endorsed the concept and supported incorporating the urban forest management plan into the Parks Master Plan update as an appendix.

As stated in the plan, trees provide a variety of important benefits to the urban environment. These benefits include removing carbon from the atmosphere, reducing energy use, improving air quality, moderating storm water flows, protection of water quality, supporting the health of residents and providing habitat for wildlife.

The urban forest is a system and must be managed in order to maintain benefits provided by trees. Unlike most other urban infrastructure, the value of the urban forest generally increases over time. In contrast, benefits provided by the urban forest may take years to develop to desirable levels. However, tree resources can be adversely impacted over short periods of time by a lack of timely management or poor

management choices. An urban forest management plan helps a community protect the investment made in the urban forest and provides a blueprint for enhancing and improving the asset to maximize the benefits provided while minimizing costs to maintain the resource.

The plan prepared by the CFC addresses the following elements of the urban forest:

- Street trees;
- Facility trees (trees near buildings);
- Parking lot trees;
- Park trees;
- Register/Heritage trees;
- Open space trees; and
- Hazard trees

The plan identifies tree related issues for each element identified above and includes goals, objectives and actions recommended to address the issues. The goals, objectives and actions were developed based on best management practices and public input from a survey on the urban forest mailed with the City's utility billing statements. The survey asked residents to identify:

- Satisfaction with tree care in parks, along trails and within open space;
- Satisfaction with quantity and quality of street trees;
- Satisfaction with current rules protecting old, healthy trees;
- Satisfaction with current rules related to tree planting and maintenance requirements in parking lots;
- Satisfaction with pruning of trees near powerlines;
- Awareness of street tree maintenance and permitting requirements; and
- Awareness of the City's Historic and Significant Register Tree Program

Over 260 survey forms were returned. The CFC also attended the farmers market in 2015 to gather additional input.

In addition, to the goals, objectives and recommended action, the plan contains an implementation strategy. The implementation strategy is provided as advice to City Council and does not commit the Council to any specific course of action. The CFC recognizes that implementation will be based on City Council goals and available financial resources allocated through the annual budget process.

Next steps related to this project include, Council consideration of a resolution formally accepting the urban forest management plan. Staff anticipates presenting the resolution for Council consideration on April 25, 2016. Once the plan is accepted it will be incorporated as an appendix to the Parks Master Plan update currently underway.

ATTACHMENTS:

- A. Draft Urban Forest Management Plan
- B. PowerPoint Presentation Slides for the April 11, 2016 Work Session



Community Forest Management Plan

◆
April 2016
◆



Dates covered by plan:

2016 – 2021

Prepared by:

Forest Grove Community Forestry Commission:

Bruce Countryman, Project Lead

Jen Warren, Chair

David Hunter, Vice Chair

Dale Wiley, Secretary

Mark Nakajima

Lance Schamberger

Ron Thompson, City Council Liaison

Dan Riordan, Senior Planner

Steve Huffman, Parks Crew Chief

Plan approved:

Date

Approved by:

Forest Grove City Council:

Pete Truax, Mayor

Tom Johnston, President

Richard Kidd

Victoria Lowe

Ron Thompson

Elena Uhing

Malynda Wenzl

Acknowledgements:

Urban Forest Management Toolkit

Executive summary

This document provides an overall framework for managing Forest Grove's urban and natural forest resources (this plan does not include the Forest Grove City watershed). It is based on the condition of the forest in 2014 and an analysis of trends that have shaped Forest Grove's urban forest to date and will continue to influence it in the future. The major portions of this document are described below.

Tree resource assessment

This section discusses current condition, issues and trends that are likely to impact Forest Grove's tree resources over at least the next 25 to 50 years. Topics include:

- Canopy cover
- Street trees
- Facility trees
- Parking lot trees
- Park trees
- Register/Heritage trees
- Open space trees
- Hazard trees

Community values

This section presents the summary of stakeholder attitudes and perceptions about the urban forest and its management.

Current management practices

This section presents the summary of current City management practices. Topics include:

- Activities of departments that affect trees
- Regulatory measures
- Tree management
- Ordinances and policies

Strategic plan

Topics include:

- Issues, trends, and needs
- Goals
- Objectives
- Actions

Appendix

This section presents several of the inventories and technical guides. Topics include:

- 2011 street tree inventory
- 2014 vegetation assessment and recommendations for City parks
- Tree planting standards
- City list of recommended street trees for planting
- Register of Historic and Significant (Heritage) trees list
- Tree related ordinances (Forest Grove Development Code Article 5 and Municipal Code Chapter 9)
- Chronological public involvement record
- Public survey questions and responses
- Other management plans
- Implementation and monitoring plan

Table of Contents

DRAFT

Mission & Vision

Mission statement

The mission of the Forest Grove CFC is to work with the community and government to increase awareness about the importance and values of urban trees. To this end the City Council authorized the CFC to:

1. Maintain the Forest Grove Significant Tree Register (Tree Register) by:
 - a. Recommending to the City Council the designation of properties with significant trees that meet the criteria for designation.
 - b. Recommending removal of trees from the Register
2. Ensure that significant trees are protected and pruned appropriately
3. Review activities proposed by the City and other agencies that may seriously affect Register trees and advise on such matters
4. Perform other activities relating to community trees, including but not limited to:
 - a. Providing public education on the history and importance of the Register trees;
 - b. Providing advice to the City Council and other City boards on protection of trees in the community
 - c. Providing technical information on community tree issues
 - d. Making recommendations to the City Council for community forestry related programs
 - e. Periodically reviewing and making recommendations for updating the Significant Tree Register
 - f. Recommending to the City Council the acceptance of grant funds and donations towards the protection and planting of trees in the community

Vision statement

The Forest Grove Community Forestry Commission (CFC) believes that a healthy and expanding community forest is essential to our community's quality of life and to our environmental and economic wellbeing.

Vision for the Forest Grove Urban Forest in 2020

The health of this urban forest, a mosaic of the planted landscape and the remnant native forest, is a reflection of the city's health, well-being and livability. These trees and other plants are a vital part of the city character, giving it a special sense of place. Forest Grove continues to be recognized as a Tree City USA for the 25th consecutive year in 2015.

The urban forest canopy is cohesive, not fragmented, because development includes trees as part of the total vision for sustainable development. The air and water are cleaner because the trees and other plants remove pollution from the air and reduce runoff. Fish and wildlife have healthy habitats. Open spaces and urban stream corridors define a sense of space in our

communities while providing a quiet respite from hectic urban life. Tree-lined streets offer shade and protect us from inclement weather. Shoppers frequent shaded business districts where trees help save energy, reduce noise and soften the hard edges of structures and paved areas.

Coordinated management of the urban forest occurs because city agencies, businesses, civic organizations and residents have formed partnerships to make a place for trees in the city. Residents recognize trees as a vital, functioning part of the city's infrastructure and ecosystem and provide adequate, stable funding to maintain and enhance the urban forest.

We have achieved a healthy, sustained urban forest, carefully managed and cared for, which contributes to the economic and environmental well-being of the city.

Why we need a plan

Trees provide a variety of important benefits in the urban environment. These benefits include removing carbon from the atmosphere, reducing energy use, improving air quality, moderating storm water flows, protecting water quality, improving economic sustainability, supporting physical and mental health of residents, and providing habitat for wildlife.

The community's trees need to be managed in order to maintain this stream of benefits which are critical to the community's economic well-being and overall quality of life. Unlike most other urban infrastructure, the value of the urban forest generally increases over time. Benefits provided by the urban forest may take years to develop to desired levels, but tree resources can be adversely impacted over short time periods by a lack of timely management or poor management choices. An urban forest management plan helps a community protect the investment it has made in its community forest and provides a blueprint for enhancing and improving that asset to maximize the benefits provided while minimizing costs required to maintain the resource.

Whether for good or ill, the community's trees are being managed in some fashion whether a plan is in place or not. Without a vision and plan for the management of the urban forest as a whole, however, it is unlikely to thrive and provide the benefits that the community desires.

Many benefits provided by trees are listed below:

Benefits provided by trees

- Removing carbon from the atmosphere;
- Producing oxygen;
- Reducing energy use;
- Improving air quality;
- Moderating storm water flows;
- Protecting water quality;
- Improving economic sustainability;
- Increasing property values;
- Supporting physical and mental health of residents; and
- Providing habitat for wildlife

The City's street tree inventory completed in 2011 provided a glimpse into the benefits to the community as a result of our urban forest. For example street trees in Forest Grove remove nearly 8 million pounds of air pollutants per year.

Scope of the plan

This intent of this plan is to provide a strategic framework for managing the urban forest within Forest Grove. Other site specific plans may be developed that address the management of the urban forest in areas such as college campuses, office parks, historical sites, botanical gardens, recreation areas, or other large properties that contain significant amounts of tree canopy. These site specific plans would fit within the strategic framework of the urban forest management plan.

The following types of trees are included in this urban forest management plan:

- Street trees
- Facility trees
- Parking lot trees
- Park trees
- Register/Heritage trees
- Open space trees
- Hazard trees

Planning horizon

Efforts should be made to update the management plan every 5 years, or sooner if the need exists and resources are available.

Relationship to other planning documents

Cities and counties, as well as other public districts, typically have multiple layers of planning documents. This plan will incorporate elements from the following documents (this list will be expanded as necessary):

- Parks and recreation master plan
- Urban renewal plans
- Community sustainability element of the comprehensive plan
- Design and landscaping guidelines and development standards (Public Works Specifications)
- Ordinances, including the local tree ordinance
 - Forest Grove Development Code Article 5
 - Tree Protection
 - Forest Grove Development Code Article 8
 - Landscaping, Screening and Buffering (Parking Lot Trees)
 - Municipal Code Chapter 5
 - Trees and Plants
 - Municipal Code Chapter 9
 - Boards and Commissions (Community Forestry Commission)
 - Street Trees

The Urban Forest

Historical context

Native Vegetation

At the time of European settlement, heavy forests covered most of the region. Stands of Douglas-fir, western hemlock, and western redcedar dominated the landscape. Deciduous bigleaf maple and red alder were intermixed. Wetlands and flood plains along the river supported Oregon ash, willows, and black cottonwood. Oregon white oak and Pacific madrone grew in drier uplands. Understory upland vegetation included vine maple, western hazel, oceanspray, snowberry, thimbleberry, Oregon grape, salal, red huckleberry, ferns and forbs. Wetland species included elderberry, Douglas spirea, dogwood, sedges and rushes.

Much of this forest was cleared for farming beginning in the mid 1800's. The earliest european settlers came to the Tualatin Valley of Oregon as farmers and missionaries in the 1840s. The Native Americans in the region were of various bands of the Tualatin Branch of the Kalapuya Indian Group. Several Native American villages were located along the banks of Gales Creek just south of present day Forest Grove (From Forest Grove Comprehensive Plan (1980) p. IV-1.).

In 1859 the name "Forest Grove" was officially recognized for the area around what is now Pacific University. The name probably referred to the grove of oak trees on and around the University grounds. Several of these trees exist today. According to historical accounts many of the large sequoia trees in Washington County were planted from seed by John R. Porter circa 1870. This includes the sequoia trees located on the Pacific University campus and elsewhere in Forest Grove.



Sequoias at 19th Avenue and Elm Street

Environmental context

Rainfall

Average annual precipitation is 45.12 inches (Source: Western Regional Climate Center). Northwest Oregon, including Forest Grove, is susceptible to strong winter storms that are carried along the Jet Stream over the Pacific Ocean. Heavy rain events are not uncommon during the fall, winter and spring months. Such events pose potential risk to the urban forest especially mature Oregon white oak trees.

Temperature

Average Max: 63.6/Average Low: 41.6, Average Range 32.1 to 82.6 (Source: Western Regional Climate Center). Northwest Oregon, east of the Coast Range and west of the Cascades, typically experiences moderate temperatures during spring, fall and winter. Summers are characterized by warm to hot days and cool evenings. The summer months are typically dry which can cause considerable stress on certain trees especially non-native varieties.

Climate Zone

USDA Tree hardiness zone 8. USDA developed tree hardiness zones to guide plant selection with an eye toward those which are most likely to survive at a given location. The zones are based on the average annual minimum winter temperature. As the map below indicates, Washington County is located within tree hardiness zone 8.



The Arbor Day Foundation provides information on tree species suitable for the various tree hardiness zones. Popular trees suitable for zone 8 identified by the Arbor Day Foundation include:

- Eastern white pine
- Sugar maple
- Red maple
- Yoshino cherry
- Saucer magnolia
- Dogwood
- Northern red oak
- Black walnut

Soil conditions

Soils in this area are dominated by clays, silts, and loams partially as a result of historic flood events (Lake Missoula 15-20,000 years ago). Soil types found throughout the City have potential shrink-swell and low shear strength problems. Soil is an important factor contributing the growth of tree especially within urban or suburban environments. Research shows that soil compaction is a significant contributor to overall tree health.

Tree resource assessment

Canopy cover

Background

Tree canopy cover refers to the proportion of land area covered by tree crowns, as viewed from the air. Canopy cover is tied to many of the benefits provided by the urban forest.

Existing condition

The tree canopy cover in Forest Grove is estimated to be approximately 23.2 %. (*Source: Portland State University, Regional Urban Forestry Assessment and Evaluation for the Portland-Vancouver Metro Area, Revised June 2010*). This figure is estimated to have increased 2-5% in the past 20 years as former farmland has been developed into new housing areas and trees have been planted.

The organization American Forests recommends tree canopy coverage for urban and suburban areas. American Forests recommends 40% as the goal for urban areas overall and 50% for suburban residential areas in the Pacific Northwest. The City of Vancouver, Washington has set a canopy goal of 28% and the City of Tigard, Oregon has a goal of 32% canopy coverage by 2027.

The Community Forestry Commission recommends the following canopy coverage goals:

Goals/desired condition

- 30% canopy cover by 2025
- 40% canopy cover by 2035

Achieving these goals requires concentrated effort and a clear strategy. This plan provides a framework for setting our community on a path for realizing a viable and sustainable urban forest worthy of a city named Forest Grove.

Street trees

Background

Trees along streets are one of the most visible portions of the urban forest. Due to their location, street trees provide specific benefits not provided by other trees. Benefits include traffic calming and extending the life of roadway pavement. Streets shaded by trees contribute to "sense of place," which can also contribute to increased community pride and property values.

Street trees are often located in very constrained locations. Pavement and utility lines may limit growing space. Other management issues that may be important for street trees include:

- Trees are commonly subject to damage by vehicles and street construction activities.
- Conflicts with utilities, hardscape (especially sidewalks, curbs, and gutters) and other built infrastructure are common.
- Branch, trunk, and root failures commonly have a high potential to cause property damage and/or injury.
- Tree canopies typically need to be maintained for street and sidewalk clearance, visibility issues for motorists, and to minimize risk of branch failures.
- Falling leaves, seeds, and fruits may create hazards on sidewalks and contribute to storm drain clogging.
- Street trees may generate high numbers of service requests and complaints.

Because of these issues, species selection is often a primary consideration. The species used may be specified in a master planting plan or on an approved species list. The palette of potential street tree species may be limited, which can sometimes lead to low species diversity. Low species diversity can pose a risk to the urban forest if one or more common species develop serious problems.



Existing condition

The City of Forest Grove Community Development Department manages the street tree planting program within newly developed areas. Historically, street tree planting was left to home builders. Many trees, however, did not fare well due to improper tree selection and planting in less-than-desirable locations. To address this problem, the City now selects trees with input from homeowners and manages tree planting to ensure proper placement. The street tree planting program is funded through an assessment at time of building permit issuance. The Street Tree Fund contained in the City budget is the collection of these assessments.

A street tree inventory was completed for Forest Grove in 2011 (see appendix). Findings include:

- Over 150 different tree species were found in Forest Grove
- The three most abundant trees are Japanese maple, Japanese flowering cherry, and Norway maple
- Deciduous trees are the dominant tree type, comprising 69% of all street trees
- Greater than half (59%) of the trees are less than 12 inches in diameter
- Street trees comprise approximately 350 acres (10% of the total land area in the City)
- The total replacement value for the street trees is estimate to be \$148 million
- White oak, Douglas-fir, and Sequoia had a higher proportion of observations in the poor to fair condition class than the average for the average of all species surveyed.

Opportunities include

- Identification of unoccupied areas as potential future planting sites
- Include an assessment element of whether the inventoried tree is in an appropriate location (based on potential tree size, crown characteristics, overhead utility location, etc.) in future inventories
- Expand the sample size
- Intensive tree survey along heavy traffic corridors (19th Avenue, Pacific Avenue, B Street, Thatcher Road) to develop long-range management plan to replace aging trees in poor condition
- Identification of street trees causing problems for pedestrians or motorists

Goals/desired condition

- Mixed age/size classes and species composition
- Retain tree species representing character of Forest Grove (White oak, Douglas-fir, bigleaf maple, sequoia)
- Resistant to insect, disease, environmental damage
- Minimal impact to adjacent utilities (including storm sewer)
- Safe environment for pedestrians, motorists, and home owners
- Efficient to maintain
- Non-invasive species suitable for Forest Grove's climate

Facility trees

Background

Many urban trees fall into the "facility tree" category. These are privately owned and maintained trees around buildings and other built facilities that are not adjacent to streets. Most trees in sites such as office parks or campuses are facility trees. Shade provided by trees near buildings can greatly reduce summer cooling costs. Facility trees also modify the visual impact of structures.

Most facility trees grow where soil volume is restricted by hardscape. They commonly occur in landscape beds near structures. These landscape beds can vary widely in size. Facility trees may also occur in small planters or cutouts in sidewalks or plazas.



Some potential management issues:

- Soil near buildings may be unfavorable due to severe compaction and alkaline residues from concrete, stucco, etc.
- Planting beds may have inadequate drainage or irrigation.
- Competition from other landscape plants may be excessive.
- Reflected heat or excessive shading from structures may affect tree growth and health.
- Pruning may be needed to maintain clearance from buildings and over walkways.
- Potential for root damage to foundations and walkways needs to be considered.
- Underground utility maintenance may damage tree roots.

Existing condition

Notable facility trees include the Oregon white oaks, and Douglas-firs on the Pacific University campus. The university has a draft vegetation management plan for the campus (55 acres) and has recently expanded non-irrigated areas near white oaks to improve tree health.

Goals/desired condition:

- Mixed age classes and species composition
- Resistant to insect, disease, environmental damage
- Minimal impact to adjacent buildings and utilities
- Safe environment for pedestrians, motorists, and home owners
- Efficient to maintain

Parking lot trees

Background

Parking lots can occupy large patches of the urban landscape. Trees in parking plots can help mitigate some of their undesirable characteristics:

- Tree shade helps cool pavement. This helps reduce the urban heat island effect that is associated with paved areas.
- Tree shade cools parked cars. Hydrocarbon vapors emitted by hot cars contribute to photochemical smog formation.
- Trees intercept and channel rainfall, reducing runoff and water pollution associated with runoff from paved surfaces.
- Trees screen and soften the visual blight that parking lots pose



Forest Grove High School Nichols Lane Frontage

Parking lots are typically poor areas for growing trees. Trees are often grown in small cutouts with compacted soils, poor irrigation, and inadequate drainage. Trees may be subject to heat damage from hot pavement and vehicle engines. Trees are also damaged by vehicles and shopping carts. Trees are pruned to provide vehicle clearance and avoid blocking parking lot lighting. Retailers sometimes have trees pruned inappropriately to enhance visibility of signs or buildings from the street. Trees in parking lots can also have undesirable effects such as dripping sap on cars or causing additional maintenance/cleaning of the parking surface.

Existing condition

The Forest Grove development code for parking lots requires:

- At least 8% of the interior parking lot area shall be landscaped (DC 10.8.415(E)(3)).
- One tree shall be required for every 1,600 square feet of interior parking lot area. Trees shall have a minimum 2-inch caliper and 6-foot branch height at time of planting (DC 10.8.415(E)(4)).
- Interior parking area landscaping and trees must be dispersed throughout the parking area. Some trees may be grouped, but the groups must be dispersed. Required trees may be planted within 5 feet of the edges of the parking area (DC 10.8.415(E)(5)).

Forest Grove has a variety of parking lots developed over time, some have trees planted in them, and some do not. The recent remodel of Forest Grove High School included the planting of trees within the reconfigured parking lot and along Nichols Lane. The photograph above shows some of the newly planted trees.

Opportunity

Inventory parking lots to identify potential areas for planting, as well as existing plantings that may be incompatible with goals/desired conditions.

Goals/desired condition:

- Mixed age classes and species composition
- Resistant to insect, disease, environmental damage
- Minimal potential impact to vehicles
- Safe environment for pedestrians and motorists
- Efficient to maintain



Example of Well-Maintained Parking Lot Trees



Example of Improper Pruning of Parking Lot Tree

Park trees

Background

Park trees include trees in public parks maintained by the City. Compared with street or facility trees, park trees may have fewer space constraints for both canopies and roots. This can allow the use of a wider range of species and larger trees overall. Tree care, however, may not receive high priority where turf or sports fields are primary uses. Other considerations:

- Trees in or near lawns need to tolerate high amounts of irrigation. Turf can also compete strongly with young trees.
- Soil compaction due to foot and equipment traffic on wet soils may impair root growth and drainage.
- Surface roots in turf may conflict with mowing equipment and may pose tripping hazards.
- Trees can be subject to damage from mowing equipment and park users. This can make it difficult to establish new trees.
- Hazard management may be a primary concern, especially in areas that are heavily used.
- Newly-developed parks often start with even-aged stands of trees. Phased tree replacement and interplanting may be needed to avoid a future replacement of the entire stand.
- Parks may include heritage trees or other old or unique trees with special maintenance needs.



Thatcher Woods



Rogers Park

Existing condition and opportunities

Forest Grove currently has over 20 park sites covering approximately 100 acres. Recent findings from the 2014 City park vegetation assessment include:

- The parks contain a wide variety of planted and native trees
- Significant tree maintenance is occurring
- Opportunities exist to plant additional trees, both to fill in unoccupied space, and to provide for future replacement of existing trees
- Some hazard abatement (dead branches) needs to occur
- May need a regular assessment schedule for overhead hazards?
- Opportunities exist to remove and replant a few smaller trees that appear to be too close to existing structures and utility wires
- Some past plantings need to be thinned to fewer trees on the site because of over crowding

Goals/desired condition:

- Safe environment for park visitors
- Mixed age classes and species composition
- Retain tree species representing character of Forest Grove (Oregon white oak, Douglas-fir, bigleaf maple, sequoia)
- Resistant to insect, disease, environmental damage
- Minimal impact to adjacent utilities
- Efficient to maintain (watering, mowing, etc.)
- Non-invasive species
- Greater coordination between the Community Forestry Commission and Parks and Recreation Commission regarding management of trees within the City's parks and open spaces.

Register trees

Background

Register/heritage trees are trees that are awarded special status due to their

1. Tree size, shape, or location;
2. Botanical significance;
3. Exceptional beauty;
4. Functional or aesthetical relationship to a natural resource.

In Forest Grove these trees are a reminder of the city’s namesake and offer historic, aesthetic, environmental, and monetary value to the community. Because these are special trees by definition, they may have special needs relative to tree care activities and inspections.



Register Tree (Goff Oak)

Existing condition

The register tree program in Forest Grove was initiated in the mid-1990s. Approximately 100 trees were identified. Protection ordinances were developed for the register trees. Yearly notices of pertinent tree care information or additional services are sent to homeowners with register trees on their property. The City of Forest Grove requires a permit for activities that will impact heritage trees.

Current summary of Forest Grove’s register trees:

Tree Type	Number
Oregon white oak	138
Douglas-fir	15
Giant Sequoia	19
Big leaf maple	2
Ponderosa pine	1
Umbrella tree	1
European beech	1
Western red cedar	2
Deodora cedar	2
Camperdown elm	1

Goals/desired condition

- Safe environment for home owners
- Retain tree species representing character of Forest Grove (White oak, Douglas-fir, Big leaf maple, sequoia)
- Minimal impact to adjacent utilities
- Provide for periodic health inspections
- Have adequate ordinances for protection
- Have adequate process for identification of new candidate register trees

Opportunities

- Increase public awareness of program
- Identification of potential Register tree candidates

Open space trees

Background

Open space trees are often remnants of the native forest found along creeks or on hills. In some areas, some or all of these trees may be exotic species. Management goals and needs will depend on what types of species are present, their condition, and their location.

Tree management in open spaces is usually less intensive than in other parts of the urban forest. In some areas, open space trees may be largely unmanaged. However, these stands can and will change over time. Active management may be needed to:

- Help maintain native stands that have low levels of natural regeneration
- Suppress exotic species that may crowd out native trees in riparian areas
- Replace flammable exotic species with lower risk trees such as native oaks

Existing condition

Open space areas in Forest Grove total approximately 350 acres. Examples of open space trees include:

- Area along Gales Creek near the B Street Trail

Goals/desired condition

- Maintain native species composition
- Maintain conditions reducing threat from wildland fires

Opportunities

- Additional tree plantings along Gales Creek and the B Street Trail.

Hazard trees

Background

Forest Grove is susceptible to strong wind weather events during the winter months. Many older iconic trees in the City are vulnerable to damage. An example of this occurred in March of 2012 when one of the large Oregon white oak trees located in downtown Forest Grove succumbed to the wind. (See photo at right.) Fortunately, the tree fell in the early morning hours and did not cause injury to persons or significant property damage.



Tree Hazard

Many communities have developed programs to mitigate safety risks to persons and property. Some communities perform hazard tree risk assessments based on criteria developed by the International Society of Arboriculture. Such an assessment takes into account factors including history of tree failure, topography, soil conditions, tree foliage, vigor and possible defects, crown size, wind exposure, and conditions of roots. Based on these factors likelihood of failure is categorized. Categories include improbable, possible, probable and imminent. Potential impact and consequences are also assessed.

Existing condition

Hazard trees exist throughout Forest Grove, primarily in the older sections of town, and include the Old Town and Forest Gale Heights neighborhoods.

Goals/desired condition

- Safe environment for residents.

Opportunities

- Develop a hazard tree mitigation program and assessment methodology
- Perform hazard tree assessments

Management of the tree resource

Background

Almost all processes needed to sustain the urban forest – establishment, growth, decline, death, and degradation of trees – require some level of active management. Urban forest managers typically:

- Plan and implement tree plantings
- Maintain existing trees
- Manage hazards associated with declining trees
- Remove trees that have reached the end of their useful life span
- Recycle or dispose of green waste and wood from pruning and removals

Urban forest managers must also deal with problems related to the urban environment. These may include:

- Utility line clearance
- Damage to sidewalks and other hardscape due to tree roots
- Complaints from pedestrians and motorists about trees causing safety (visibility) issues
- Construction damage to tree roots
- Exotic species invading natural areas
- Fire hazards at the urban-wildland interface

Existing condition

Tree maintenance falls to three departments: Public works, Parks and Recreation, and Light and Power. Tree planting is the responsibility of the department undertaking the project. The Community Development Department manages the street tree planting program, issues permits for pruning or removal of protected trees including street trees, Register trees and trees on development sites.

Roles and Responsibilities (*Forest Grove City departments*):

- *Parks and Recreation Department:*
Maintain trees in City parks and on City-owned property, provide tree inspections at request of other departments, and support Community Forestry Commission
- *Community Development Department:*
Manage street tree planting program; review development proposals potentially affecting trees, issue tree pruning and removal permits, enforce tree planting regulations, support Community Forestry Commission.
- *Public Works Department:*
Address tree/sidewalk conflicts, annual fall leaf pick-up, maintenance along rights-of-way to address tree/ public way signage conflicts
- *Light and Power Department:*
Prune trees potentially affecting overhead utilities.
- No lead department/person for coordination of tree related activities between departments .

Forest Grove tree pruning standards prescribe a maximum 20% of tree canopy or 10% of critical root zone system impact. Tree topping prohibited.

Goals/desired condition

- Have adequate ordinances, plans and policies in place to manage tree resource (tree planting standards, pruning standards, protection standards during construction, tree removal permits, street tree species planting list, invasive tree species list)
- Safe environment for pedestrians, motorists, and homeowners
- Recycle (urban forest salvage) or dispose of green waste and wood from pruning and removals
- Adequate training for city and private crews doing tree maintenance work
- Adequate budgets for maintaining city trees
- Adequate coordination between city departments involved with tree related work

Opportunities

- Update tree planting standards
- Update/develop pruning standards
- Develop protection standards for underground utility, sidewalk, or other work that affects tree roots
- Determine if there is adequate coordination between departments for tree maintenance activities
- Identify areas available for additional planting of trees
- Determine adequacy of budgets for current and future maintenance/removal of trees in declining health (especially large trees)
- Surveys to locate trees causing visibility issues for motorists and pedestrians

Community desires, values, concerns

Background

The desires, attitudes, and perceptions of stakeholders and decision-makers can have a large impact on this plan. These potential issues were developed from the results of a 2015 urban forestry survey of Forest Grove residents.

Forest Grove resident concerns/issues include:

- Where to find information on proper tree care
- Cost of planting trees
- Cost of maintaining trees (includes cost of disposing of green material)
- Safety concerns for overhead trees hazards when visiting parks
- Safety concerns when living near large trees

Goals/desired condition

- Adequate information on proper tree care
- Safe environment when recreating or living (includes motorists) near trees
- Cost efficient system for recycling or dispose of green waste and wood from pruning and removals
- Adequate information about tree related ordinances

Strategic Plan

The strategic plan summarizes the issues, trends, goals, objectives, and actions under appropriate topic headings, e.g. Tree Resources, Management, and Community.

Issues and needs categories

- ***Tree needs***
Needs related to the tree resource itself and processes that maintain the urban forest.
 - *Street trees*
 - *Facility trees*
 - *Parking lot trees*
 - *Register/heritage tree program*
 - *Park and open space trees*
 - *Hazard trees*

- ***Management needs***
Needs of the urban forest program and the people involved with the short- and long-term care and maintenance of the urban forest.
- ***Community needs***
Needs related to how the public perceives and interacts with the urban forest and the urban forest management program.

Goals

The goals in this plan are the general outcomes that are sought. Goals may address some or all of the needs identified. They can also address other concerns or desires of the stakeholders.

Objectives

Objectives provide more specificity by breaking goals into the components that make up each goal. Like goals, objectives are desired outcomes, but are more specific and limited in scope.

Actions

An action is something that is done to achieve an outcome - e.g. plant trees, conduct workshops, or enforce regulations.

Tree needs

Issue 1: *Wrong tree in the wrong location rather than right tree in the right location*

Goal

Have minimal conflict between trees and utility lines, buildings, etc.

Objective

Reduce conflicts and improve tree health

Actions

- Expand future street tree surveys to include assessment of whether a tree is in an appropriate location (locates potential sites for correction).
- Review street tree planting list for possible conflicts.
- Increase public awareness about street tree program through expanded information placed on City website (requirement for tree removal permit and recommended list of street trees).
- Review list of recommendations in 2014 parks vegetation survey for specific remedial actions (tree replacement, removal).

Issue 2: *Lack of diversity in Oregon white oak size and age class (Not enough young oaks)*

Goal

Increase the abundance and survival of young white oaks as an element of the urban forest in Forest Grove.

Objective

Continuation of the Oregon white oak as an iconic tree in Forest Grove.

Actions

- Utilize 2014 parks vegetation survey to locate planting sites (open non-irrigated sites).
- Increase public awareness about the health risk to white oaks from watering in the summer.

Issue 3: *Insufficient tree canopy within the city limits*

Goal

Strive to achieve an Increase in tree canopy from 23% to 30% by 2025 and 40% by 2035

Objective

Increase public and private community benefits of trees by increasing tree canopy.

Actions

- Seek funding opportunities to increase tree planting throughout the community
- Establish partnerships between the Community Forestry Commission and other agencies and organizations interested in planting trees in Forest Grove.

Street trees

Issue 1: *Reduce possible impact of disease affecting street trees*

Goal

Increasing street tree diversity and reduce the potential impact of tree diseases

Objective

Effective management of street trees

Actions

- The Community Forestry Commission in conjunction with appropriate City staff should develop street tree management plans for new subdivisions of the City. The management plans should address recommended tree species to plant in the neighborhood.
- Educate property owners about City policies regarding adjacent property owner responsibility for maintaining street trees.
- Prepare an estimate of cost to taxpayers if the City were to undertake complete responsibility for maintaining street trees. The estimate should address staffing levels and required expenditures. The analysis should address equity in terms of not all streets have street trees.
- Utilize grants to assess, plan, and implement tree removal and planting projects as needed.
- Develop risk/age/condition based mapping (GIS) of potential neighborhood needs.

Facility trees

Issue 1: *Educate property owners about proper care of facility trees*

Goal

Promote planting of facility trees and proper facility tree care including pruning

Objective

Improve condition of facility trees throughout the community.

Actions

- Educate property owners about proper tree care and pruning techniques
- Educate property owners about the economic benefits trees provide

Parking lot trees

Issue 1: *Many existing parking lots lack trees*

Goal

Increase tree canopy coverage in existing parking lots

Objective

Bring existing parking lots into compliance with current Development Code standards

Actions

- Educate property owners about the benefits of adding trees to parking lots including increasing pavement life cycle.
- Work with property owners to select appropriate parking lot trees to reduce ongoing maintenance costs
- Work with property owners regarding proper tree pruning techniques.

Register/Heritage Tree Program

Issue 1: *Lack of protection for tree groves*

Goal

Develop tree grove protection program

Objective

Improve the Register/Heritage tree program

Actions

- Improve standards and incentives for tree grove protection
- Preserve existing tree groves
- Create new tree groves

Issue 2: *Lack of recruitment of new register trees into the program*

Goal

Improve community outreach for Register Tree Program

Objective

Encourage property owners to nominate trees to include on the Register/Heritage Tree list

Actions

- Educate community about Register Tree Program and benefits of seeking Register Tree designation

- Implement a “Register Tree of the Year” recognition program

Park and open space trees

Issue 1: *Unfulfilled opportunities for new trees plantings in parks and open spaces*

Goal

Increase tree canopy within open space areas, and insuring “right tree in the right place”.

Objective

Promote trees as an important component of the City’s open space programs.

Action

- The Community Forestry Commission should work with the Parks and Recreation Commission to ensure tree canopy is considered as an integral part of community open space programs.
- Utilize the park vegetation inventory to locate potential opportunities.

Issue 2: *Lack of park specific tree management plans*

Goal

Have plans as needed.

Objective

Develop plans as needed.

Action

- Develop a tree management plan for Thatcher Park.

Management needs

Issue 1: *Survival of planted or maintained trees*

Goal

Have greater than 90 percent survival of planted/maintained trees.

Objective

Encourage proper tree planting and care practices to increase survival rate

Actions

- Update the tree planting standards used by City contractors.
- Develop pruning standards/practices
- Develop inspection schedule for maintenance of downtown street trees (checking metal grates, etc. near street tree boles.)
- Develop/review ordinances/standards for underground utility or other work affecting tree roots.

Issue 2: *Coordination between City departments when working near trees*

Goal

Minimize duplication of efforts and ensure proper techniques to reduce harmful impacts to trees resulting from construction activities.

Objective

Ensure survival of trees near construction areas.

Actions

- Identify lead person or department for coordination on tree related issues.
- Consolidate tree planting and management efforts among City departments
- Designate a lead City staff person to coordinate urban forest management efforts.

Issue 3: *Affordability of City managed trees (maintenance cost)*

Goal

Have an urban forest that is sustainable with a minimal level of investment.

Objective

Reduce costs associated with tree care.

Action

- Review program for activities that have a low cost/benefit ratio.

Issue 4: *Funding*

Goal

Secure ongoing and dedicated funding for the urban forest management program.

Objective

Identify and utilize potential funding sources for urban forestry related programs.

Actions

- Identify possible funding mechanisms to support the urban forest management program
- Seek grant opportunities to implement urban forestry initiatives
- Seek dedicated funding through the City budget process for tree planting efforts by documenting tree related benefits to street preservation, surface water management, and environmental sustainability.

Community needs

Issue 1: *Availability of information related to proper tree care, or tree ordinances*

Goal

Have tree related information readily available through a variety of media.

Objective

Improve the availability of tree related information.

Actions

- Post Forest Grove tree removal permit/ordinance on City website
- Post tree planting and pruning information on City website. (or link to OSU Extension website)
- Post recommended street tree planting list.
- Continue CFC sponsored pruning and planting workshops
- Evaluate need for a City urban forester or arborist

Issue 2: *Affordability of tree maintenance as trees grow larger and older*

Goal

Having an affordable means of managing mature landscaping.

Objective

Mitigate property owner costs associated with retaining large, mature trees

Actions

- Evaluate possibility of expanding street tree leaf pick up to also include leaves/trimmings from other trees (especially in light of possible elimination of backyard burning).
- Increase awareness of urban tree salvagers that may offset cost of total tree removal.
- Establish grant or assistance program for low income home owners for tree maintenance activities.

Issue 3: *Effectiveness of the fall leaf pick-up program*

Goal

Assist property owners with removal of fall leaves.

Objective

Encourage the proper removal of fall leaves. Determine effectiveness of current fall leaf pick-up program.

Action

- Encourage volunteer opportunities to assist property owners with removal of fall leaves, especially elderly property owners.
- Determine effectiveness of current fall leaf pick-up program, and develop alternative strategies if necessary.

Issue 4: *Safety of public while recreating, driving, or living near areas with trees*

Goal

Enhance safety to persons and property by identifying and mitigating potential tree hazards.

Objective

Identify potential tree hazards

Actions

- Develop and maintain criteria for what constitutes a tree hazard using the Tree Risk Assessment methodology available from the Pacific Northwest Chapter of the International Society of Arboriculture.
- Prior to acquisition of land for parks or public places conduct a tree hazard assessment
- Develop and implement a formal emergency response system for tree hazards on City streets, City parks, and greenspaces.

- Utilize 2014 parks vegetation assessment to locate areas needing overhead hazards removed (dead or comprised branches over trails or in heavily used areas).
- Develop schedule to assess and remove hazards.
- Survey to identify potential safety issues to pedestrians, motorists, or cyclists from trees (low hanging branches blocking visibility of signs or crosswalks etc..)
- Develop a hazard tree identification and abatement program

Implementation plan

Funding is a critical component of successful implementation. The following section identifies current and potential sources of funding for sustaining the urban forest.

Urban Forest Funding Sources

Grants

Grants have been used by the Community Forestry Commission to fund inspections of trees on the Register of Significant Trees, street tree infill planting, publication of a tree of the month calendar and publication of a tour of trees brochure. Potential grant funding opportunities include:

- Forest Grove Community Enhancement Program
- Oregon Community Trees
- Alliance for Community Trees
- American Forests

Street Tree Fund

The City's Development Code requires all subdivisions and partitions to install street trees. To prevent trees from being damaged, street trees are not installed until construction is completed. As a result, each development is assessed for the cost of acquisition, installation and one year of maintenance for the street trees required for a project. The Street Tree Fund is the collection of these assessments.

Surface Water Management Fund

The Surface Water Management Fund provides resources for the City's annual fall leaf pick up program. Approximately 1,400 cubic yards of debris is removed from the street to minimize flooding.

Parks and Recreation Fund

A portion of the Parks and Recreation Fund is used to provide landscaping around City facilities and some non-park areas. In addition, this fund is used for street plantings and

trimming trees for street clearance.

Light and Power Fund

The Light and Power Department funds two journeyman tree trimmers with responsibility for tree care near overhead power lines.

Proposed Implementation Strategy

- Develop standards and procedures for tree code enforcement
- Develop standards and procedures for tree protection related to public improvement projects and subdivision development
- Develop and maintain as part of the City's GIS and permit systems a publicly accessible inventory of protected trees
- Develop a hazard tree identification and abatement program
- Improve coordination among City departments related to the urban forestry program
- Identify and secure long term funding sources for urban forestry projects.
- Take advantage of the Community Forestry Commission area of the City's website as a way to distribute educational information about tree selection, care and permit requirements.
- Improve public outreach related to the benefits of the Register Tree program
- Develop site specific park/open space plans as needed.
- Assess effectiveness of current leaf/limb removal program.
- Develop an inventory (condition & opportunity) and mapping (GIS) of potential areas for street tree improvement projects.

Monitoring plan (to be developed further)

Monitoring is key to the success of any planning effort. Monitoring ensures desired outcomes are met or to make changes if something isn't working well.

Data will be collected as resources allow. Such resources include volunteer efforts, availability of grant resources, and how often data provided by outside organizations is updated. Whenever possible, field inventories should be conducted during the summer months

Register of Historic and Significant Trees

Inventory trees listed on the Register of Historic and Significant Trees as resources permit. The purpose of the inventory is to confirm the trees presence and identify general condition.

Street tree

Inventory street trees to determine overall health and viability of individual species. This data will be used to help guide selection of tree species used for street tree planting projects.

Park trees

Monitor the ongoing condition of trees located in the City's parks

Tree canopy

Assess tree canopy every two to five years. To minimize costs, tree canopy assessment should be based on data provided by regional, state or federal agencies.

Available tools

The City is in the process of developing an enterprise GIS system that could be used to advance the City's efforts to manage the urban forest. Integrating urban forest data with the GIS database will promote data sharing across departments and the general public. Data collection efforts should be done in a way that facilitates use of GIS.

A variety of free software tools, developed by the USDA Forest Service is available, at no charge, to anyone interested in analyzing forest resources. This tool, called I-Tree allows for assessment of tree canopy coverage using Landsat imagery. I-Tree allows for linking urban forest management activities with environmental quality and community livability. I-Tree provides a way to analyze data to demonstrate the value of the urban forest and set priorities for more efficient decision making.

Appendices

- Appendix A: Forest Grove park 2014 vegetation assessment
- Appendix B: Technical guides and standards
- Appendix C: Assessment methods
- Appendix D: Chronological record of public involvement
- Appendix E: Public survey questions and summary of results
- Appendix F: Summary of other related planning documents
- Appendix G: Ordinances
- Appendix H: Other
- Appendix I: 2011 Forest Grove street tree inventory
- Appendix J: City list of recommended street trees for planting
- Appendix K: Register/list of historic and significant trees in Forest Grove

Appendix A:

2014 Forest Grove parks vegetation assessment and recommendations

Park and Trail Property Addresses

B Street Trail	1910 16 th Ave
Bard Park	2921 22nd Avenue, 22 nd & Kingwood
East Entrance	Yew St between Adair and Baseline
Forest Glen Park – lower	101 Gales Creek Road, south end of Lavina
Forest Glen Park – upper	3250 Forest Gale Drive, corner of Circle Crest
Forest Glen Trail	101 Gales Creek Rd to Ridge Point Dr. Parallels Gales Creek Rd over an existing sewer easement
Hazel Sills Park	1627 Willamina Avenue
Joseph Gale Park	3014 18 th Avenue, 18th and Maple
Knox Ridge Park	2422 Strasburg Drive, corner of Strasburg Drive and Kalex Lane
Lincoln Park	2725 Main Street, Between Main and Sunset Drive North of Aquatic Center
North Entrance	Beale Rd.
Reuter Farm Green Space	480 Willamina
Rogers Park	2421 17 th Avenue, 18th and Elm
Stites Park (future)	2324 26 th Ave
Talisman Park	1210 Willamina Avenue
Thatcher Park	750 David Hill Road

B Street Trail

Size	.73 miles (16 th av to highway 47)
Location	1910 16 th Ave
Facilities (general overview)	Trailhead, paved bike and walking trail, tables, benches, pedestrian bridge over Gales Creek
Irrigated?	Yes, at trailhead
General vegetation overview	Mowed grass and planted young trees at trailhead. Planted trees along some of the trail. Natural vegetation along Gales creek portion of the trail (big leaf maple, ash, white oak, red osier dogwood, cottonwood)
Overstory trees	Young planted ash, red oak, cedar, locust at trailhead. A few planted cottonwood, Douglas-fir, willow along the trail
Understory trees	Douglas-fir, ash.

Understory shrubs	Snowberry, ribes, willow, beaked hazel
Past vegetation work (planting, thinning, etc.)	A variety of shrubs and trees were planted by Metro (about 2011) in the Gales Creek floodplain area east of the north portion of the trail. Species planted include: cottonwood, willow, dogwood, etc.
Existing maintenance needs/recommendations	<p>Trees and grass/shrubs (ash, red oak, locust, cedar, grass, shrubs?) planted at the time of establishment of the trailhead (2010.)</p> <ul style="list-style-type: none"> • A few of the planted cedar along the fence at the trailhead are probably too close to the fence, and if so, it would be cheaper to replace them now instead of waiting until they are larger • There may be opportunities to plant additional cottonwood, willows, ash, Oregon white oak, Douglas-fir directly adjacent to the portion of the trail south of the Gales Creek bridge (will depend on how wide the right-of-way is)

Bard Park

Size	2.75 acres
Location	2921 22nd Avenue, 22 nd & Kingwood
Facilities (general overview)	Includes picnic shelter, tables play equipment, basketball court, paved trail
Irrigated?	Yes
General vegetation overview	Mowed and watered park grass with scattered mid-age planted trees
Overstory trees	Mid-age maples, Scotch pine, lodgepole/shore pine, sycamore, sequoia, and walnut
Understory trees	N/A
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	No recent plantings
Existing maintenance needs/recommendations	<ul style="list-style-type: none"> • Continue lower crown pruning/lifting for access of mowing equipment • Monitoring for removal needs of dead branches in crown

East Entrance

Size

Location

Yew St between Adair and Baseline

Facilities (general overview)

No recreational structures in park. Entry sign for City of Forest Grove (other entities listed on sign?? Didn't write this down). Doesn't appear to get much use, just drive by viewing, no parking except along road

Irrigated?

Yes

General vegetation overview

Watered and mowed area indicating entry point into Forest Grove, several different species of planted trees

Overstory trees

Generally younger-mid age planted trees including, small clump of birch, several Oregon white oak (planted in an area that doesn't appear to be watered- good job!), sequoia, cedar, spruce, lodgepole pine, Douglas-fir, small ornamental Nyuzen Japan (sister city) town tree along east edge of site- very poor condition- much of the cambium rotted away

Several areas along the north edge are too crowded and very close to the utility lines. Douglas-fir along north edge competing with a young white oak; the fir should be removed

Understory trees

N/A

Understory shrubs

Watered/mowed grass, clumps of fescue in bark mulched area, dogwood, vine maple, Japanese maple

Past vegetation work (planting, thinning, etc.)

Plantings at establishment of area. Some general maintenance and pruning of lower branches has occurred

Existing maintenance needs/recommendations

- Check birch for top die back (birch bore?)
- Evaluate dense band of trees along south edge for thinning to reduce density
- Opportunity to remove several fir that are competing with the white oak
- Several trees (lodgepole pine, Douglas-fir) under the utility lines should be removed or pruned

Forest Glen Park – lower

Size	11 acres
Location	Gales Creek Road, south end of Lavina
Facilities (general overview)	Open space park with a paved and gravel trail around perimeter. Basketball court, tables, benches, and baseball field. Very little parking other than adjacent side streets.
Irrigated?	No
General vegetation overview	Mowed (infrequent) grass with a few remnant walnut trees and large white oaks along park edge.
Overstory trees	A few walnut and white oak.
Understory trees	N/A
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	None
Existing maintenance needs/recommendations	<ul style="list-style-type: none">• Evaluate dead/rotten tree branches overhanging the paved trail along west edge of park

Forest Glen Park – upper

Size	
Location	3250 Forest Gale Drive, corner of Circle Crest
Facilities (general overview)	Small neighborhood park with play structure.
Irrigated?	Yes
General vegetation overview	Mowed and watered grass with a few planted trees.
Overstory trees	Mid-age big leaf maple, white oak, Douglas-fir, Ohio buckeye, flowering pears, ginko, young white oak.
Understory trees	N/A
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	Trees in the slump appear to have been planted
Existing maintenance needs/recommendations	<ul style="list-style-type: none">• Monitor slump along edge of park for movement• Monitor overstory trees along edge of park for overhead

hazard (dead/weak branches)

- Don't water the young white oak along west edge of the park

Forest Glen Trail

Size

Location

101 Gales Creek Rd to Ridge Point Dr. Parallels Gales Creek Rd over an existing sewer easement

Facilities (general overview)

Paved trail through a Steep wooded area along Gales creek road, which connects Ridge Point Drive and Lower Forest Glen Park. Also includes a low use gravel trail along a small drainage connecting Upper and Lower Forest Glen Park.

Irrigated?

No

General vegetation overview

Mixed species native trees

Overstory trees

Mature overstory of Douglas-fir, Oregon white oak, big leaf maple, Oregon ash. A few alder in the drainage bottom. Several dead trees and dead branches adjacent to, and hanging over the paved trail.

Understory trees

Bigleaf maple, cherry

Understory shrubs

Snowberry, service berry, beaked hazel, ocean spray, poison oak, black berry, ivy, Oregon grape.

Past vegetation work (planting, thinning, etc.)

The area along the lower portion of the drainage was planted (ponderosa pine, madrone, white oak, thimble berry, others.) in 2014 by SOLVE and Clean Water Services.

Existing maintenance needs/recommendations

- Evaluate overstory along trail for hazard trees
- Remove dead branches hanging over the trail, including several partially decayed large oak branches directly over the trail (eastern portion of the trail on the knob along the edge of Lower Forest Glen park
- Continue spraying poison oak directly adjacent to trail
- Blackberry spraying?
- Ivy removal?
- Opportunity for wood placement in drainage bottom to stop down-cutting
- Opportunity to plant several white oak near the small grove of mature white oak along the eastern portion of the trail

Hazel Sills Park

Size	.5 acres
Location	1627 Willamina Avenue
Facilities (general overview)	Small neighborhood park. Play equipment.
Irrigated?	Yes
General vegetation overview	Mowed grass with a few recently planted trees
Overstory trees	Young ponderosa pine, maple, cedar
Understory trees	N/A
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	Removal of existing overstory Douglas-fir, and planting of new trees
Existing maintenance needs/recommendations	<ul style="list-style-type: none">• Pruning and shaping of young trees to facilitate mowing.

Joseph Gale Park

Size	3.6 acres
Location	3014 - 18 th Avenue, 18th and Maple
Facilities (general overview)	Developed park adjacent to Joseph Gale school. Includes play structures, ball fields, horseshoe pits, picnic tables, bathroom.
Irrigated?	Yes
General vegetation overview	Mowed grass with medium sized scattered trees
Overstory trees	Silver maples, sweetgum, spruce, Norway maple, lodgepole, sequoia, flowering plum, birch
Understory trees	N/A
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	
Existing maintenance needs/recommendations	<ul style="list-style-type: none">• Crown cleaning of dead branches (especially in the silver maples)

- Continued pruning of lower branches to facilitate mowing

Knox Ridge Park

Size	0.4 acres
Location	2422 Strasburg Drive, corner of Strasburg Drive and Kalex Lane
Facilities (general overview)	Small neighborhood park with play structures and picnic table
Irrigated?	Yes
General vegetation overview	Watered and mowed grass with a few young, planted trees
Overstory trees	Planted white cedar, maples, and flowering pears
Understory trees	N/A
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	Tree planting
Existing maintenance needs/recommendations	<ul style="list-style-type: none"> • Pruning of lower branches • Evaluate cedar along edge of park for proximity to fence... looks too close to me. Evaluate for removal and re-planting of something else.

Lincoln Park

Size	18.9 acres (owned by city)
Location	2725 Main Street, Between Main and Sunset Drive North of Aquatic Center
Facilities (general overview)	Large City park with football/soccer/track field, toilet, skate board park, picnic tables and shelter structure. Paved walking trail around perimeter. Several parking lots.
Irrigated?	Yes
General vegetation overview	Scattered mid-age and mature trees with mowed and watered grass
Overstory trees	Cedar, lodgepole, scotch pine, red oak, ash, flowering pear, sycamore, basswood
Understory trees	N/A

Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	Tree planting
Existing maintenance needs/recommendations	<ul style="list-style-type: none"> Continued pruning of lower branches to facilitate mowing and walking on path Continued evaluation of overhead hazard (dead branches) Possible opportunities for plantings as the open lot (recently acquired) to the north and east gets developed

North Entrance

Size	Less than 1 acre
Location	Beale Rd.
Facilities (general overview)	Entrance sign for north entrance to Forest Grove. Several ponds, sidewalk, viewing structure, and table/bench.
Irrigated?	
General vegetation overview	Wetland vegetation surrounding the ponds
Overstory trees	Young planted willow, big leaf maple, white pine, Douglas-fir, ponderosa pine, lodgepole pine
Understory trees	N/A
Understory shrubs	Willow, dogwood
Past vegetation work (planting, thinning, etc.)	Tree/shrub planting
Existing maintenance needs/recommendations	<ul style="list-style-type: none"> Thin vegetation near the viewing area (trail/sidewalk and shelter) to improve views of the pond Needs a sign indicating the name of the park

Reuter Farm Green Space

Size	
Location	480 Willamina
Facilities (general overview)	Several picnic tables on the back side of the hill overlooking a pond
Irrigated?	No

General vegetation overview	Mature grove of Oregon white oak with a mowed grass understory
Overstory trees	Approximately twenty large mature white oak with an open, mowed (not watered) grass understory.
Understory trees	N/A
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	Removal of several overstory oaks. Trimming of lower branches that appear to have been decayed.
Existing maintenance needs/recommendations	<ul style="list-style-type: none"> • Continue monitoring overstory oaks for overhead hazards (dead/decaying branches) • Possible opportunity to plant several white oaks along the edge of the park

Rogers Park

Size	3.6 acres
Location	2421 - 17 th Avenue, 18th and Elm
Facilities (general overview)	Heavily developed park. Includes play structures, tennis courts, picnic shelter and tables, portable toilets.
Irrigated?	Available but not used
General vegetation overview	Dominated by a grove of mature Oregon white oaks with a mowed grass understory
Overstory trees	Dominated by mature white oaks with a few Douglas-fir. Mature sweetgum trees along Elm Street. A few scattered yew, cedar, redwood, holly, Japanese maple.
Understory trees	Planted flowering plums, red oak, white oak, tulip tree
Understory shrubs	Mowed grass
Past vegetation work (planting, thinning, etc.)	Arbor Day tree plantings
Existing maintenance needs/recommendations	<ul style="list-style-type: none"> • Opportunities to plant a few white oaks • Monitor overhead hazards in oaks • Install interpretative sign about white oaks and why the City is not watering the park?

Stites Park (This area was not visited. Access uncertain.)

Size 9.9 acres
Location 2324 26th Ave

Facilities (general overview)

Irrigated?

General vegetation overview

Overstory trees

Understory trees

Understory shrubs

Past vegetation work (planting, thinning, etc.)

Existing maintenance needs/recommendations

Talisman Park

Size 2.5 acres
Location 1210 Willamina Avenue

Facilities (general overview) Play structure, picnic table and shelter. Paved path around the park and connecting to Gales Creek Road.

Irrigated? Yes

General vegetation overview Former wetland that has been filled in and planted with a variety of trees

Overstory trees One large, open grown white oak is a focal point for this park. A variety of other tree species (oaks, maples, etc.) have been planted along the perimeter of the park. Each of the trees has a numbered post at the base that corresponds to a list of the species.

Understory trees N/A

Understory shrubs Mowed and watered grass.

Past vegetation work (planting, thinning, etc.) Tree planting. Tree pruning workshop site

Existing maintenance

- Continue pruning of lower tree branches to facilitate mowing

- needs/recommendations**
- Evaluate for overhead hazards
 - Update and re-post the numbered key to the tree species in this park

Thatcher Park

Size	15.4 acres
Location	750 David Hill Road
Facilities (general overview)	Baseball/soccer fields, paved walking path, un-paved path through the forested portion of park, picnic table and shelter, toilet, dog park.
Irrigated?	Partial (ball fields)
General vegetation overview	The park includes two different areas. One is a 5-10 acres heavily forested area with a walking trail. The second area is the heavily developed park with mowed lawn, planted young trees, and developed facilities.
Overstory trees	Overstory of mature Douglas-fir (80-90 percent), with scattered big leaf maple, white oak, and cherry. The overstory appears to be fairly even aged (age??). Approximately 25-50 percent of the Douglas-fir are infected with heart rot (species??... The understory trees include big leaf maple, cherry, and holly. Shrub species include snowberry, blackberry, holly, elderberry, ivy, beaked hazel, willow, serviceberry.
Understory trees	Mowed and watered grass with planted oak), ash, Douglas-fir.
Understory shrubs	
Past vegetation work (planting, thinning, etc.)	Removal of hazard trees. Holly removal. Blackberry spraying. Removal of brush in riparian area along east side.
Existing maintenance needs/recommendations	<ul style="list-style-type: none"> • Continued evaluation of Douglas-fir heart rot and potential overhead hazards • Removal of existing dead branches hanging over the forested portion of the trail • Blackberry and ivy removal? • Opportunities to convert portions (mostly along the forest edge) to white oak through planting

Appendix B:
Technical guides and standards

DRAFT

Appendix C:
Assessment methods

DRAFT

Appendix D:

Chronological record of public involvement

DRAFT

Appendix E:

Public survey questions and summary of results

DRAFT

Appendix F:

Summary of other related planning documents

DRAFT

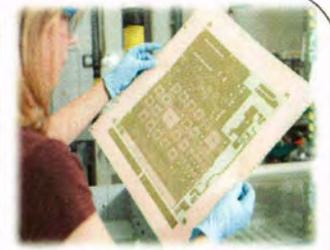
Appendix G:
Ordinances

DRAFT

Appendix H: *Other*

- Appendix I: 2011 Forest Grove street tree inventory
Appendix J: City list of recommended street trees for planting
Appendix K: Register/list of historic and significant trees in Forest Grove

DRAFT



Community Forestry Commission Urban Forest Management Plan

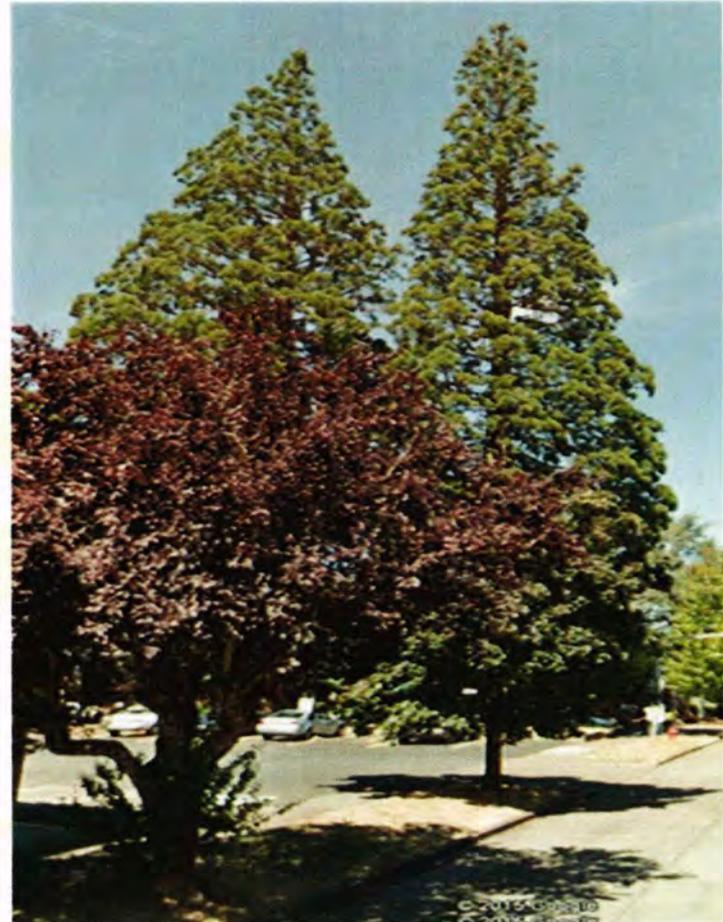
City Council Presentation

April 11, 2016

A place where families and businesses thrive.

Purpose of Work Session

- Introduce City Council to the Urban Forest Management Plan (UFMP) prepared by the Community Forestry Commission.
- If accepted by Council in late-April, the UFMP will be added to the Parks Master Plan as an appendix.



Plan Preparation

- Principal Author
 - **Bruce Countryman**
 - CFC Member
 - Retired US Forest Service Planner
- Support Provided by the CFC
 - Jen Warren, Chair
 - Document formatting and editing
 - David Hunter, Vice-Chair
 - Dale Wiley, Secretary
 - Mark Nakajima
 - Lance Schamberger
 - Michael Howell
 - Council Thompson, Council Liaison
 - Project Oversight
- Public Involvement
 - Survey with utility bill
 - Outreach at Farmers Market

Community Forest Management Plan

♦
April 2016
♦



Plan Overview

- Why the need for an urban forest management plan?
 - The City lacks a strategic plan for managing the urban forest as a community resource
 - Primary need for a plan arose from safety concerns at Thatcher Park woods
 - The scope of the project was then expanded to include:
 - Park Trees (Generally);
 - Street Trees;
 - Parking Lot Trees;
 - Register/Heritage Trees; and
 - Hazard Trees
 - The plan promotes long term management of the urban forest as a resource to protect private and public investments the resource and to ensure an ongoing stream of community benefits
 - The plan provides direction for taking advantage of grant funding opportunities related to the urban forest.

Plan Overview

- The plan creates a strategic vision for the urban forest:
 - The CFC believes that a healthy and expanding community forest is essential to our community's quality of life and to our environmental and economic wellbeing.
 - Whether for good or ill, the community's trees are being managed in some fashion. Without a vision and plan this resource is unlikely to thrive and provide the benefits the community desires.
 - The plan recognizes that coordinated management of the urban forest occurs because City departments, businesses, civic organizations and most importantly property owners and residents have formed a partnership to make a place for trees in the city.
 - The plan emphasizes that trees are vital functioning part of the City's infrastructure and should be proactively managed similar to streets, water and sewer lines

Plan Overview

- The Plan address addresses:
 - Street Trees;
 - Parking Lot Trees;
 - Park Trees;
 - Register/Heritage Trees;
 - Open Space Trees; and
 - Hazard Trees
- The CFC recommends that efforts should be made to update the Plan every five years or sooner if the need exists and resources are available

Strategic Goals

- Ensure minimal conflict between trees and utility lines and buildings;
- Increase the abundance and survival of you white oaks as an element of the urban forest in Forest Grove;
- Strive to achieve an increase in tree canopy from 23% to 30% by 2025 and 40% by 2035;
- Increase street tree diversity and reduce potential impact of tree diseases;
- Increase tree canopy coverage in existing parking lots;
- Develop a tree grove protection program;
- Improve community outreach for the Register Tree Program;
- Increase tree canopy within open space areas and ensure “right tree in the right place;”

Strategic Goals

- Prepare park specific tree management plans as needed;
- Assess tree survival rates of planted/maintained trees;
- Secure ongoing and dedicated funding for the urban forest management program;
- Improve the availability of information related to proper tree care and tree ordinances;
- Evaluate programs to mitigate property owner costs associated with retaining large, mature trees ;
- Look at ways to assist property owners with removal of fall leaves;
- Enhance safety to persons and property by identifying and mitigation potential tree hazards

Implementation Strategy

- The Plan contains recommendations for implementation but does not commit City Council to any specific course of action.
- CFC Recommendations for Implementation include:
 - Prepare standards and procedures for tree code enforcement for consideration by City Council;
 - Consider a hazard tree identification and abatement program;
 - Identify and secure grant funding for urban forestry projects;
 - Make better use of CFC area on the City's webpage;
 - Develop site specific park/open spaces plans as needed;
 - Work with Public Works to assess effectiveness of current leaf/limb removal program;
 - Develop an inventory (condition and opportunity) and mapping (GIS) of potential areas for street tree improvement projects; and
 - Track amount of tree canopy in the City over time
- Implementation should be based on City Council goals and budgetary resources

Next Steps

- Council consideration of resolution accepting the urban forest management plan
 - April 25, 2016
- Incorporate final urban forest management plan into parks master plan as appendix

1A

A place where families and businesses thrive.

PROCLAMATION

Oregon Arbor Week ~ April 3 ~ April 9, 2016
National Arbor Day ~ April 29, 2016



WHEREAS, Arbor Day was first observed in 1872 with the planting of more than a million trees in Nebraska; and

WHEREAS, the citizens and businesses of Forest Grove continue this tradition of environmental stewardship by conserving, preserving, and restoring our urban forest; and

WHEREAS, the National Arbor Day Foundation has recognized our community's commitment to a strong and vibrant urban forest over the past twelve months by designating the City of Forest Grove as a national "Tree City USA®" for the 25th consecutive year; and

WHEREAS, Oregon Arbor Week will be observed throughout the State from April 3 through April 9, 2016, and National Arbor Day will be observed throughout the United States on April 29, 2016.

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

Section 1. The citizens and businesses of Forest Grove are urged to continue their support of the City's Community Forestry Program and efforts to protect our urban forest by commemorating Arbor Week and Forest Grove's 26th anniversary as a National Tree City USA.

Section 2. Local Arbor Week activities include the Annual Tree Planting to be held at the Forest Grove School District Office, 1728 Main Street, 1:30 p.m., Tuesday, April 12, 2016.

Section 3. The Forest Grove City Council thanks all former and current members of the Community Forestry Commission for their dedicated service and commitment to preserving our urban forest over the past 26 years and improving quality of life in Forest Grove.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 11th day of April, 2016.

[Handwritten signature of Peter B. Truax]

Peter B. Truax, Mayor, City of Forest Grove



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Minutes are unofficial until approved by Council.

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the Work Session to order at 6:23 p.m.

CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Malynda Wenzl; and Mayor Peter Truax.

COUNCIL ABSENT: Elena Uhing, excused.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; and Anna Ruggles, City Recorder.

2. WORK SESSION: DEFINED BENEFIT RETIREMENT

Downey and VanderZanden facilitated the work session, noting the purpose of the work session was to discuss the status of the City's Defined Benefit (DB) Retirement Plan, which includes 1) Defined Benefit Plan managed by the City; 2) Defined Contribution Plan managed through ICMA; and 3) Public Employees Retirement System (PERS); review Milliman's, City's actuary firm, recommended changes to the City's DB Plan; discuss the cost to fund the recommended changes; and discuss staff's recommendation to implement independent actuary's recommended changes to the actuarial assumptions for the City's DB Plan. Downey reported staff held a similar work session with Council on January 26, 2015, noting at that work session, staff was directed to schedule a follow-up work session with Council to provide an update on the City's retirement plan assumptions. Downey introduced Milliman's actuary representatives, Chris Jasperson and Lacey Engle, who were present, noting staff and the Actuary are presenting recommended changes centered around three areas as outlined in the staff report:

1. Change Mortality Assumptions for FY2016-17 – these changes would increase contributions to the Plan;
2. Change Valuation Interest Rate Assumption from 7.25 percent to 6.75 percent – this change would increase contributions to the Plan; and
3. Change Salary Scale Assumption from 4.5 percent to 3.75 percent annually – this change would decrease contributions to the Plan

Actuary comments as outlined in the staff report:

- Adopt the recommended assumptions, but step into the higher contribution levels over time, for example three to five years. This approach is similar to how the

PERS Rate Collar currently limits the change in contribution rates for many PERS employers.

- Adopt the recommended mortality assumption, but wait to lower the interest rate assumption. Then lower the interest rate assumption 0.25 percent per year until the recommended assumption is reached.
- Any deferral of contributions would result in relatively higher future contribution levels due to the time value of money.

Downey presented a PowerPoint presentation background overview on the City's DB Plan and referenced a table titled "Retirement Program Members in Plans as of October 1, 2015", noting the Plan includes 123 defined benefit members, 30 defined contribution full-time members, and 16 defined contribution part-time members; referenced a table titled "Budget Contributions FY2015-16", noting the total of Retirement Payments in the General Fund is \$2,458,001; and referenced a table titled "Estimated Impact of Recommended Assumptions Changes Based on Preliminary July 1, 2015, Valuation Results", which reflected the recommended changes noted above (reducing interest rate and salary scale assumptions). In conclusion of the above-noted work session presentation, Downey advised the total annual estimated additional costs to implement all changes are \$1,223,000, or a 54 percent increase in contributions, noting the costs of implementing all the changes at one time would be difficult for the General Fund to fund and would deplete reserves too quickly unless additional revenue is generated or service reductions are made. In conclusion of the above-noted work session report, Downey and VanderZanden advised staff is proposing a strategy to phase-in the actuarial assumptions changes over the next three to five years, starting in FY2016-17 budget year, which is one of the alternative approaches suggested by the Actuary.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to status of the City's Defined Benefit Plan and overall budgetary effect on the City's General Fund and options to implement the recommendations over time. Downey and Actuary responded to various concerns, inquiries and scenarios Council presented pertaining to implementing the recommendations and costs to the General Fund departments, to which Downey noted in order to absorb the potential increased costs, Light and Power Fund would need to increase rates by 1.8 percent and Water Fund would need to increase rates by 2.4 percent. The Enterprise Funds would have less difficulty implementing the changes due to the ability to increase rates. Downey pointed out waiting to make any changes would ultimately increase the costs of making changes, noting staff would work with Actuary on an allocation method to charge contributions to the various departments in the General Fund. Downey also noted the phase-in would allow the City to factor the increased retirement contributions in the financial projections to be prepared as part of the process to review the renewal of the five-year local option levy, which expires June 30, 2018. In conclusion of the above-noted Council discussion, Downey and VanderZanden advised staff will factor the rate increases into a phasing plan

that staff and Actuary will develop and bring back to Council for consideration in a follow-up work session at a later date.

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

3. ADJOURNMENT:

Mayor Truax adjourned the work session at 6:59 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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A place where families and businesses thrive.

**City Council Work Session Meeting Minutes
Goal-Setting and Team Agreement**

**Monday, March 28, 2016
6:00 p.m., Conference Room**

Minutes are unofficial until approved by Council.

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the Work Session to order at 6:01 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 (in the audience); Rob Foster, Public Works Director (in the audience); and Anna Ruggles, City Recorder.

2. WORK SESSION: CITY COUNCIL GOAL-SETTING AND COUNCIL TEAM AGREEMENT

Ruggles and VanderZanden facilitated the above-noted work session, noting the purpose of the work session was so Council could complete its review of the proposed Council Key Goals and Objectives for Fiscal Year 2016-17 and Council Team Agreement prior to adoption consideration. VanderZanden presented a PowerPoint presentation highlighting the Council Goals and Objectives, which were identified at the Council Retreat, held on February 20, 2016, and reviewed in Work Session, held on March 14, 2016. VanderZanden reported Council identified 12 new proposed objectives and carried over 13 objectives from the previous year that were identified as ongoing for a total of 25 proposed objectives for Fiscal Year 2016-17. In addition, VanderZanden reported staff conducted further research of governing provisions, noting City Charter, Section 10, states "City Council must adopt by resolution rules to govern its meetings and proceeding."; Council Rules of Procedures, Section 5.2, states "Councilmembers shall preserve order and decorum during Council meetings, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer, Council Rules and Council Team Agreement..."; and Section 16.1, states "City Council shall set its goals annually...and shall be adopted at a regular meeting of the City Council no later than the second regular session in March of the year". VanderZanden added staff is recommending Council adopt their Council Team Agreement by resolution, pursuant to the Charter requiring Council to adopt its rules by resolution consistent with other Council legislative actions. In conclusion of the above-noted work session report, VanderZanden advised the Council goals and objectives are on the Council meeting agenda for this evening for adoption

consideration pursuant to the proposed resolutions.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued, to which Council collectively concurred to make no changes to their three key goals and no changes to the proposed objectives for Fiscal Year 2016-17. Roundtable discussion ensued pertaining to Lowe's concerns regarding budget dollars versus concept of realistically incorporating Council objectives into the budget document, to which Mayor Truax replied once Council adopts its goals and objectives, it sends a message to the City Manager to assign to departments, identify funding sources if necessary and determine which objectives will be incorporated into the budget document for the coming year. VanderZanden added it is an integrating, successive process, with staff focusing on next steps and as work begins, status updates occurring periodically, noting staff recognizes that not all the objectives can be feasibly accomplished. Lowe indicated she would support the adoption of the objectives as long as she is not shut down during budget time, to which Mayor Truax spoke about the budget planning process and budget limitations. In conclusion of the above-noted Council discussion, Ruggles and VanderZanden advised proposed resolutions adopting the three Council Key Goals and Objectives for Fiscal Year 2016-17 will be presented for Council consideration during the regular meeting of Monday, March 28, 2016.

Council Team Agreement:

Ruggles and VanderZanden referenced Council's Team Agreement, noting the Team Agreement was edited at the Council Retreat, held on February 20, 2016, and Council reviewed edits at the work session held on March 14, 2016. VanderZanden presented a PowerPoint presentation highlighting the edits to the Council Team Agreement, Exhibit A to the proposed resolution, noting staff edited the first paragraph to reference the adoption pursuant to the resolution number assigned. In conclusion of the above-noted work session report, Ruggles and VanderZanden advised the Team Agreement is on Council meeting agenda for this evening for adoption consideration pursuant to the attached resolution.

Council Discussion:

Mayor Truax advised he is proposing Page 2, signature page, of the Team Agreement be removed, noting Page 2 is no longer necessary because Council would be adopting the Council Team Agreement by a resolution instead. Roundtable discussion ensued pertaining to Lowe's concerns regarding the team agreement and pushing to sign against one's morals; moral right to have a say and right to lobby; not suppressing the ability to do the job as elected officials; state ethics commission guards elected officials' behaviors; other cities' team agreements; and if team agreements are backed up by

state charter rules, to which Mayor Truax replied the City's Charter was changed in 2009 and adopted by the voters. Ruggles noted "home rule" is specific to a locally approved charter rather than by specific state law and concurred most cities have team agreements that were very similar to Forest Grove's team agreement. In addition, VanderZanden advised that if Council adopts rules, these rules are binding to the City unless state law prohibits such legislation. Lowe asked for more discussion before removing Page 2, signature page, and adopting the team agreement by resolution, noting adopting the team agreement by a resolution, perpetuates itself as law. In addition, Lowe indicated she is not signing the team agreement and has concerns with Number 10 of the team agreement, noting she thinks the team agreement should be ripped up and any references to the team agreement removed. Mayor Truax advised Page 2, signature page, would be removed, so a vote rather than a signature would occur if adopted, to which Lowe voiced concern of pushing the team agreement through a vote of the Council.

Wenzl indicated she likes reassessing the team agreement at least once a year because the agreement is a consistent reminder to reflect on her to be a better team member. Wenzl added she views the team agreement as a tool, not a tool used against another member, noting she supports the team agreement and sees the team agreement as being beneficial to the team.

Uhing indicated Council needs teamwork to get through issues and may need an outside third-party mediator. Uhing pointed out in her job environments there have always been team agreements; however, Council's team agreement does not contain consequences or any form of accountability if violated, so it becomes a mute document.

Council President Johnston replied as elected officials, he is uncertain what type of consequences would be in a Council Team Agreement. Johnston noted as Council President, he could act as a mediator, to which Council collectively concurred that an outside entity or a third-party facilitator would be best, not someone close to the issues.

Thompson indicated he would like to proceed and get through the formal actions so Council can move ahead with the budget process, noting he is ready to sign the team agreement, to which Mayor Truax advised Page 2, signature page, is being removed so Council's action would be by formal vote, to which Thompson concurred.

Mayor Truax added he is unsure the issues are at the level of ethics violation, but are more so, communication and personality related, noting he concurs that a third party would be best as long as it is a skilled mediator who can articulate issues between both parties.

In conclusion of the above-noted Council discussion, Mayor Truax advised the Team Agreement is on Council meeting agenda for this evening for adoption consideration pursuant to the attached resolution, noting Exhibit A, Page 2, signature page, is removed.

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

3. **ADJOURNMENT:**

Mayor Truax adjourned the work session at 6:52 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

Minutes are unofficial until approved by Council.

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:02 p.m. and led the Pledge of Allegiance.

ROLL CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Elena Uhing (dismissed at 9:37 pm); Malynda Wenzl; and Mayor Peter Truax.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Tom Gamble, Parks and Recreation Director; Jon Holan, Community Development Director; Dan Riordan, Senior Planner; Derek Robbins, Project Engineer; George Cress, Light and Power Director (in the audience); J. F. Schutz, Police Chief (in the audience) and Anna Ruggles, City Recorder.

1. A. AWARD PRESENTATION:

Mayor Truax and Gamble read the commendation and presented a Certificate of Appreciation and plaque in special recognition of years of service to Steve Huffman, Parks Crew Supervisor, who is retiring after 25 years of service with the City. Dale Wiley, on behalf of the Community Forestry Commission (CFC), presented Huffman with a special recognition plaque for Huffman's 22 years of service as staff liaison to CFC.

1. B. PROCLAMATION:

National Mayor's Challenge for Water Conservation

Mayor Truax publicly proclaimed the month of April 2016, as "National Water Conservation Pledge Challenge Month in Forest Grove". Mayor Truax presented the proclamation to Brian Schimmel who received the proclamation on behalf of the Sustainability Commission.

2. CITIZEN COMMUNICATIONS:

Dr. Margit Rudy, Forest Grove, addressed Council and introduced herself and her husband, noting they purchased the derelict commercial property, commonly referred to as the old Shell Station at the corner of 19th Avenue and Birch Street, with the intention of building a locally sourced grocery store and community hub at this location. Rudy distributed a brochure highlighting the preliminary site plan design and proposal

for “Radlhof Station”, noting their project fully aligns with the goals and intentions of the City’s urban renewal redevelopment plan, and they would like Council’s support as they initiate financial support through a formal agreement with the Urban Renewal Agency, to which Mayor Truax thanked Rudy for vesting in Forest Grove.

3. CONSENT AGENDA:

Items under the Consent Agenda are considered routine and are 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 remaining Consent Agenda item(s).

- A. Approve City Council Work Session (Council Goal-Setting and Team Agreement) Meeting Minutes of March 14, 2016.
- B. Approve City Council Regular Meeting Minutes of March 14, 2016.
- C. Accept the Historic Landmarks Board Meeting Minutes of February 22, 2016.
- D. Accept Library Commission Meeting Minutes of January 12 and February 9, 2016.
- E. Accept Planning Commission Meeting Minutes of February 15, 2016.
- F. Accept Resignation on Public Arts Commission (Helvi Smith, Term Expiring December 31, 2017).
- G. **ENDORSE NEW LIQUOR LICENSE APPLICATION (BREWERY PUBLIC HOUSE) FOR RIDGEWALKER BREWING COMPANY, 1921 21ST AVENUE (APPLICANT: JASON CIRLINCIONE).**
- H. **ENDORSE LIQUOR LICENSE RENEWAL APPLICATIONS FOR YEAR 2016:**
 - 1. Thai House 2 (Limited On-Premises Sales) *ITEM REMOVED BUT NOT APPROVED*
 - 2. Urban Decanter (Full On-Premises Sales) *ITEM REMOVED AND APPROVED*

MOTION: Councilor Kidd moved, seconded by Councilor Uhing, to approve the Consent Agenda as amended. **MOTION CARRIED 7-0 by voice vote.**

Kidd removed Consent Agenda Item 3. H. 1. and 2., noting Thai House 2 closed its business and the business name has been changed, to which Ruggles affirmed she would contact the applicant and ask about the change of ownership.

MOTION: Councilor Kidd moved, seconded by Councilor Thompson, to approve Consent Agenda Item 3. H. 2. as presented and remove Agenda Item 3.H. 1. from the Consent Agenda at this time. **MOTION CARRIED 7-0 by voice vote.**

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS:

5. A. Clean Water Services' State of the District

Foster introduced Mark Jockers, Clean Water Services (CWS) Government and Public Affairs Manager, who presented a PowerPoint presentation giving a historical overview of CWS, noting the City joined the Washington County sewer service district in 1969 and in 1970, the voters approved formation of a regional Unified Sewage Agency, which today is known as CWS, a water resources management utility serving more than 572,000 residents of urban Washington County; 12 partner cities; \$64.6M Budget/\$66M Capital; 58 million gallons of clean water a day; and provides a higher level of treatment than 98 percent of facilities in the U.S. Jockers reported CWS is doing more with less, referencing a flowchart showing CWS had nine employees per 10,000 residents in 1997 (366 FTEs); 6.3 employees per 10,000 residents in 1999 (268 FTEs); and 5.8 employees per 10,000 residents in 2016 (329.55 FTEs). In addition, Jockers referenced flowcharts titled "2015-16 Sanitary Sewer and SWM Rate and Local Surcharges to Meet Local Needs"; "Comparable Rates 2015-16"; and "10-Year Rate History" and addressed various topics pertaining to water supply growth planning, facility security measures and replacement of aging infrastructure.

5. B. Quarterly Financial Report for Period Ending December 31, 2015

Downey presented a PowerPoint presentation outlining the quarterly financial report ending December 31, 2015, noting this is the second quarter of the City's fiscal year ending June 30, 2016. Downey reported the quarterly report compares the budget to the year-to-date revenues and expenditures, noting the first section contains a graphical presentation of the revenues and expenditures in the General Fund with expenditures by departments and other major operating funds; second section of the report contains the line item detail for all of the City's funds; and third section is actual revenues received or expenditures disbursed through the end of the quarter and are compared to the year-to-date quarterly budget allotments and expressed in the detail report as both a dollar variance and percent variance. In conclusion of the presentation, Downey highlighted graphs pertaining to the General Fund, Building Services Fund, Information Systems Fund, Light Fund, Street Fund, Sewer Fund, Water Fund, Surface Water Management Fund, Equipment Fund and other funds, noting the Beginning Fund Balance for FY 2015-16 is just over \$6.15 million, which is \$214,000 over what the five-year financial forecast estimated the balance would be during the budget preparation for FY 2015-16.

6. SECOND READING OF ORDINANCE NO. 2016-02 AMENDING FOREST GROVE TRANSPORTATION SYSTEM PLAN (TSP) FOR INCLUSION OF COUNCIL CREEK REGIONAL TRAIL PREFERRED ALIGNMENT THROUGH THE CITY OF FOREST GROVE; FILE NO. 311-15-00033-PLNG

The first reading of Ordinance No. 2016-02 by title occurred at the Council meeting of March 14, 2016.

Staff Report:

Robbins and Foster presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 14, 2016, and explained hearing procedures.

Written Testimony Received:

No additional written testimony was received prior to the published deadline of March 28, 2016, 7:00 p.m.

Proponents:

No one 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.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of March 14, 2016.

Mayor Truax read Ordinance No. 2016-02 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

7. **SECOND READING OF ORDINANCE NO. 2016-03 AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLE 3, ARTICLE 4, ARTICLE 7 AND ARTICLE 12 AND DESIGN GUIDELINE HANDBOOK TO IMPLEMENT POLICIES OF THE FOREST GROVE COMPREHENSIVE PLAN; FILE NO. 311-15-00020-PLNG**

The first reading of Ordinance No. 2016-03 by title occurred at the Council meeting of March 14, 2016.

Staff Report:

Riordan and Holan presented the above-proposed ordinance for second reading, noting staff received new written testimony as noted below.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 14, 2016, and explained hearing procedures.

Written Testimony Received:

Michael Goff, Forest Grove, submitted written testimony dated March 28, 2016, in support of Ordinance Nos. 2016-03, 2016-04 and 2016-05, stating as additional zoning changes are developed, Council is urged to consider the extensive unmet need for affordable housing throughout the region and to continue to pave the way for higher density, mixed-use development.

No additional written testimony was received prior to the published deadline of March 28, 2016, 7:00 p.m.

Proponents:

No one 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.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of March 14, 2016.

Mayor Truax read Ordinance No. 2016-03 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

8. **SECOND READING OF ORDINANCE NO. 2016-04 AMENDING FOREST GROVE COMPREHENSIVE PLAN MAP FOR PROPERTIES DESIGNATED TOWN CENTER SUPPORT AND COMMUNITY COMMERCIAL IN THE TOWN CENTER EXPANSION AREA ON THE COMPREHENSIVE PLAN DATED JANUARY 27, 2014; FILE NO. 311-15-00020-PLNG**

The first reading of Ordinance No. 2016-04 by title occurred at the Council meeting of March 14, 2016.

Staff Report:

Riordan and Holan presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 14, 2016, and explained hearing procedures.

Written Testimony Received:

No additional written testimony was received prior to the published deadline of March 28, 2016, 7:00 p.m.

Proponents:

No one 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.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of March 14, 2016.

Mayor Truax read Ordinance No. 2016-04 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

9. **SECOND READING OF ORDINANCE NO. 2016-05 AMENDING OFFICIAL FOREST GROVE ZONING MAP FOR PROPERTIES DESIGNATED NEIGHBORHOOD MIXED USE AND TOWN CENTER EXPANSION ON THE COMPREHENSIVE PLAN MAP DATED JANUARY 27, 2014; FILE NO. 311-15-00020-PLNG**

The first reading of Ordinance No. 2016-05 by title occurred at the Council meeting of March 14, 2016.

Staff Report:

Riordan and Holan presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 14, 2016, and explained hearing procedures.

Written Testimony Received:

No additional written testimony was received prior to the published deadline of March 28, 2016, 7:00 p.m.

Proponents:

No one 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.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of March 14, 2016.

Mayor Truax read Ordinance No. 2016-05 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

10. **SECOND READING OF ORDINANCE NO. 2016-06 AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLE 3 TO ESTABLISH THE BUSINESS INDUSTRIAL PARK ZONE; FILE NO. 311-15-00027-PLNG**

The first reading of Ordinance No. 2016-06 by title occurred at the Council meeting of March 14, 2016.

Staff Report:

Riordan and Holan presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 14, 2016, and explained hearing procedures.

Written Testimony Received:

No additional written testimony was received prior to the published deadline of March 28, 2016, 7:00 p.m.

Proponents:

No one 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.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

In response to Thompson's concern pertaining to requiring a pump station near the floodplain zone, Riordan advised the plan shows the City has sufficient capacity and/or future extension will be required to serve future development in the mixed-use areas.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of March 14, 2016.

Mayor Truax read Ordinance No. 2016-06 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Thompson, Uhing, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

11. SECOND READING OF ORDINANCE NO. 2016-07 AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLE 3, ARTICLE 7 AND ARTICLE 8 TO ADDRESS MARIJUANA FACILITIES; FILE NO. 311-15-00028-PLNG

The first reading of Ordinance No. 2016-07 by title occurred at the Council meeting of March 14, 2016.

Staff Report:

Holan presented the above-proposed ordinance for second reading, noting staff received new written testimony as noted below. Holan recapped the staff report heard at the meeting of March 14, 2016, noting the codes address all seven marijuana related activities, which include medical marijuana dispensaries; recreational retail sales; medical grow (also called producers); recreational grow (also called producers); medical processors; recreational processors and wholesaling.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 14, 2016, and explained hearing procedures.

Written Testimony Received:

Joshua Wolf, Wolf Legal, representing Progressive Property Management (PPM), submitted a letter dated March 28, 2016, in support of Ordinance Nos. 2016-07 and 2016-08 and testifying PPM is currently in the process of planning redevelopment of the old Matsushita manufacturing facility, located at 4114 Heather Street, as an indoor marijuana grow site. PPM's written testimony addressed enhanced security; odor control; and environmental responsibilities; and affirmed PPM intends to operate in strict compliance with state laws and regulations and federal guidelines and noting there is no basis for suggestion that PPM's operation will be a threat to other businesses in the community. In addition, PPM's written testimony stated an eagerness to contribute to Forest Grove's robust tradition of supporting agriculture in the State of Oregon, while helping pave the way to a sustainable future for local agribusinesses.

No additional written testimony was received prior to the published deadline of March 28, 2016, 7:00 p.m.

Proponents:

Adrian Perte, business located at 3821 Pacific Avenue, Forest Grove, testified that he would like to retain closing business hours of 10:00 p.m., noting he conducted a study at his business (medical and retail) and found that 98 percent of his customers were in favor of closing at 10:00 p.m. instead of 8:00 p.m.

No one else testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

Alan Stutz, Security Manager, TTM Technologies, Poplar Lane, Forest Grove, testified TTM is neutral but is petitioning Council to ban outdoor grow sites in light industrial zones as well as establish a buffer or setback requirement, i.e., same as Tigard's code. Stutz added TTM is also petitioning Council to allow additional time before enacting the ordinances so TTM has time to hold discussions with their customers. Holan noted management staff met with TTM and discussed various solutions.

No one else testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Thompson pointed out TTM is a very large employer in Forest Grove, employing over 650 employees. In response to Thompson's inquiry pertaining to land sales, Stutz affirmed TTM has 30-40 acres of land and has acreage for sale that is within the residential zone district.

In response to Kidd's inquiry pertaining to TTM's land, Holan affirmed 34 acres adjacent to TTM are zoned light industrial.

Hearing no further discussion from the Council, Mayor Truax asked for any amendments to Ordinance No. 2016-11, to which the following motions occurred.

MOTION TO AMEND 1: Councilor Wenzl moved, seconded by Councilor Uhing, to amend Ordinance No. 2016-11 to retaining business hours of operation from 8:00 a.m. to 10:00 p.m. (*Code Section 10.8.1100(B); denying Planning Commission's recommendation to reduce business hours to 8:00 pm*).

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

ROLL CALL VOTE AMENDMENT 1: AYES: Councilors Johnston, Kidd, Lowe, Uhing, Wenzl, and Mayor Truax. NOES: Councilor Thompson. MOTION CARRIED 6-1.

MOTION TO AMEND 2: Councilor Wenzl moved, seconded by Councilor Uhing, to amend Ordinance No. 2016-11 by striking out within Neighborhood Commercial Zone District and Community Commercial Zone District 4(7); and Town Center Zone District 5(5) and amending Ordinance No. 2016-12 by striking out Subsection F in City Code, which read: (*"prohibit taverns, lounges and other commercial uses intended for the onsite consumption of marijuana related products Commercial establishments) and (prohibited where a portion or all of the facility is intended for the on-site consumption of marijuana, cannabinoid concentrate or cannabinoid extract"*).

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

ROLL CALL VOTE AMENDMENT 2: AYES: Councilors Johnston, Lowe, Thompson, Uhing, Wenzl. NOES: Councilor Kidd and Mayor Truax. MOTION CARRIED 5-2.

In response to Council President Johnston's concern pertaining to adopting code provisions/repealing code provisions (i.e., grow facilities), Holan advised the code provisions apply to what is in effect at the time of final approval of an application, not date of submittal, noting it becomes a vesting issue for applicants who have begun vesting in the community, only to have the code change prior to final application approval.

MOTION TO AMEND 3: Councilor Kidd moved, seconded by Councilor Thompson, to amend Ordinance No. 2016-11 to prohibit outdoor grow operations in any industrial zone areas; amending Code Section 10.8.1110(C), which reads: (*"With the exception of outdoor grow operations including the use of removal greenhouses"*).

Wenzl indicated she has concern if considering to permanently prohibit outdoor grow operations, noting she feels outdoor grow facilities are better than indoor grows, and both operations will be secured sites pursuant to state regulations. Wenzl stressed there has been no formal discussion among Council regarding indoor/outdoor grow operations, noting more homework needs to occur before making a formal decision on grow operations.

Uhing concurred local regulations should not be too restrictive. In response to Uhing's concern pertaining to security regulations for indoor/outdoor grow operations, Holan advised state law requires specific security regulations for indoor/outdoor grow operations. In response to Uhing's concern pertaining to the City's application review process, Holan explained the application process is an administrative review and does not require Council approval.

In response to Kidd's concern pertaining to school buffers for outdoor grow facilities, Holan advised state regulations do not require a buffer restriction for grow facilities, noting the 1000' buffer applies only to retail sales.

Mayor Truax advised the city would continue reviewing local regulations as the state legislators continue reviewing state regulations, noting changes to the laws would likely continue to occur.

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

ROLL CALL VOTE AMENDMENT 3: AYES: Councilor Thompson. NOES: Councilors Johnston, Kidd, Lowe, Uhing, Wenzl and Mayor Truax. MOTION FAILED 6-1.

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

on the motion made at the meeting of March 14, 2016, adopting the above-noted ordinance for second reading as amended.

Mayor Truax read Ordinance No. 2016-07 by title for second reading as amended.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Uhing, Wenzl, and Mayor Truax. NOES: Councilor Thompson. MOTION CARRIED 6-1.

12. **SECOND READING OF ORDINANCE NO. 2016-08 AMENDING FOREST GROVE CITY CODE CHAPTER 7 BY RENAMING CODE SECTIONS 7.850 THROUGH 7.865 FROM "MEDICAL MARIJUANA DISPENSARIES" TO "MARIJUANA ACTIVITIES"; AMENDING CODE SECTIONS 7.850 THROUGH 7.860 TO ADDRESS MARIJUANA FACILITIES; AND REPEALING PORTIONS OF ORDINANCE NO. 2015-03; FILE NO. 311-15-00028-PLNG**

The first reading of Ordinance No. 2016-08 by title occurred at the Council meeting of March 14, 2016.

Staff Report:

Holan presented the above-proposed ordinance for second reading, noting the proposed ordinance is amended by striking out Subsection F as noted above in Amendment 2. In addition, Holan recapped the staff report from the meeting of March 14, 2016, noting the business hours of operation were not amended in City Code; as a result, the business hours are currently consistent with the Development Code (between hours of 8:00 a.m. to 10:00 p.m.).

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of March 14, 2016, and explained hearing procedures.

Written Testimony Received:

No additional written testimony was received prior to the published deadline of March 28, 2016, 7:00 p.m.

Proponents:

No one 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.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

In response to Kidd's concern pertaining to retitling Code Section 7.850, Holan explained the current title is "Medical Marijuana Dispensaries" and staff is proposing to retitle as Medical Marijuana Dispensaries Activities, so it incorporates all marijuana related activities in the code.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of March 14, 2016, adopting the above-noted ordinance for second reading as amended.

Mayor Truax read Ordinance No. 2016-08 by title for second reading as amended.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Uhing, Wenzl, and Mayor Truax. NOES: Councilor Thompson. MOTION CARRIED 6-1.

Council collectively concurred to extend the meeting past 9:30 p.m. adjournment, to which, Mayor Truax called for a recess at 9:29 p.m. and reconvened the meeting at 9:37 p.m.

Uhing dismissed herself at 9:37 p.m.

13. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2016-09 AMENDING THE FOREST GROVE COMPREHENSIVE PLAN MAP TO DESIGNATE THE SOUTH URBAN GROWTH BOUNDARY ADDITION AS CAMPUS EMPLOYMENT (600 ELM STREET, WASHINGTON COUNTY TAX LOTS 1S30000100 AND 1S306D000700); FILE NO. 311-15-00032-PLNG

Staff Report:

Riordan and Holan presented the above-proposed ordinance for first reading, noting above-proposed ordinance is amending the Comprehensive Plan Map to designate the south Urban Growth Boundary (UGB) addition as Campus Employment as recommended by the Planning Commission, Decision No. 2016-04. Riordan reported the amendment to the Comprehensive Plan is to designate 38 acres south of the Taylor Way Industrial Park as Campus Employment, noting the subject area was added to the UGB by the Legislature in 2014 (HB 4078) by "Grand Bargain", urban and rural reserves for Washington County. The subject property is generally located near 600 Elm Street, Washington County Tax Lots 1S3070000100 and 1S306D000700 owner Haworth, and is zoned County Future Development with a 20-acre minimum lot size (FD-20). Riordan explained the property currently has no City zoning designation applied to the property, noting typically, when the property is annexed into the City, the zoning designation on the Comprehensive Plan Map will be assigned to the property.

Riordan added the Planning Commission considered several land use alternatives for the subject property, including General Industrial, Light Industrial and Campus Employment, noting the Campus Employment designation recommended by the Planning Commission is a new employment designation described in the updated Comprehensive Plan and is intended to provide flexibility for use of the property, including, not to limited to, manufacturing, office, services and flexible use space. Riordan added typical uses include high technology companies, call centers, research and development firms and business incubators. In conclusion of the above-noted staff report, Riordan and Holan recommended Council adopt the above-noted ordinance as outlined in Exhibit A, File No. 311-15-00032-PLNG.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2016-09 for first reading.

Mayor Truax read Ordinance No. 2016-09 by title for first reading.

MOTION: Councilor Kidd moved, seconded by Councilor Thompson, to adopt Ordinance No. 2016-09 Amending the Forest Grove Comprehensive Plan Map to Designate the South Urban Growth Boundary Addition as Campus Employment (600 Elm Street, Washington County Tax Lots 1S3070000100 and 1S306D000700); File No. 311-15-00032-PLNG.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received prior to the deadline of March 28, 2016, 7:00 p.m.

Proponents:

Tom Carlson, Gaston, submitted written testimony, on behalf of the Friends of Historic Forest Grove, testifying that Friends of Historic Forest Grove are not opposed to designating the property for Campus Employment style development, but is encouraging all parties to work together to realize all the potential benefits this style of development could bring to residents, emerald necklace trail, and adjacently to the A. T. Smith House.

David Morelli, Forest Grove, testified in support of the Campus Employment designation recommended by the Planning Commission.

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:

Hearing no discussion from the Council, Mayor Truax recessed the Public Hearing until the next meeting of Monday, April 11, 2016.

Public Hearing Recessed:

Mayor Truax recessed the Public Hearing until the next Council meeting of Monday, April 11, 2016.

MOTION TO ADJOURN: Councilor Lowe, seconded by Councilor Wenzl, to adjourn the Council Meeting at 9:57 p.m. and carry over remaining agenda items to the next Council Meeting of Monday, April 11, 2016. **ABSENT:** Councilor Uhing. **NOES:** Councilor Kidd. **MOTION CARRIED 5-1 by voice vote.**

14. **RESOLUTION NO. 2016-21 ADOPTING CITY COUNCIL GOALS FOR FISCAL YEAR 2016-17**
Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting of April 11, 2016.
15. **RESOLUTION NO. 2016-22 ADOPTING CITY COUNCIL OBJECTIVES FOR FISCAL YEAR 2016-17**
Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting of April 11, 2016.
16. **RESOLUTION NO. 2016-23 ADOPTING CITY COUNCIL TEAM AGREEMENT**
Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting of April 11, 2016.
17. **CITY COUNCIL COMMUNICATIONS:**
Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting of April 11, 2016.
18. **CITY MANAGER'S REPORT:**
Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting of April 11, 2016.
19. **MAYOR'S REPORT:**
Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting of April 11, 2016.

20. **ADJOURNMENT:**

Mayor Truax adjourned the regular meeting at 10:00 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

30

APPROVED

MINUTES APPROVED BY THE PAC ON MARCH 10, 2016

Present: Richard Kidd, Tom Gamble, Colleen Winters, Kathy Broom, Laura Frye, Kathleen Leatham, Dana Lommen, Emily Lux, Linda Taylor, Pat Truax, Dana Zurcher

Guest(s): Jeanna VanDyke, Ben Dye

Absent: Helvi Smith

1. **CALL TO ORDER:** By Dana Zurcher at 5:03pm.

2. **CITIZEN COMMUNICATION:** N/A

3. **APPROVAL OF PAC MEETING MINUTES:** Motion to approve last month's minutes as corrected made by Kathleen, seconded Linda. Motion accepted.

4. **ADDITIONS/DELETIONS:** Additions: Item 6C-Meet the Artist Dinner

5. **DISCUSSION/DECISION ITEMS:**

A. **Mini-Grant Request:** TITG Auditioning Workshop by Jeanna Van Dyke. Jeanna noted many kids auditioned for *The Wizard of Oz* but weren't cast. Many are terrified by the auditioning process. TITG plans to hold auditioning workshops, serving approximately 60 kids over two sessions. The workshops would be free, presented by TITG in collaboration with the PAC.

Linda suggested perhaps someone could videotape the workshops, making it possible for this to serve additional kids. Jeanna thought that might be possible and that would also be useful for kids to be able to review themselves onstage. Laura suggested the video could be available for check-out, as well as be used as a teaching tool. Pat moved to approve the requested mini-grant, seconded by Kathy. Motion approved.

B. **Meet the Artist: Ben Dye:** Ben described his background in underwater diving. Brief discussion surrounding the News Times headline regarding the upcoming sculpture being described as "precariously balanced". Dye described all of his sculptural work as being remarkably stable. Safety is considered from the very beginning. Pat: Can we take pictures during the sculpture-building process as documentation? We would like to take a field trip to the studio. Ben: Absolutely. The sculpture is already completed, but a new one can be built, and you could witness the construction of the next one. Tom: One of the things the city needs to be assured of is the safety of the sculpture. How is it attached to the stone base? What will be presented to the city engineer? Structural, engineered drawings are needed. Ben: I can get drawings to the city engineer for review. Laura:

What is the current timeline for the project? Ben: All of these items will be ironed out once the contract paperwork is complete. Tom: RE: Contract-Before we sign the contract, the safety details need to be solidified. Ben: I will provide minimum criteria referring to strength. The final numbers will depend on the size and weight of the base rock.

Project fundraising: The project will need a final budget, a number that includes site prep, brick pathway installation, artist contract, number of bricks required, etc. The location will be the south side of the softball field at Lincoln Park. Pat: What will happen if we fail to raise all of the necessary funds by the dedication date? Is a city loan possible, to be paid back by our fundraising? Richard: That is possible; there are options. Kathleen: What is the deadline for getting the budget to the city? Consensus: The budget needs to be submitted as soon as possible.

- C. Chamber Business/Visitor Guide Ad:** This year, in light of fundraising necessities, the PAC has decided to forgo the annual chamber ad. Dana L.: We should consider donating a brick to the chamber auction this year in lieu of the ad. Laura: Or two bricks! Kathleen: We could also be a sponsor at the monthly program, and possibly negotiate Ben Dye to speak on behalf of the project, if he's willing.
- D. Retreat Planning:** The retreat will be held at Laura Frye's house, with Kathleen's house as backup pending Mr. Frye's recovery. Main talking points/tentative agenda: Meet the Artist event guidelines, proposal from library foundation, further discussion of pursuing 501(c)3 status, Art Walk (scripting, timing, number of events, etc.), main goals for the year, fundraising. Potluck breakfast, 9-12.

6. INFORMATION ITEMS:

- A. Art Walk:** Tentative plans to hold ticketed art walks in June, July and August. Scripting needs to be completed by March 1st, to be edited together as necessary.
- B. Name-A-Brick Campaign:** The chamber will put information on the campaign in their "Friday Flash". Should we have an informational booth at the Farmer's Market? Discussion tabled until retreat. Bricks should be sold at all of the PAC's upcoming events.
- C. Meet the Artist Dinner:** Amanda Houston Meet the Artist Dinner is scheduled for April 2, 2016, at the Community Auditorium. An OLCC licensed person will be at the event to pour wine. The theme is "An Italian Feast". Gluten-free options will be available upon request. Tickets are not printed yet, but will be available at the retreat. The goal is to sell 65 tickets.
- D. Finance Report:** No changes of note, except for the \$500 mini grant just issued to TITG. Public Arts Commissioners should consider submitting leadership gifts soon if they haven't already done so.

7. COMMISSIONER COMMUNICATIONS:

- Pat-Portland Opera preview is at 7 pm on 2/25. Two days later, Stars in the Grove will be held at 7:30 pm. Both are at Pacific's Taylor-Meade Performing Arts Center. Proceeds of the latter are going to Valley Art Association.
- Dana L.-TITG is presenting RENT. Purchasing tickets in advance is recommended, they are selling quickly.

8. STAFF COMMUNICATIONS:

- Colleen-The library's Star Wars event was very successful, attracting approximately 150 people.

9. COUNCIL LIAISON COMMUNICATIONS:

- Richard-Will not be able attend the annual retreat, due to Council Retreat scheduled on same day/time.

9. ADJOURNMENT: Dana Zurcher adjourned the meeting at 6:32 pm. Our retreat will be held on Saturday, February 20, from 9am to noon at Laura Frye's residence. The next regular meeting will be March 10, 2016, in the Rogers Room of the Forest Grove Library.

Respectfully Submitted by Emily Lux

APPROVED

PUBLIC ARTS COMMISSION
Saturday, February 20, 2016
Laura Frye's Residence

MINUTES APPROVED BY THE PAC ON MARCH 10, 2016

Present: Colleen Winters, Kathy Broom, Laura Frye, Kathleen Leatham, Dana Lommen, Emily Lux, Linda Taylor, Pat Truax, Dana Zurcher

Guest(s): Donna House

Absent: Richard Kidd, Helvi Smith

1. CALL TO ORDER: By Dana Zurcher at 9:35am.

2. CRITERIA FOR MEET THE ARTIST DINNERS:

- Drafts of the “Meet the Artist Dinner” Policy and Procedure and a “Meet the Artist Timeline” were reviewed. Changes include:
 - Changing the name from “Meet the Artist Dinner” to “Meet the Artist Event”
 - Multiple, minor changes in language were discussed
 - Final versions, including all changes, will be distributed

3. ART ACQUISITION:

- **Budget:** Colleen-The budget needs the total cost of the project, including pathway installation. We do not have that information yet.
 - Another CEP grant can be written towards the cost of the pathway(s), groundwork and brick installation-the general infrastructure for the sculpture placement
 - Another line item needs to be written into the budget for Art in the Park
- **Name-a-Brick campaign:** Dana-Initial estimates are that bricks are \$0.44-\$5/brick, depending on material. The engraving quote from the company who completed the work for the city's last brick engraving project quoted \$18-\$20/brick. Other companies will be explored to hopefully find lower pricing.
- **Fundraisers:**
 - The Amanda Houston Meet the Artist Event is scheduled for 4/2. Main courses will be made and delivered by Kathleen's facility's dietary manager. Many people are planning to attend a music event at Pacific University on the same evening, but it doesn't begin until later. We can make an announcement that those planning to attend may be at the front of the food line so they can attend both events. Table arrangements and theme were discussed. Monetary donations were made by commissioners who are unable to volunteer for the event.
 - Ben Dye Meet the Artist Event, upcoming. Details TBA
 - Name-a-Brick Campaign (discussed above).

- Additional Meet the Artist Event at either Bites, or Kama'aina restaurant on Main Street. Details TBA.
- Dana L.-Art sale or auction? Possibly an annual event. This, and additional ideas, will be added to next meeting's agenda.
- Art Walk-Should this event be held once, or multiple times per year? If the Art Walk were once per year, it would mirror other annual local events such as the Historic Homes tour and Garden tour. However, a once-per-year event may require additional volunteers to act as tour guides. If the event were annual, and held late summer, it could be used as a fundraiser to help pay back the potential city loan. A subcommittee meeting will ensue.
- Side discussion-First Wednesday booth, should we do this? (Undecided) Linda-the bookmobile will not be available this summer. We do not need to include First Wednesday in this year's CEP grant.

4. GOAL SETTING:

- **General:** Minor changes in goal language, new objectives were added:
 - 1. To enhance, expand and promote the arts in the community of Forest Grove through Advocacy, Visibility and Accessibility.
Objectives: New acquisition; PAC visibility through community presence, media and other advertising.
 - 2. To increase and improve access to the arts for the children of Forest Grove through Advocacy, Visibility and Accessibility.
Objectives: Promote mini-grants for children; First Wednesday presence and participation; promotion of art education.
 - 3. To continue the management of the City art collection through Visibility, Accessibility and Preservation.
Objectives: Maintain catalogue.
 - 4. To identify and implement means of funding commission activities.
Objectives: Fundraising; Meet the Artist Events; Pursue grant writing opportunities; Arts Walk; establish FG Arts Foundation.
- **Formation of Arts Foundation:** Pat spoke with Mike Moore. The requirements for a 501(c)3 status are different now than when this was first explored. Colleen: Is there a different way to accomplish this? What if the PAC wasn't necessarily at the forefront, but included other arts organizations who would also benefit from an arts foundation? Discussion: Most local arts organizations, such as TITG and Valley Arts Association, already have 501(c)3 status, which could mean difficulty in forming a collaborative effort.
- **Joint Effort with Library Arts Foundation:** Colleen: The library is interested in a joint project/proposal for a local art competition. The project, titled "A Sense of Arrival", will be located at the entrance of the children's area of the library. A priority is for the project

to be designed and executed locally. We will begin brainstorming expectations and agreements.

5. ADJOURNMENT: Dana Zurcher adjourned the meeting at 12:15pm.

6. NEXT MEETING: The next regular meeting will be March 10, 2016, in the Rogers Room of the Forest Grove Library.

Respectfully Submitted by Emily Lux

3E

Monthly Building Activity Report

March-16

2015-2016

Category	Period: March-15		Period: March-16	
	# of Permits	Value	# of Permits	Value
Man. Home Setup			3	0
Sing-Family New	11	\$2,354,217	8	\$2,639,573
SFR Addition & Alt/Repair	4	\$63,400	7	\$108,715
Mult. Fam. New/Alt			1	\$61,975
Group Care Facility				
Commercial New				
Commerical Addition				
Commercial Alt/Repair	3	\$7,500	2	\$70,263
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)				
Signs				
Grading	1			
Demolitions	1		1	\$0
Total	20	\$2,425,117	22	\$2,880,525

Fiscal Year-to-Date

2014-2015		2015-2016	
Permits	Value	Permits	Value
194	\$25,345,404	220	\$30,222,527

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CITY RECORDER USE ONLY:
 AGENDA ITEM #: 3.F.1
 FINAL ACTION: _____

LIQUOR LICENSE RECOMMENDATION

BUSINESS NAME / INDIVIDUAL: Little Monkey Deli (Mina Khamphilavong)
BUSINESS LOCATION ADDRESS: 1919 Pacific Avenue
LIQUOR LICENSE TYPE: Full On-Premises Sales
CITY BUSINESS LICENSE: BL-000276

TYPE OF LICENSE REQUESTED:
Liquor License Application is for the following:

<p>1. LICENSE TYPE:</p> <p><input checked="" type="checkbox"/> F-COM – Full On-Premises Sales, Commercial <input type="checkbox"/> F-CAT – Full On-Premises Sales, Caterer <input type="checkbox"/> F-FPC/F-CLU – Full On-Premises Private Club <input type="checkbox"/> F-PL – Full On-Premises Public Location <input type="checkbox"/> TSL – Temporary Sales License <input type="checkbox"/> Other _____</p>	<p><input type="checkbox"/> L – Limited On-Premises <input type="checkbox"/> O – Off-Premises Sales <input type="checkbox"/> BP – Brewery Public House <input type="checkbox"/> SEW – Special Event Winery <input type="checkbox"/> SEG – Special Event Grower <input type="checkbox"/> SED – Special Event Distillery</p>	<p>2. LICENSE FEE:</p> <p><input type="checkbox"/> New Application \$100 <input type="checkbox"/> Temporary \$35 <input type="checkbox"/> Change \$75 <input checked="" type="checkbox"/> Annual Renewal \$35 <input type="checkbox"/> Event \$22.60 <input type="checkbox"/> Other _____</p>
<p><input checked="" type="checkbox"/> FULL ON-PREMISES SALES: F-COM – Allows sale and service of distilled spirits, malt beverages, wine and cider for consumption on licensed premises and required to have dining seating. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.</p>	<p><input type="checkbox"/> BREWERY - PUBLIC BP – Allows manufacturing malt beverages and to sell and distribute to patrons and wholesalers. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises.</p>	<p><input type="checkbox"/> LIMITED ON-PREMISES SALES: L – Allows sale and service of malt beverages, wine and cider for consumption on licensed premises. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.</p> <p><input type="checkbox"/> OFF-PREMISES SALES: O – Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off licensed premises. Also allows applying for sample tasting on premises.</p>

APPLICABLE CRIMINAL RECORDS CHECK:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

J. F. Schutz
J. F. Schutz, Chief of Police/Designee

3/29/2016
Date

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>5B</u>
MEETING DATE:	_____
FINAL ACTION:	_____

CITY COUNCIL MEMORANDUM

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Beverly Maughan, Executive Assistant*

DATE: *April 11, 2016*

SUBJECT: **PRESENTATION BY NLC STUDENT DELEGATION**

The City Council sponsored the participation of students at the 2016 National League of Cities Congressional City Conference in Washington, D.C., held March 6 – 9, 2016.

The following students were chosen to attend based on their active participation on the City’s Advisory Boards and Commissions: Edgar Sanchez-Fausto, Sustainability Commission; Mitchell Faris, Library Commission; and Briana Larios, Committee for Citizen Involvement.

The students joined hundreds of peers from 43 states to network, attend workshops and meetings, learn about the political process and enjoy Washington, D.C.! The Conference provided interactive leadership-building opportunities; social and networking opportunities with fellow youth delegates, adult allies and elected officials; opportunities to attend workshops and activities with challenging and inspiring speakers and presenters; and a spotlight on youth voice and youth councils in government! The students had the chance to share their insights with members of Congress, the White House, and federal agency representatives.

The students will present highlights and insights from their experience.

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ORDINANCE NO. 2016-09**ORDINANCE AMENDING THE FOREST GROVE COMPREHENSIVE PLAN MAP TO DESIGNATE THE SOUTH URBAN GROWTH BOUNDARY ADDITION AS CAMPUS EMPLOYMENT (600 ELM STREET, WASHINGTON COUNTY TAX LOTS 1S30000100 AND 1S306D000700); FILE NO. 311-15-00032-PLNG**

WHEREAS, The City of Forest Grove approved Ordinance 2014-01 and 2014-02 updating the Forest Grove Comprehensive Plan; and

WHEREAS, the updated Forest Grove Comprehensive Plan includes a new plan designation title Campus Employment; and

WHEREAS, the Campus Employment Comprehensive Plan designation is an employment plan designation intended for development of industrial and office parks with a high level of amenity value including landscaping and open space; and

WHEREAS, the Campus Employment designation is intended to allow for industrial and corporate office uses and supporting service activities; and

WHEREAS, in 2014, the Oregon Legislature passed House Bill 4078 modifying the Portland regional urban growth boundary including approximately 38 acres of land south of the Taylor Way Industrial Park near the Elm Street terminus; and

WHEREAS, the City desires to amend the Comprehensive Plan map to designate said 38 acres south of the Taylor Way Industrial Park as Campus Employment; and

WHEREAS, on February 15, 2016, the Planning Commission held a duly-noticed Public Hearing on the proposed Comprehensive Plan map amendment; and

WHEREAS, the Planning Commission adopted Planning Commission Findings and Decision Number 16-04 recommending approval of the proposed Development Code amendments; and

WHEREAS, the City Council held a duly-noticed Public Hearing on the proposed ordinance on March 28, 2016, and continued the hearing on April 11, 2016.

NOW THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1: The City Council of the City of Forest Grove hereby amends the Forest Grove Comprehensive Plan map as shown on Exhibit A.

Section 2: The City Council hereby adopts the Planning Commission's Findings and Decision 2016-04 as shown on Exhibit B.

Section 3: The City Council hereby finds that the proposed amendments are consistent with and meet the provisions of the Forest Grove Comprehensive Plan Pertaining to Comprehensive Plan Map Amendments as shown on Exhibit B.

Section 4. This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading this 28th day of March, 2016.

PASSED the second reading this 11th day of April, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 2016.

Peter B. Truax, Mayor

**Planning Commission Findings and Decision Number 2016-04
Legislative Amendment to the Forest Grove Comprehensive Plan Map to Assign Campus
Employment Designation to "Haworth" Property
File Number: 311-15-00032-PLNG**

WHEREAS, on January 24, 2014, the City of Forest Grove approved Ordinance 2014-01 and 2014-02 updating the Forest Grove Comprehensive Plan; and

WHEREAS, the updated Forest Grove Comprehensive Plan includes a new plan map designation known as Campus Employment; and

WHEREAS, the Campus Employment designation is intended for development of industrial and office parks with amenities including landscaping and open space; and

WHEREAS, in 2014, the Oregon Legislature adopted House Bill 4078 which added approximately 38 gross acres of land to the urban growth boundary adjacent to the Forest Grove city limits south of Hwy. 47, near the Elm street terminus and south of the Bonneville Power Administration's easement and north of the revised floodplain boundary; and

WHEREAS, the new urban growth boundary area includes portions of Washington Tax Lots 1S3070000100 and 1S306D000700 owned by Hally L. Haworth; and

WHEREAS, the City desires to designate the new urban growth boundary are Campus Employment on the Forest Grove Comprehensive Plan map; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed amendment on February 15, 2016; and

WHEREAS, notice of the proposed amendments was mailed to property owners and residents within 300 feet of the subject site as required by Development Code Section 10.1.610; and

WHEREAS, notice of this request and public hearing was published in the Forest Grove News-Times on February 10, 2016; and

WHEREAS, a staff report addressing the review criteria and applicant's submittal was published on February 8, 2016; and

WHEREAS, the Planning Commission deliberated on the proposed Comprehensive Plan Map amendment and accepted the staff recommendation.

Now Therefore, The City of Forest Grove Planning Commission does hereby recommend City Council approval of the legislative amendment to the Forest Grove Comprehensive Plan Map to assign the Campus Employment Designation to the "Haworth" Property as described in the staff report and exhibits dated February 15, 2016, making the following specific findings in support of this decision:

1. Comprehensive Plan Policies

The Comprehensive Plan contains policies governing where certain Comprehensive Plan designations should apply. The land use location factors for the Campus Employment designation include:

A. Greater than 25 acres:

Finding: The subject property is 38 gross acres which is greater than 25 acres

B. Direct access to arterial:

Finding: The subject property has access to an arterial street (Highway 47) via Elm Street. This access is direct as it is the shortest route.

C. Buffered from surrounding residential and agricultural uses:

Finding: The site is not adjacent to residential areas.

Finding: the Floodplain provides a natural buffer with agricultural uses.

Finding: Article 2 of the Development Code requires site Development Review. This review applies to all development on vacant sites. The review criteria require that site plan ensures reasonable compatibility with surrounding uses.

In addition to the findings above, the Campus Employment designation implements Comprehensive Plan policies related to ensuring an adequate supply of land for office campus development. The Comprehensive Plan (Policy 8.2) supports designating between 55 and 70 acres of land for office and office campus development outside the Town Center. Applying the Campus Employment designation to the 38 acre UGB expansion area will help achieve the Comprehensive Plan policy.

The proposed Campus Employment designation complies with the Comprehensive Plan policies as described above.

2. Statewide Land Use Planning Goals

Goal 9: Economic Development (To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens).

- A. Campus Employment designation consistent with EOA findings
- B. Provides for a supply of land for a variety of industrial and office activities consistent with the comprehensive plan
- C. Compared with residential or community commercial the Campus Employment Designation is compatible with adjacent industrial area to north and agricultural areas to south.

Finding: Assigning the Campus Employment Comprehensive Plan designation to the subject property will create direct benefits in terms of traded-sector jobs since the designation limits uses to primarily industrial or traded-sector industries including offices associated with traded-sector industries. Anticipated retail will be incidental to industrial or traded sector development.

Goal 12: Transportation (To provide and encourage a safe, convenient and economic transportation system).

Finding: Goal 12 is implemented through Oregon Administrative Rules (OAR) Chapter 660-0012-0060. This chapter is also called the Oregon Transportation Planning Rule (TPR). Under OAR 660-0012-0060 an analysis must be done to demonstrate whether a proposed comprehensive plan amendment may have a significant effect on a transportation facility. Findings related to the TPR analysis are provided below.

Under the TPR a plan amendment significantly affects a transportation facility if it would:

- a. Change the functional classification of an existing or planned transportation facility;
- b. Change the standards implementing a functional classification system;
- c. Result in any of the following effects:
 - a. Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility
 - b. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or degrade performance of an existing or planned transportation facility that it is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The preceding considerations are discussed below.

- a. Finding: The proposed Comprehensive Plan amendment to designate the subject property Campus Employment will not change the functional classification of an existing or planned transportation facility. Elm Street is designated a collector and Highway 47 is designated a primary arterial in the Forest Grove Transportation Plan. The Oregon Highway Plan designates Highway 47 as a regional route. These classifications will not change as a result of the proposed amendment.
- b. Finding: The proposed amendment will not change the standards implementing the functional classification system contained in the TSP. The functional classification system provides a street hierarchy is based on access, mobility, multi-modal transportation and facility design. The subject property is located adjacent to a collector street (Elm Street) which feeds directly into a primary arterial roadway (Highway 47). The proposed amendment does not require changing the functional classification of either Elm Street or Highway 47.
- c. Finding: The type of traffic (auto and freight) and level of traffic described in this report is not inconsistent with the functional classification of existing facilities. This includes Elm Street (collector) and Highway 47 (primary arterial).

The proposed Comprehensive Plan amendment could degrade the performance of the Highway 47/Elm Street intersection such that it would not meet performance standards identified in the TSP and Comprehensive Plan. Both the TSP and Comprehensive Plan establish a minimum acceptable level of service as LOS D. On ODOT owned facilities the minimum level of services is based on a volume to capacity (v/c) ratio. The minimum acceptable v/c ratio is 0.99. Currently, the TSP shows the Highway 47/Elm Street intersection functions with LOS A/D and v/c ratio of 0.45. Currently, the intersection meets or exceeds acceptable standards. As noted above, ADT at the Highway 47/Elm Street intersection has fallen from 14,205 vehicles to 11,400 vehicles. This suggests the intersection has capacity to absorb additional traffic and maintain current level of service.

The 2035 preferred alternative mitigated intersection analysis for the TSP update shows an ideal flow of 1,800 vehicles per hour per lane during the afternoon peak. The 2035 mitigated volume on Highway 47 is 734 vehicles per hour for the westbound through movement and 488 vehicles in the eastbound through movement. The northbound movement from the industrial park on Elm Street is about 45 vehicles per hour for all movements (Attachment C). The southbound movement on Elm Street from the Town Center is about 270 vehicles per hour. This indicates that traffic generation from the industrial park is not a problem. Rather, traffic on Elm Street from the Town Center is more of a concern.

The Forest Grove TSP projects future intersection operations for the Year 2035 based on added local street connectivity. The Highway 47/Elm Street intersection is projected to operate at a level of service of A/F with a v/c ratio of 1.20. The level of service on the ODOT-owned facility remains at a level of service of A. The Elm Street traffic, however, will likely encounter average delay of 172 seconds if current intersection control remains with stop signs on Elm Street.

The Highway 47/Elm Street intersection meets Manual of Uniform Traffic Control Device (MUTCD) preliminary traffic signal warrants (Attachment C). As such, the Highway 47/Elm Street intersection is a possible candidate for full traffic signal control. Such improvement could improve intersection performance to acceptable standards. It should be noted, however, that meeting traffic signal warrants does not guarantee that a signal will be installed but provides data that could be used with engineering judgment. While the Highway 47/Elm Street intersection meets preliminary traffic signal warrants the City recognizes that approval of the proposed Comprehensive Plan map amendment may result in additional motor vehicle traffic congestion and that other facility providers (ODOT) is not expected to provide additional capacity for motor vehicles in response to this congestion.

In addition to intersection optimization to improve traffic transportation demand management (TDM) programs could help alleviate traffic. TDM Programs include increasing transit service. A more complete bicycle network could also help reduce vehicle demand.

Under the TPR, if a local government determines there would be a significant effect from the proposed amendment, then the local government must ensure that the land use allowed by the amendment are consistent with the identified function, capacity and performance standards of the facility measured at the end of the planning period. This can be approached in a number of ways including amendment the TSP to include transportation improvements adequate to support the proposed land uses. The TSP includes a project to improve the operation of the Highway 47/Elm Street intersection. As required by the TPR (OAR 660-012-0060-4(b)) the project is included on the financially constrained project list meaning funding is expected to be available during the planning period. The estimated project cost is \$520,000 with anticipated completion within the next six to ten years. Actual timing will be largely dependent on development. An amendment to the TSP is not necessary to support the proposed amendment.

The TPR provides the option to mitigate potential traffic impacts including requiring a condition of development approval or through a development agreement or similar technique. The Forest Grove Development Code allows for the use of development agreements to implement goals, policies or programs of the Comprehensive Plan (including the Transportation System Plan) or for the development of land.

The Development Code (Section 10.1.225) describes land use application requirements. As part of the land use application process, the Community Development Director may require a transportation study when a proposed project would have potential traffic circulation or safety impacts, need for off-site improvements or would increase traffic on City streets by at least 50 peak hourly trips, or a transportation study is required by the Oregon Department of Transportation. This provision ensures that potential traffic impacts are mitigated through the development approval process.

Goal 14: Urbanization (To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities).

Finding: The subject property was added to the urban growth boundary in 2014. Currently, the subject property is zoned Future Development by Washington County. As noted earlier this is a County holding zone applied to urbanizable land within the urban growth boundary. Applying a City Comprehensive Plan Designation to the subject property promotes the efficient transition from rural to urban land by removing one obstacle to development.

3. Metro Regional Framework Plan

The following section demonstrates how the proposed Comprehensive Plan Map amendment complies with the Metro Regional Framework Plan. The Metro Regional Framework Plan establishes the regional vision for growth. The Framework Plan address land use, transportation, parks and open space, water, and geological hazards. Land use and transportation are the elements pertinent to the proposed Comprehensive Plan amendment as described below.

The proposed Comprehensive Plan amendment is consistent with the following policies contained in the Framework Plan:

Policy 1.4.1 Economic Opportunity: Locate expansions of the UGB for industrial or commercial purposes in locations consistent with this plan and where, consistent with state statutes and statewide goals, an assessment of the type, mix and wages of existing and anticipated jobs within subregions justifies such expansion.

Finding: The UGB expansion is adjacent to the Taylor Way Industrial Park. The area is suitable for the types of industrial activities promoted by the Campus Employment designation. The designation is consistent with state statutes and statewide goals including statutes and goals related to land use and transportation. The designation is consistent with statewide goals related to economic development as described by Land Use Planning Goal 9 (Economic Development). Goal 9 requires that Comprehensive Plans and policies contribute to a stable and healthy economy in all regions of the state. Designating the subject for Campus Employment development is consistent with Goal 9 since the designation will expand local employment opportunities contributing to a stable economy.

Policy 1.4.2 Economic Opportunity: Balance the number and wage level of jobs within each subregion with housing cost and availability with that subregion.

Finding: The proposed Comprehensive Plan amendment increases the opportunity for jobs in the western-Washington County. Designating the subject property Campus Employment will help balance the number and wage level of jobs within the western-Washington County. The Campus Employment designation provides opportunity for a variety of activities including in the high-technology sector. As stated in the EOA, the high-technology sector enjoys a relatively

high average wage per worker of \$75,838. This type of employment will balance lower wage levels of retail and service jobs in Forest Grove.

Policy 1.5.3 Economic Opportunity: Ensure that all neighborhoods and all people have access to opportunity and share the benefits, as well as burdens, of economic and population growth in the region.

Finding: Designating the site Campus Employment provides opportunity for local residents to share in economic benefits through increased employment opportunities.

Policy 1.7.1 Urban/Rural Transition: Ensure that there is a clear transition between urban and rural land that makes best use of natural and built landscape features and that recognizes the likely long-term prospects for regional urban growth.

Finding: The southern boundary of the property subject to the Comprehensive Plan amendment is coterminous with the urban growth boundary. As such the property is at the urban/rural interface. The Campus Employment designation promotes a transition between agricultural uses to south and more intensive industrial activities to the north. As stated in the Comprehensive Plan, the Campus Employment designation is intended to promote industrial and office parks with high amenity value including landscaping and open space. The emphasis on landscaping and open space provides the opportunity for a clear transition between urban and rural land by taking advantage of the natural and built landscape features in site design.

Policy 1.9.3 Urban Growth Boundary: Use the regional UGB, a long-term planning tool, to separate urbanizable from rural land, based in aggregate on the region's 20-year projected need for urban land.

Finding: The southern boundary of the property affected by the proposed Comprehensive Plan map amendment is coterminous with the urban growth boundary. The area south of the urban growth boundary is designated rural reserve by Washington County. As such, the urban growth boundary establishes the long term boundary between urbanizable and rural land. Under current state law, rural reserves are intended to protect rural land from urban use for a 50-year period of time.

Policy 2.4.1 Consistency Between Land Use and Transportation Planning: Ensure the identified function; capacity and level of service of transportation facilities are consistent with applicable regional land use and transportation policies as well as the adjacent land use patterns.

Finding: Development anticipated within the proposed Campus Employment area is expected to increase traffic volumes above what is anticipated in the Forest Grove Transportation System Plan. This will impact the Highway 47/Elm Street intersection. The Transportation System Plan shows that the volume to capacity ratio will exceed 0.99 by 2035. The TSP includes a project to improve operation of the intersection. The intersection meets preliminary traffic signal warrants as noted in the TSP. Signalization could improve operation of the intersection to acceptable standards. Signalization requires ODOT approval as owner of Highway 47.

The proposed Comprehensive Plan amendment is also consistent with Metro Code Section 3.07.1120 (Planning for Areas Added to the UGB). Under this Metro Code section the city responsible for comprehensive planning shall adopt comprehensive plan provisions and land use regulations for an area added to the urban growth boundary. This includes assigning a specific plan designation to the area.

Finding: The proposed Comprehensive Plan amendment will result in designating the area added to the urban growth boundary Campus Employment. Assigning a comprehensive plan designation to the subject property addresses the requirement of Metro Code Section 3.07.1120 that the city responsible for comprehensive planning adopt a plan designation for new urban growth areas. Adopting the plan designation allows the City to zone and apply land use regulations to the property upon annexation.

The purpose of Metro Regional Framework Plan Land Use Policy 1.5.3 is to ensure that all neighborhoods and all people have access to opportunity and share the benefits, as well as burdens, of economic and population growth in the region. The recommended expands local opportunities for employment. As such, the amendment furthers the intent of Policy 1.5.3 by promoting employment for Forest Grove residents so that residents participate in the benefits of a strong local economy.

The Metro 2040 Growth Concept, implemented through Metro Regional Framework Plan, encourages the mixing of various types of employment. The Campus Employment Comprehensive Plan designation and corresponding Business Industrial Park zone allows for a variety of employment activities meeting employment needs identified in the City's Economic Opportunities Analysis adopted in 2009. Such uses include industrial services, manufacturing, call centers, research and development, warehousing, wholesale sales, office, and limited retail. These activities meet the intent of the Metro 2040 Growth Concept.

4. Metro Regional Functional Plan and Regional Transportation Functional Plan

Finding: The recommended Comprehensive Plan amendment is consistent with Title 4 of the Metro Regional Functional Plan. Title 4 addresses industrial and other employment areas in the regional. The purpose and intent statement of Title 4 promotes a strong regional economy. To improve the economy, Title 4 seeks to cluster activities in proximity to one another rather than in dispersed locations. The recommended amendment provides an opportunity to zone land near existing industrial areas to provide complementary employment activities. Such activities include industrial services, warehousing, and uses serving employees working in industrial areas.

Regional Transportation Functional Plan

Finding: Title 5 of the Regional Transportation Functional Plan addresses amendments of City and County Comprehensive and Transportation System Plans. Under Title 5, when a city or county proposes to amend its comprehensive plan or its components the city or county shall consider certain strategies as part of the analysis required by the Transportation Planning Rule (OAR 660-012-00060). These strategies include:

- A. Transportation System Management strategies including localized transportation demand management, safety, operational and access management improvements;
- B. Transit, bicycle and pedestrian system improvements;
- C. Traffic-calming designs and designs.
- D. Land use strategies in OAR 660-012-0035(2) to help achieve applicable thresholds and standards.
- E. Connectivity Improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in the RTP in order to provide alternative routes and encourage walking, biking, and access to transit.
- F. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts.

Each strategy is discussed below in turn.

- A. Transportation system and demand management strategies are identified in the Transportation System Plan. Appropriate measures to mitigate potential traffic impacts resulting from the proposed Comprehensive Plan amendment will be considered during the development review process. The TSP identifies safety and operational improvements to the Highway 47 and Elm Street intersection to mitigate potential traffic impacts. Such improvements will be considered during the development review process. Improvements to the intersection will require ODOT approval as owner of Highway 47.
- B. Improvement to Elm Street to accommodate pedestrian and bicycle circulation will be considered during the development review process.
- C. Not applicable.
- D. OAR 660-012-0035(2) establishes a process for evaluation of transportation system alternatives to meet identified transportation system needs. The TSP includes two projects to address transportation needs in the vicinity of the area affected by the proposed Comprehensive Plan Map amendment. These projects are the Highway 47/Elm Street intersection improvement and Taylor Way extension. Since the TSP currently includes projects addressing transportation needs in the area no further evaluation is necessary since no additional projects are proposed.
- E. The TSP identifies an extension to Taylor Way. This local street extension will provide improved connectivity to the site.
- F. This strategy is not applicable to the proposed Comprehensive Plan amendment.

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	7.
MEETING DATE:	_____
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: April 11, 2016

PROJECT TEAM: Paul Downey, Administrative Services Director; Jon Holan, Community Development Director

SUBJECT TITLE: Waste Management Rate Increase for Food Waste Recycling

ACTION REQUESTED:

<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Order	<input checked="" type="checkbox"/>	Resolution	<input checked="" type="checkbox"/>	Motion	<input type="checkbox"/>	Informational
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X all that apply

ISSUE STATEMENT: One objective of the Materials Management portion of the Sustainability Action Plan, as adopted by the City Council on November 10, 2014, is to evaluate opportunities regarding recycling and food waste such as the expansion of current recycling options, a pilot composting program, and identifying companies that commercially process food waste for energy and revenue. The Sustainability Commission has been working with staff on how to recycle food waste into compost. The proposal is to combine food waste with yard debris and take it to a facility that can convert both to compost. To implement that proposal will require a rate increase to residential customers as Waste Management cannot implement the proposal and achieve an overall reasonable rate of return. A rate increase for Waste Management to implement the proposal has been prepared for Council consideration.

BACKGROUND: While many people do compost food in their backyard, an alternative means of encouraging the vast majority of residents to recycle food waste has been proposed. The proposal to combine food waste with yard debris so both can be composted was developed after discussion on how to achieve the greatest amount of recycling of food waste. Food waste would be put into the yard debris roll cart and would be taken to Nature’s Needs in North Plains where both will be turned into compost. Yard debris roll carts are currently taken to a vendor in Cornelius which cannot accept food waste.

A pilot program was discussed by staff and the Sustainability Commission including discussions with Waste Management about the combined yard debris/food waste program in Portland. The conclusion was to recommend implementing the full program immediately due to the logistics of implementing the pilot program and Waste Management’s experience in Portland. Staff presented the proposed program and probable rate impact to the City Council at the January 11, 2016, Council meeting. At that meeting, the City Council had a 5-1 voice vote affirming the Council’s willingness to implement the food program. At that meeting, staff told Council that:

- Staff needed to complete the rate increase analysis. Staff indicated at the presentation that a rate increase of \$1.45 per month, which was lower than the original \$1.68 per month increase, would likely be recommended but the review needed to be completed.
- Staff needed to work with Washington County Cooperative Recycling Program staff to develop and distribute educational material to help implement the program.
- Staff needed to inform Oregon DEQ of the City's willingness to implement the program as part of the process to secure a \$27,256 DEQ grant to purchase and distribute kitchen pails.

The City was notified it had been awarded the DEQ grant for the kitchen pails and is waiting for the grant paperwork to finalize the process. Washington County has developed the educational material which has been reviewed by City staff and the Sustainability Commission. The date selected to start the program is June 1, 2016. In order to achieve that start date, the City Council needs to approve the rate increase request and the City needs to order the kitchen pails funded by the DEQ grant. Washington County is working with DEQ staff to obtain approval to order the kitchen pails prior to the grant paperwork being completed.

Staff has worked with Waste Management to review the projected costs to implement the food waste recycling program. The costs are based on no changes to the current pick-up schedule of all residential roll carts being picked up weekly. The costs for the program were based on the following:

- Increased tipping rate per ton at Recology versus the current drop-off site in Cornelius. Recology's tipping rate will be \$36.00 per ton until October 1, 2016, at which time they are projecting to increase the tipping rate to \$37.80 per ton. The projected rate increase has been included in the proposed rate.
- Increased travel time to Recology in North Plains which increases driver labor and vehicle costs. Waste Management has estimated the increased time by doing sample runs from Forest Grove to Recology.
- Currently, not all yard debris roll carts are left at the curb for weekly pick-up. Waste Management's current rates are not based on 100% of all roll carts being left out on a weekly basis. Waste Management is projecting that more yard debris/food waste roll carts will be left out on a weekly basis once this program starts which increases the costs of collection time due to more stops.
- Costs will also increase due to Waste Management being allowed a reasonable rate of return on costs incurred and City franchise fees will increase as Waste Management is collecting higher gross revenue. Waste Management has requested a ten percent rate of return which is in the middle of the range for what the City has traditionally used as a reasonable rate of return.
- The proposed rate increase was reduced by an estimate for the tons of food waste that will not have to be taken to the Riverbend Landfill for disposal. The tipping rate at the landfill is higher than the tipping rate at Recology. Waste Management estimated that approximately 245 tons of food waste will be diverted from the landfill on an annual basis.

Staff had initially estimated a fee increase of \$1.45 per month based on initial costs provided by Waste Management and Recology. After incorporating the projected tipping rate increase for Recology from \$36.00 per ton to \$37.80 per ton on October 1, 2016, the fee increase would increase to \$1.50 per month. Staff is recommending that the City Council increase the residential rates by \$1.50 per month so the rate increase incorporates all of the projected increase costs over the first twelve to eighteen months of the program. The following items on the rate schedule are the only rates that would change:

- Weekly Roll Cart Service Rates for 20-gallon would increase from \$18.05 to \$19.55
- Weekly Roll Cart Service Rates for 35-gallon would increase from \$20.65 to \$22.15
- Weekly Roll Cart Service Rates for 60-gallon would increase from \$33.60 to \$35.15
- Weekly Roll Cart Service Rates for 90-gallon would increase from \$48.20 to \$49.70
- Bi-Weekly Yard Debris Only 60-gallon would increase from \$3.85 to \$4.60
- Bi-Weekly Yard Debris Only 90-gallon would increase from \$4.10 to \$4.85

The program allows Forest Grove residential customers of Waste Management to get a yard of compost free of charge each year has economic benefit to the customers that use the program. The value of a yard of compost at Recology is \$20.00. A resident will pay \$18.00 in increased collection costs. So the increased collection costs can be offset if a resident gets a yard of compost on an annual basis.

This proposed rate increase may not be the only solid waste rate increase the Council may be asked to consider over the next few months. The food waste recycling program was a program that Waste Management was asked to provide and is willing to provide as long as the costs of the program are covered. Waste Management has indicated that it will be submitting a rate increase request for its operations as its 2015 rate of return has dropped below the rate of return that the City and other entities have considered to be a reasonable rate of return. Staff has not seen a proposed rate increase as of the time this staff report was completed. Waste Management's last rate increase was a 4% rate increase as of January 1, 2014. To give the Council an estimate of increased customer rates if another 4% rate increase was requested, the residential rates would increase by: 1) 20-gallon Roll Cart would increase by about \$0.72 per month; 2) 35-gallon Roll Cart would increase by about \$0.83 per month; 3) 60-gallon Roll Cart would increase by about \$1.35 per month; and 4) 90-gallon Roll Cart would increase by about \$1.93 per month. This would be in addition to the proposed rate increase for the food waste recycling program.

FISCAL IMPACT: The fiscal impact of the rate increase for the food waste recycling program will be to increase General Fund franchise revenue by about \$5,000 per year. Waste Management will have higher revenue resulting in increased franchise fees. The City does not pay Waste Management for collection services at City facilities so expenses for the City will not increase.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution increasing residential collection rates by \$1.50 per month to implement the food waste recycling program.

ATTACHMENT(s): Resolution Setting Waste Management Rates Effective June 1, 2016



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April 1, 2016

NewsTimes

Legal Ads/Public Notice:

To be published: *Wednesday, April 6, 2016*

NOTICE OF PUBLIC HEARING PROPOSED INCREASE OF WASTE MANAGEMENT RESIDENTIAL RATES FOR THE CITY OF FOREST GROVE

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold a Public Hearing on **Monday, April 11, 2016**, at 7:00 p.m. or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting a resolution that would increase Waste Management (WM) Residential Rates for all residential customers by \$1.50 per month for the purpose of adding Residential Food Waste Collection to all sizes of yard debris recycling roll carts. The proposed WM rate increase would be effective upon approval by the City Council and shall become effective on June 1, 2016.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the report and proposed resolution are available for inspection before the hearing at the City Recorder's Office or by visiting the City's website at www.forestgrove-or.gov. Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder's Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call Anna Ruggles, City Recorder, at 503.992.3235

Anna D. Ruggles, CMC, City Recorder
City of Forest Grove

Published: Wednesday, April 6, 2016

RESOLUTION NO. 2016-24**RESOLUTION FIXING SOLID WASTE RATES TO BE CHARGED BY FRANCHISE IN THE CITY OF FOREST GROVE AND REPEALING RESOLUTION NO. 2013-72**

WHEREAS, the City Council has adopted Ordinance No. 87-2, known as the City of Forest Grove Solid Waste Management Ordinance; and

WHEREAS, Section 8, Paragraph 4 of Ordinance No. 87-2 allows the Franchisee or the City to apply for a rate adjustment when there has been a significant increase or decrease in the Franchisee's costs of operation; and

WHEREAS, the City of Forest Grove has requested that Waste Management implement a program to combine food waste into the yard debris recycling so food waste can be recycled into compost instead of being disposed of at the landfill; and

WHEREAS, the costs of implementing the food waste recycling program will increase Waste Management's cost of operation and need to be added to the current rates; and

WHEREAS, City staff recommended a \$1.50 per month increase to the residential roll carts rates to pay for the new service effective June 1, 2016; and

WHEREAS, the City Council held a duly noticed Public Hearing on April 11, 2016, and concurred with City staff's recommendation.

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

Section 1. Effective June 1, 2016, solid waste service rates within the City of Forest Grove shall be uniform for the same service and shall not exceed those rates set forth in Exhibit A.

Section 2. Resolution No. 2013-72 is hereby repealed effective on June 1, 2016.

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

PRESENTED AND APPROVED this 11th day of April, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 2016.

Peter B. Truax, Mayor

City of Forest Grove Residential Rates

Effective June 1, 2016 Exhibit A

XX - Only Rates to Change on June 1, 2016

WEEKLY ROLL CART SERVICE	Monthly Rate	
One - 20gal cart - 1 pickup per week	\$ 19.55	XX
One - 35gal cart - 1 pickup per week	\$ 22.15	XX
Each additional 35gal cart	\$ 13.95	
One - 60gal cart - 1 pickup per week	\$ 35.15	XX
Each additional 60gal cart	\$ 26.55	
One - 90gal cart - 1 pickup per week	\$ 49.70	XX
Each additional 90gal cart	\$ 39.65	
WILL CALL SERVICE		
Will call cash - 35gal cart	\$ 3.75	
Will call billed - 35gal cart	\$ 5.00	
Will call container rental - 35gal cart (Includes Weekly Recycling)	\$ 9.05	
EXTRAS		
Additional Recycling Roll Cart (added 2007)	\$ 4.95	
Garbage - can or bag	\$ 8.05	
Yard Debris - bag or 2x2 bundle	\$ 2.20	
RECYCLING ONLY		
One Pickup per Week	\$ 9.05	
YARD DEBRIS ONLY		
Bi-weekly pickup - 60 gal cart	\$ 4.60	XX
Additional Yard Debris Cart	\$ 4.60	XX
Bi-weekly pickup - 90 gal cart	\$ 4.85	XX
Additional Yard Debris Cart	\$ 4.85	XX
MISCELLANEOUS		
Call Back Charge	\$ 14.90	
Distance Charge	\$ 2.50	
Cart Delivery/Pickup Charge	\$ 13.95	



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>8.</u>
MEETING DATE:	_____
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: April 11, 2016

PROJECT TEAM: Paul Downey, Administrative Services Director; Jon Holan, Community Development Director

SUBJECT TITLE: Authorize Expenditure of City Budgeted Funds for Re-Usable Bags

ACTION REQUESTED:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Order	<input type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Informational
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X all that apply

ISSUE STATEMENT: The FY 2015-16 Adopted Budget contains \$5,000 in the Legislative and Executive Department for the purchase of re-usable shopping bags with the restriction that the funds cannot be spent unless the ordinance banning plastic shopping bags is enacted by the City Council. The Sustainability Commission has requested that the City Council lift the spending restriction so the re-usable bags can be purchased now to take advantage of the delivery of the kitchen pails to the 8,600 residential customers as part of the food waste recycling program if it is implemented. The Commission feels that providing a re-usable shopping bag to all residents is worthwhile as an educational effort even if the plastic bag ban is not approved by the Council.

BACKGROUND: The Sustainability Commission has a \$4,800 CEP grant to purchase re-usable shopping bags. The City Budget also contains \$5,000 so the Sustainability Commission can purchase re-usable shopping bags. All of the above funds would be required to purchase and deliver the shopping bags which would either be mailed to residents or delivered by members of the Sustainability Commission.

An opportunity to make delivery of the bags to about 5,800 residential households has become available. As part of the food waste recycling program, the City has received a DEQ grant to purchase and deliver kitchen pails to temporarily hold food waste before it is taken out and disposed of in the yard debris roll cart. The kitchen pails will be delivered beginning June 6, 2016. If the bags are available as of that date, the vendor is willing to put the bags in the kitchen pails and deliver them with the kitchen pails. This will save a lot of postage cost or make the delivery of the bags by the Sustainability Commission easier as they would only have to deliver to the remaining approximate 2,200 other households.

FISCAL IMPACT: No fiscal impact unless the plastic bag ban ordinance does not pass and then the funds would not be spent.

STAFF RECOMMENDATION: Staff recommends Council consider a motion to remove the restriction and allow the re-usable shopping bags to be purchased prior to the potential adoption of the plastic bag ban.



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>9</u>
MEETING DATE:	_____
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *April 11, 2016*

PROJECT TEAM: *Brenda Camilli, Human Resources Manager*

SUBJECT TITLE: **RESOLUTION ADOPTING EMPLOYEE HANDBOOK REVISIONS, AND REPEALING RESOLUTION NO. 2015-66**

ACTION REQUESTED: Ordinance Order Resolution Motion Informational

X all that apply

ISSUE STATEMENT: The Oregon Legislature passed a law effective January 1, 2016 mandating, in part, that employers with 10 or more employees provide up to 40 hours of paid sick leave to all employees, including part-time, temporary, and intermittent employees. Under current City policy only regular status employees are eligible to accrue sick leave. Due to this expansion of benefit eligibility, as well as provisions governing the accrual and usage of sick leave, revisions needed to be made to the employment policies for the City of Forest Grove, the Employee Handbook. The City’s employment policies have been reviewed and revised for compliance with legislation. The City Council must adopt by resolution personnel-related policies following discussion.

BACKGROUND: The current Employee Handbook was adopted by City Council September 14, 2015. Under the direction of the City Manager, the Human Resources Manager has reviewed and revised several sections of the current employment policies set forth in the Employee Handbook. The proposed revisions have been reviewed by the City’s labor union representatives. The revised sections are attached in Attachment A.

FISCAL IMPACT: There is no fiscal impact.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution adopting the revised Employee Handbook attached as Exhibit A.

ATTACHMENT(s):

Attachment A: Proposed revisions to the Employee Handbook

Exhibit A: Final copy of the Employee Handbook, including revisions.

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ATTACHMENT A

3.3 Types of Appointments

Appointment Type:

- **Volunteer:** An appointment, as defined in ORS 657.015, to which the appointee volunteers or donates services without receiving or expecting remuneration. Volunteer appointments are not eligible for benefits unless specifically authorized in a written agreement by the City Manager. Terms and conditions of volunteer appointments are contained within the City's Volunteer Handbook and any specific rules promulgated by the Department for which the Volunteer appointment is made. Please refer to the Volunteer Handbook for additional information.
- **Temporary:** An appointment which has a duration of less than one year and less than 2080 hours. This type of appointment is considered "at will." ~~and Temporary appointments are eligible to accrue sick leave, but are is-~~not eligible for [any other](#) benefits unless specifically authorized [in this policy manual or](#) in a written agreement by the City Manager.
- **Seasonal:** An appointment which has a duration of six or less months and is intended to cover a particular period of time; e.g. parks maintenance during the summer months, when additional employees are required due to increased work related to that season. This type of appointment is considered "at will" and is [eligible to accrue sick leave but is](#) not eligible for [any other](#) benefits unless specifically authorized [in this policy manual or](#) in a written agreement by the City Manager.
- **Intermittent:** An appointment that does not require a regularly scheduled workweek and is less than one-thousand forty (1040) hours in a year. This type of appointment is considered "at will" and is [eligible to accrue sick leave but is](#) not eligible for [any other](#) benefits unless specifically authorized [in this policy manual or](#) in a written agreement by the City Manager.
- **Initial Probation:** All new employees, excluding "at will", shall serve an initial probationary period of twelve (12) months. Employment during the initial probation period is considered "at will". Represented employees should refer to your collective bargaining agreement. Please refer to Chapter 8 for benefit information.
- **Regular:** Appointment commencing after successful completion of the Initial Probation. Employees will automatically achieve regular status at the end of their initial or transitional probationary period unless the Human Resources Manager receives written notification from the Department Director prior to the conclusion of the probationary period that the probationary period will be extended, or in the case of an initial probationary period, that the employee has not been successful in completing the probationary period. Please refer to Chapter 8 for benefit information.
- **Transitional Probation:** Employees who have completed their Initial Probationary Appointment and are subsequently promoted or who request a lateral transfer or reassignment will serve an additional transitional probationary period of twelve (12) months. Employees who are not successful in completing their transitional probationary appointment may, at the City's discretion, be transferred or reassigned to another vacant position. The Human Resources Manager will be responsible for

determining if the employee is qualified for the transfer or reassignment. The employee will serve an additional transitional probationary period of six (6) months following transfer or reassignment.

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

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

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

8.1 Benefits Overview

The City strives to provide the best, most equitable and cost-effective benefits for employees in recognition of the influence employment benefits have on the economic and personal welfare of our employees. Paid in various benefit forms on your behalf, the total cost to provide the benefit program described in this Handbook and other documents is a significant supplement to your pay and should be viewed as additional compensation.

Policies, provisions and procedures that govern the City's benefit program apply to all ~~regular full-time and part-time~~ employees [eligible to participate](#), whether exempt or nonexempt status, unless otherwise provided in a particular benefit plan.

If you are covered by a collective bargaining agreement please refer to it for information concerning your level of benefits, eligibility, and enrollment costs related to all fringe benefits.

Some benefits may earn credit during your new-hire introductory period, but eligibility to use the benefit will not occur in most cases until you obtain regular status, or meet other conditions of employment specified in the Handbook or contained in the benefit policy/plan booklets.

Benefit Pro-ration and Employee Cost Sharing

If you are a regular part-time employee, some of your benefits are determined on a prorated amount of hours according to your benefit accrual rate or other formula. For example, you will accrue vacation and sick leave benefits at a lower rate than full time employees. Your accrual rate is based on the number of hours your position is budgeted.

Discretionary employment benefits, those benefits that are not mandated by state or federal law, are selected and controlled by the City Council through adopted resolutions. Decisions to provide and continue providing these benefits are based on such considerations as cost, composition of our workforce, operational efficiency, and desirability of benefit provisions. Where costs of discretionary insurance benefit plans exceed the City's interest, ability, or willingness to pay the full premium rate to maintain the current benefit level, you may be required to share in the cost to continue the insurance plan coverage.

Benefit Design and Modification

The City reserves the right to design plan provisions and to add, eliminate, or in other ways modify any discretionary benefits described in this Handbook or elsewhere in plan documents, where and when it is deemed in the City's best interest to do so. These benefits are subject to change depending on Council decision and available resources.

Benefit Plan Documents

You will be provided with summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents will govern. All of these official documents are readily available from the Human Resources Manager for your review. We ask that you refer any questions about this information to the Human Resources Manager.

9.2 Sick Leave

Sick Leave

All eligible regular, intermittent, seasonal, and temporary full-time and part-time employees may use sick leave accruals for the following purposes:

- For an employee's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. (You are encouraged to make such appointments before arriving to work or after work hours, if possible.)
- For care of an immediate family member with a mental or physical illness, injury or health condition, care of an immediate family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition or care of an immediate family member who needs preventive medical care. Immediate family is defined as spouse, same sex domestic partner, the biological, adoptive or foster parents or children of the employee, parents or children of the same-sex domestic partner, siblings, grandparents, grandchildren, in-laws, persons with whom the employee was or is in a relationship of in loco parentis, and other close relatives who reside in the employee's household. The Human Resources Manager may approve exceptions to this policy on a case-by-case basis upon written justification from the employee.
- As specified in section 9.7, Family and Medical Leave, in the Employee Handbook, or Oregon Family Leave (OFLA).
- Any other purpose covered by the Oregon Family Leave Law (ORS 659A.159).
- For a purpose specified in Oregon's Domestic Violence, Sexual Assault or Stalking Leave Law (ORS 659A.272).
- In the event of a public health emergency, including but not limited to: (a) Closure of the employee's place of business, or the school or place of care of the employee's child, by order of a public official due to a public health emergency; (b) A determination by a lawful public health authority or by a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others, such that the employee must provide self-care or care for the family member; or (c) The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons.

when either the employee or a member of their immediate family is ill or requires medical or dental care or for Oregon parental leave.

1. Regular, full-time employees accrue sick leave at a rate of eight (8) hours per month. Regular part-time employees receive a prorated amount based on scheduled hours. ~~All other employees eligible to accrue sick leave (for example, seasonal, temporary, and intermittent employees) accrue one hour of sick leave for every 30 hours worked. When an employee is on an unpaid leave of absence, sick hours will not accrue when an employee is on an unpaid leave of absence on an hour for hour basis.~~ Sick time accumulated for regular status employees will not exceed 1400 hours. ~~Sick leave is available for use after it is credited to your leave bank.~~
2. All other employees eligible to accrue sick leave (for example, seasonal, temporary, and intermittent employees) accrue one hour of sick leave for every 30 hours worked. Sick time accumulated for seasonal, temporary and intermittent employees will not exceed 80 hours and no more than 40 hours may be used in a 12 month period.

When an employee is on an unpaid leave of absence, sick hours will not accrue on an hour for hour basis. Sick leave is available for use after it is credited to your leave bank.

FLSA non-exempt employees must use sick leave in no less than quarter hour (15 minute) increments. FLSA exempt employees are required to use accrued leave to cover absences from work that result in them falling more than four hours short of their average weekly work schedule (40 hours per week for full-time employees). Use of accrued leave is not required if the exempt employee's absence is the result of flexing work schedules due to workload.

It is in your best interest not to be at work when you are disabled due to illness or injury. It is your supervisor's responsibility to send you home if you are incapacitated or a threat to other employees' health and/or safety and you are expected to cooperate with the decision.

Time for routine doctor or dentist appointments should be charged to sick time unless other arrangements have been made with your supervisor. You are encouraged to make such appointments before arriving to work or after work hours, if possible.

In the event of an extended leave, you must use accumulated sick leave in conjunction with income protection plans or other sources of disability income to achieve full pay for as long as possible. However, at no time can the combination of these exceed normal earnings.

You are expected to notify your supervisor at the beginning of each workday during illness or injury. Exceptions to this include a serious accidental injury, hospitalization, or when it is known in advance that you will be absent for a certain period of time. A Medical Release Statement may be requested for review before you return to work in certain situations.

~~A Medical Release Statement may be requested for review before you return to work in certain situations.~~ Unused sick leave is not paid at termination, but may be convertible under the terms of the City's Defined Benefit Retirement Plan. Please refer to the Defined Benefit Retirement Plan documents for additional information. If an employee is separated from employment with the City of Forest Grove and is re-employed within 180 days, his/her sick leave balance at the time of separation will be restored.

In the case of a work-related accident or injury, you may use sick time to offset any days not paid through Workers' Compensation, or to offset the reduction in regular pay until accumulated sick time is used. However, at no time can the combination of these exceed normal earnings, nor can you use more sick time than that accumulated.

Donated Leave Program

The City has implemented a leave donation program to assist regular employees who have, as a result of extended or catastrophic illness and/or injury, exhausted all accumulated leave (sick, vacation, personal, and compensatory time) and are not receiving workers' compensation or retirement benefits.

Employees may voluntarily donate vacation leave or compensatory time in increments of one hour or more to an eligible employee's sick leave account, based on the conversion of the donor's salary rate to sick leave hours at the donee's salary rate.

Donors are prohibited from recovering any unused hours from the donee's sick leave account once donation has been credited. Donations are required to be documented, including the donor's signature and any verification of need of the employee receiving donations. The period of time an employee is eligible to receive donated leave will not exceed ninety (90) calendar days in any twelve (12) month period, non-retroactive. The Human Resources Manager is responsible for establishing and administering the donated leave program and making final determinations regarding need. Request for donated leave must be made to the Human Resources Manager.

Employees receiving donations must understand that the use of donated vacation leave or compensatory time as sick leave may offset disability payments.

9.5 Bereavement Leave

Regular full-time and part-time employees are eligible to take a Bereavement Leave in the event of death of immediate family members as defined below: (Also see Section 9.7 – Family and Medical Leave for information about Bereavement Leave under OFLA.)

Coverage

Immediate family is defined as spouse, same sex domestic partner, parents, children, children of the same-sex domestic partner, siblings, grandparents, grandchildren, in-laws (including father, mother, brother or sister), parents of the same sex domestic partners, and other close relatives who reside in the employee's household.

The Human Resources Manager may approve exceptions to this policy on a case-by-case basis upon written request from the employee.

Length of Leave

You are allowed to take up to five consecutive regularly scheduled working days away from work for a bereavement leave for immediate family members. If you need additional time off for any bereavement purpose, you must use earned vacation, compensatory time, [or sick leave](#), or apply for an unpaid personal leave of absence.

Request Procedure

You are expected to give us as much notice as possible of the need for time-off so that we can make arrangements to cover your absence. Determination to grant the leave will be made by your Department Director. Verification of family relationship and death may be requested in limited circumstances.

Pay while on Leave

If you are a regular employee, you will continue receiving your regular pay for up to the five days allowance. Exempt employees will continue receiving their regular salary for any additional partial days missed for any bereavement purpose.

Status of Benefits

Eligibility for benefits or continuance of benefit accruals are not affected by bereavement leaves. If the length of your absence extends beyond the five-day leave allowance and you are granted additional time off in the form of a personal leave, the effect of the additional leave on your benefits will be determined by the City's personal leave policy, later in this chapter.

Reinstatement

You will be reinstated to the same position you held at the time your leave began subject to our general reinstatement policy.

9.12 Domestic Violence Leave

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

Eligibility

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

Types of Services /Treatment

An employee may take leave to seek legal or law enforcement assistance, to secure medical treatment, to obtain counseling, to relocate or to take other reasonable steps to ensure the health and well-being of themselves or their child or legal dependent. Employees who are the victim of domestic violence, sexual assault or stalking may request a reasonable safety accommodation in the work place. A reasonable safety accommodation could include a transfer, reassignment, modified work schedule, unpaid leave, changed work telephone number, changed work station, installed lock or any other adjustment to the job structure, workplace facility or work requirement in response to actual or threatened domestic violence, sexual assault or stalking. The reasonableness of the safety accommodation will depend on the particular circumstances at issue.

Length of Leave

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

Request Procedure

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

Pay While on Leave

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

RESOLUTION NO. 2016-25**RESOLUTION ADOPTING REVISIONS TO CITY OF FOREST GROVE
EMPLOYEE HANDBOOK AND REPEALING RESOLUTION NO. 2015-66**

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

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

WHEREAS, the Human Resources Manager, under the direction of the City Manager, has met in good faith with labor union representatives to discuss and negotiate the revisions to the policies set forth in the Employee Handbook as described in the attached Exhibit A; and

WHEREAS, Human Resources Manager, under the direction of the City Manager, is submitting to the City Council for consideration revisions to the policies set forth in the Employee Handbook as described in the attached Exhibit A.

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

Section 1. The City Council of the City of Forest Grove hereby adopts revisions to City of Forest Grove Employee Handbook attached as Exhibit A.

Section 2. Resolution No. 2015-66 is hereby repealed in its entirety upon the effective implementation date of this resolution.

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

PRESENTED AND PASSED this 11th day of April, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 2016.

Peter B. Truax, Mayor

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CITY OF FOREST GROVE
EMPLOYEE HANDBOOK

Original Issue January 23, 2006
Revised April 26, 2010
Revised September 14, 2015
Revised April 11, 2016

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Employee Handbook
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Welcome to the City of Forest Grove! We are glad you have joined us. We take pride in selecting people, such as you, to join our organization; and feel you will be a great complement to our team in providing a safe, livable and sustainable community.

We are confident you will enjoy a productive and pleasant association with us. To ensure that we do our part, we have created a compensation and benefits program and interactive work environment that fosters positive and productive work relationships. We ask you to do your part by contributing your best efforts.

We believe you can contribute significantly to our success and want you to share in the growth of our future, but we feel you can only do this if you understand our organization and your role within it. This Handbook has been prepared as a guide to give you a better understanding of the organization's policies, procedures, and practices that guide your employment and is intended to aid the City in achieving its goals through efficient utilization of staff.

The Human Resources Manager is responsible for ensuring fairness and equality in the interpretation and application of these policies. The City Council formally issues the policies as specified in the City Charter. Please familiarize yourself with its contents, keeping it handy as a periodic reference source. You can always find the most recent revision of this Handbook on the City-wide drive in the HR Info folder. We encourage you to ask questions about policies and procedures you may not understand and we welcome your suggestions on ways to improve.

Again, welcome to our team. In partnership with you, please know we'll make every effort to ensure you are successful in your new position. We truly value you and the contribution you make through your employment with us and sincerely hope you will enjoy your employment with the City.

Sincerely,

Jesse VanderZanden
City Manager

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CHAPTER 1

INTRODUCTION

1.2 Organizational Philosophy Statement

The essence of our organization is a sincere commitment to public service. We provide quality public service based on high ethical and professional standards. Courtesy, honesty, equity, and patience are characteristics that we strive for in our relations with the public. We also strive for open and honest communications with people in our community. Our business is public service and we're proud of it.

Mission Statement

To provide responsible leadership in governing the City and to effectively manage resources while responding to essential community needs.

Responsive and Responsible

As an organization, we are both responsive and responsible to the public we serve. We strive to provide leadership that is innovative and able to anticipate, accept and adjust to change in a positive manner. Requests for our services get a prompt and courteous response. We welcome public suggestions about improving our services. We realize that we are an integral part of a unique community.

We are responsible in that our professional knowledge and ethics guide us, offering our best advice to City policy makers. We value and participate in the establishment of community goals. We recognize that community goal setting is a process requiring public involvement. Once community goals are established, our primary purpose is to effectively and efficiently work toward carrying out the adopted City policies and programs.

We accept our stewardship role and recognize accountability for our actions.

Respect for the Individual

The individuals within our organization are our most valuable resource.

We recognize our obligation to provide the best possible working environment. Toward that end, we shall assist individuals in their professional development and encourage and support them in their quest for self-improvement. We encourage physical and mental well being of the individual. We are committed to offering support to our employees in return for their demonstrated commitment to the City of Forest Grove.

By treating each other with mutual respect and encouragement, by recognizing individual performance, and by keeping a sense of humor, we create a supporting environment that will enhance our service to the public.

Commitment to Teamwork

We work as a team as the City's greatest and trusted resource and asset. Our teamwork emphasizes:

Communication – We value communication both within our organization and with the public we serve. Open, candid communication increases understanding and builds trust. Friendly, service oriented employees are vital to our success.

Fiscally Responsible Management – We act as stewards of the resources that we are entrusted to manage.

Cooperation – We help each other. We demonstrate respect for co-workers by showing regard for their time, responsibilities, efforts, and feelings.

Collaboration – We value the contribution of everyone involved in a project. Active participation of all team members’ skills, diverse backgrounds, and aspirations leads to better results.

Principle-Based Leadership – We provide direction and purpose in the achievement of the community’s mission.

Recognition – We believe in celebrating our achievements and those of others that support the goals of the community.

We are partners with the citizens and elected officials in the process of maintaining and improving the quality of life in Forest Grove. We fulfill our portion of that partnership by providing high quality services through high quality individuals.

1.3 Equal Employment Opportunity

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

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

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

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

Reporting Policy Violations

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

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

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

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

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

1.4 Americans with Disabilities Act

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

Individuals are protected if any of the following conditions exist:

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

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

The City offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform the essential functions of the job. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought by a disabled individual. A job function is essential if the position exists for the

performance of the function, there are only a limited number of employees available to perform it, or the function is so highly specialized that an expert must be specially hired to perform it.

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

1.5 Form of Government

City Manager

The City of Forest Grove operates under the Council-Manager form of government as created by the City Charter. The Council adopts policy and the Manager is charged with implementing it. The Manager functions similar to a CEO in carrying out the adopted policy set by the Council.

The City Manager is responsible for personnel administration and may delegate any of these powers and duties to another City employee. For purposes of daily administration, the City Manager delegates responsibility in the following manner:

Human Resources Manager:

- Recruitment process
- New employee orientation
- Benefits plan administration
- Retirement plan administration
- Classification and compensation
- Labor and employee relations
- Review and auditing of personnel actions
- Personnel records administration
- Affirmative action

Department Directors:

- Selection and appointment
- Performance management
- Creation of a positive environment
- Retention
- Corrective (disciplinary) action
- Personnel budgeting through the budget process

The City Manager reserves the right to modify the delegation of authority when operational requirements necessitate.

City Council

The City Council is responsible to the citizens of Forest Grove to establish and direct the policies governing the administration and management of the City. The City Charter states, "Except as this charter provides otherwise, all powers of the City are vested in the Council." The Council consists of the Mayor and six Councilors each elected to four-year terms.

The Mayor is a voting member of the Council. The Mayor represents the City at ceremonial functions, presides over Council meetings, consults with the City Manager on Council Agendas, appoints and consults with City boards and commissions as approved by the Council, and routinely discusses questions and concerns with the City Manager.

The City Council establishes the personnel policies that are contained in this Handbook, with consultation from the City Manager.

CHAPTER 2

PROGRAM ADMINISTRATION

2.1 About this Handbook

This Employee Handbook is a compilation of the personnel policies adopted by the Council under the City Charter, and replaces all personnel policies issued prior to its adoption by the Council. It is intended to help you understand the employment provisions and expectations of the City. This Handbook applies to all employees working for the City, regardless of representation or affiliation. If you are a member of a labor union, please refer to your current labor agreement for additional information regarding the terms and conditions of your employment.

There are several things about this Handbook that are important to keep in mind. It contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications or exceptions to the policies and procedures described herein. The policies outlined in this Handbook are based on the belief that common sense, good judgment, and consideration of the rights of others are paramount to our ability to serve the citizens and each other. We have tried to anticipate many of your questions, but in no way do we believe that this document will provide every answer. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific question to your supervisor or the Human Resources Manager.

We recognize that employees differ in their skills, goals, perceptions and values and that conditions may arise because of that diversity which may not be sufficiently addressed within this Handbook or which may result in conflict. When that occurs, the City will endeavor to make decisions that are fair and equitable, while at all times ensuring the best interests of the City are served.

Please note that the policies, procedures, and regulations in this manual are not intended to contradict any provision of a current labor agreement, nor will any section of this manual supersede any provisions of such agreement.

The procedures, practices, policies and benefits described herein may be modified or discontinued from time to time. We recognize our responsibility to keep employees informed of changes that may affect them and as changes are made to the Handbook, we will endeavor to see that you are promptly informed. You may always review the current Handbook on the Citywide drive in the HR Info folder.

Some subjects described in this Handbook such as the benefit and retirement plan information are covered in detail in official policy documents. You should refer to these documents for specific information since this Handbook only briefly summarizes those benefits. Please note that the terms of the written insurance policies are controlling.

You are encouraged to offer suggestions for improvements to these policies, employment practices or working conditions. Please read through the Handbook carefully and share it with your family members so that they will also understand your new work environment. Should you have additional questions, or need further detail, please talk with your supervisor or the Human Resources Manager.

2.2 Employment Relationship

Employment At Will Positions

Appointments into the positions of Department Director (Police, Fire, Library, Public Works, Administrative Services, Parks & Recreation/Aquatics, Community Development, Light & Power, and any future Departments created by the City), Human Resources Manager, City Manager, Municipal Court Judge, and any temporary, intermittent, seasonal and initial probationary appointments to any position will be considered “at will”. At will employees may be terminated at any time, with or without cause and without right of appeal. Employment for at will employees is for no definite period of time and may, regardless of the time and manner of payment of wages and salary, be terminated at will.

At will employees, as defined in this policy, whose position is eliminated are deemed terminated.

All Other Employees

All other employees of the City who are not represented by a labor organization are subject to the City Appeals & Dispute Resolution procedure and covered by the terms contained in Chapter 6 of this Handbook after successful completion of the Initial Probation; see Chapter 3, Types of Appointments.

No one in the organization has the authority to enter into any agreement contrary to this and it cannot be altered except by union contract or in writing and signed by the City Manager and you. The City of Forest Grove is also not bound by any oral promises.

The City recognizes that all employees have the right to form, join, and participate in the activities of labor organizations of their choosing for the purpose of representation on matters within the scope of collective bargaining for the State of Oregon.

2.3 Confidentiality

City employees have access to highly confidential and proprietary information, including such information about our business plans and citizens. Our citizens trust the City with confidential information. The unauthorized disclosure of such information would have a material adverse impact on the integrity of the City and would have an adverse impact on our relationships with our customers. No employee should disclose any information pertaining to the organization or customers without prior explicit approval of their manager/supervisor.

No City records and information including without limitation, documents, files, records, computer files or similar materials, except in the ordinary course of performing duties on behalf of the City, may be removed from our premises without permission from the City Manager. Additionally, the content of the organization records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose or legal public records request. For additional assistance concerning public records request, please contact the City Recorder. Employees are subject to appropriate corrective action, up to and including termination for revealing information of a confidential nature.

The City recognizes our employees’ rights to privacy. In achieving this goal, the organization adopts these basic principles:

1. The collection of employee information will be limited to information the organization needs for business and legal purposes.
2. The confidentiality of all personal information in our records will be protected, except where required by law.
3. Internal access to employee records will be limited to those employees having an authorized, business related need-to-know. Access may be given to third parties, including government agencies, as a result of a court order or subpoena.
4. The organization will refuse to release personal information to outside sources without the employee's written approval, unless legally required to do so. Verifications of employment dates, position, salary, and title may be provided without prior approval of the employee.
5. Employees are permitted to see the personal information maintained in their personnel file, and may correct inaccurate factual information or submit written comments in disagreement with any material.
6. All employees involved in record keeping will be required to follow these policies and practices. Violations of this policy will result in corrective action up to and including termination.

2.4 Organization Hours

The City's general office hours vary by Department; please refer to your Departmental rules for specific information.

Specific workday and workweek schedules for each employee will be determined from time to time by your supervisor based on the operational needs of the City. The City will attempt to notify you of any changes in workdays or workweek schedules two weeks in advance of the effective date of change. Management reserves the right to modify schedules consistent with the needs of the City.

The normal workday is eight hours. The total hours in a normal workweek is forty (40), Sunday through Saturday. If you are a nonexempt employee, you should not begin work before your normal starting time nor continue working beyond the normal quitting time without advance approval from your supervisor. Working through a lunch period is also not permitted unless approval from your supervisor is obtained prior to the scheduled lunch break.

If you are represented by a collective bargaining agreement, please refer to the specific language contained in it.

Overtime

You may be required to work overtime. Overtime hours will be paid to non-represented, non-exempt employees at one and one-half times the basic straight time hourly rate for all hours worked in excess of forty (40) in a regular workweek, or as otherwise required by State and/or Federal laws. Paid leave will be considered in computing the forty hours after which overtime is paid, excluding sick leave. Your department supervisor must approve any overtime work hours prior to their being worked. Supervisors/managers are to ensure that no unauthorized overtime hours are worked. Working unauthorized hours in excess of forty (40) in the workweek may be grounds for corrective action.

Time spent checking and/or responding to work-related email, texts, and/or voicemail on electronic communication devices (including, but not limited to desktop and laptop computers, mobile electronic devices, cellular phones, smart phones, tablets, etc.) by employees who are not exempt from the provisions of the Fair Labor Standards Act (FLSA) (see Section 3.4), during off-duty time is not permitted and will be considered unauthorized work subject to disciplinary action. Any exceptions to this policy must be approved by the employee's supervisor in writing.

Meal and Rest Periods

Meal and rest periods will be provided for you according to Federal and State law. Supervisors will review these and set scheduled times. Nonexempt employees are not permitted to work through a meal period unless approval from a supervisor is obtained prior to the scheduled meal break.

All nonexempt employees are entitled to a half-hour unpaid lunch break each day and a 15 minute paid rest period for each four hours worked. Employees are required to notify their supervisor in the event that they are unable to take their required 15 minute paid rest period.

Social and Recreational Activities

Participation in all off-duty social or recreational activities such as City or Departmental picnics and Holiday parties is entirely voluntary. Participation or nonparticipation will not have any effect on your wages, hours, working conditions, or present/future employment opportunities.

Work from Home

Employees are only permitted to work from home in two situations:

- 1) Long term/recurring schedule: Employees may work from home on a recurring schedule if approved for a telecommuting arrangement. The agreement must be in writing and approved by the City Manager prior to the employee commencing work at home.
- 2) Short term/non-recurring: Employees may work on short term, non-recurring projects with prior permission from their Department Director.

Before granting permission for short-term work at home arrangements, supervisors should know the specific work to be performed and the projected amount of time expected. If the work at home will cause a non-exempt employee to work enough hours per day or week to become eligible for overtime under federal and state law then the supervisor should consult the overtime policy before granting permission. Department Directors should also consult with the Human Resources Manager regarding other issues related with work at home arrangements prior to the employee commencing work at home.

Under no circumstances are employees permitted to work at home without prior permission. Any attempt to do so, with or without reporting such time, may result in corrective action.

Emergency Closing

The City will make every effort to maintain normal Departmental work hours even during inclement weather. City employees, particularly those with emergency responsibilities, are expected to make every effort to come to work to serve the public.

The City reserves the right to determine whether or not an event qualifies as “inclement weather”.

Department Directors are responsible for determining which positions are considered “emergency” and “non-emergency” during inclement weather events.

The City Manager is responsible for determining when to close specific City operations, or to allow employees to leave work early, due to inclement weather or in the event of a natural disaster.

The City Manager will communicate operational closures for non-emergency staff through the following methods:

- Telephone Contact with the Department Directors
- Voicemail message on the City’s Main Line (503) 992-3200 by 0700 AM the morning of the closure and/or the City’s website: www.forestgrove-or.gov
- Public announcements through local media releases.

It is the responsibility of the Department Directors to notify all personnel under their supervision. Department Directors may reassign employees when hazardous environmental conditions that interfere with normal operations exist. If such a decision is made, the Department Director shall provide notice to the City Manager.

Employees who are working and, subsequently, Departmental operations are suspended will normally receive their regular pay for the remainder of their scheduled shift, subject to approval by the City Manager. Employees who are on an approved leave of absence (e.g., vacation, personal holiday, compensatory time, sick leave, unpaid leave of absence) will not be eligible to receive regular pay for any hours that are deemed paid to employees who are at work when operations are suspended.

In the event of inclement weather without City closure, the following rules apply:

- **Reporting to Work:** Employees are encouraged to use their best judgment in determining environmental conditions related to their commute. Non-emergency personnel who decide that road conditions are a threat should contact their supervisor and notify them that they will be absent. In this event, the employee may charge time not worked to vacation leave, compensatory time off, or saved personal holiday.
- **Early Departure and Late Arrival:** After receiving approval from a supervisor, an employee may charge any time not worked to vacation leave, compensatory time off, or saved personal holiday, at the employee’s discretion.
- **Unpaid leave** is only available upon exhaustion of the above accrued leave balances (vacation, compensatory time off, or saved personal holiday). Sick leave may not be used for this purpose.
- **Persons with Disabilities:** Employees who are disabled pursuant to the Americans with Disabilities Act may require reasonable accommodations in order to help such employees get to work during periods of inclement weather or in the event of a natural disaster.

Employees who feel they need this type of assistance should contact Human Resources to identify an appropriate manner in which the City can help the employee get to work.

2.5 Employee-Incurred Expenses and Reimbursement

The City will pay all actual and reasonable business-related expenses you incur in the performance of your job responsibilities. All such expenses incurred must be pre-approved by your Department Director before payment will be made.

Expense reports are to be submitted and supported by evidence of proof of purchase, e.g., receipts. Expense reports are due to the Department of Administrative Services within five days following end of month.

Mileage Reimbursement

Please refer to Vehicle Usage and Safety, Chapter 5.

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CHAPTER 3

RECRUITMENT & SELECTION

3.1 Recruitment and Selection

It is the goal of the City to fill employment vacancies with the most qualified applicants, whether recruiting internally or externally. Job applicants will be considered on an equal basis for all positions without regard to race, color, religion, sex, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, veteran's status, medical condition, sexual orientation, genetics, or membership in any other protected class.

The City's policy is to always try to select the most qualified person for each available job, giving preference, whenever possible, to existing employees over outside applicants. External recruiting may be initiated concurrently with the internal posting process, but no hiring commitment for a regular position can be made until the position has been internally posted for a minimum of five working days.

Former employees and relatives of current employees will be considered for employment in the same manner as any other applicant. The City retains the right to refuse to place one spouse or immediate family member under the direct supervision of the other spouse or family member, where such placement creates an adverse effect on supervision, safety, security or morale.

The Human Resources Manager is responsible for the oversight and implementation of City recruitment and selection process. They will determine when a recruitment will be opened for application, and in conjunction with the hiring Department, whether the recruitment will be limited to internal candidates or open to the public. If a recall list exists for a classification, it will be exhausted in compliance with any collective bargaining provisions.

All Regular vacancies will be posted for a minimum of five (5) working days during which time applications will be accepted. The Human Resources Manager will develop a recruitment plan and ensure that a fair, valid, and competitive method of selection is utilized and documented. Recruitment efforts will incorporate the City's commitment to diversity, competitiveness, and organizational excellence. Recruitment practices will include a process whereby all applicants are aware of the requirements of the position and applicable deadlines. The Human Resources Manager will determine the application requirements. All application materials will become property of the City. Where recruitment is limited to internal candidates only, Temporary, Seasonal and/or Intermittent employees are eligible to apply, depending upon the nature of the applicant pool.

The Human Resources Manager will be responsible for overseeing each phase of the selection process. The Human Resources Manager may establish a hiring list of qualified applicants that may be used to fill other anticipated vacancies. The Human Resources Manager will determine the duration of the hiring list, but in no case will a list be utilized beyond a one-year date from the date it was created. The Human Resources Manager may discontinue the use of an established list at any time; however all applicants on the list will be notified if the list is discontinued prior to the original expiration date established.

Application, testing, and background documents will be deemed confidential and will not be open to inspection by the applicant, other applicants, or the public except as otherwise required by law or legal process.

All job offers in the City are contingent upon a review of the applicant's driving record pursuant to Chapter 5, a criminal background check, and any other specific requirements of the position, which may include a pre-employment drug screen, physical and/or psychological evaluation, background investigation, and/or credit history check for certain positions.

Department Directors may hire temporary, seasonal and/or intermittent employees for positions which are seasonal, project oriented, designed to cover work for an absent employee, manage a temporary shift in workload, or for other business reasons. Temporary employees will typically be utilized only when the need for the position is originally estimated to be twelve months or less, unless otherwise approved by the City Manager. Temporary positions originally designated to exceed twelve months or which are extended beyond twelve months require the approval of the City Manager. Department Directors should seek consultation with Human Resources and the Administrative Services Director prior to recruiting for temporary, seasonal and/or intermittent positions.

3.2 Orientation and Introduction

In order to ensure a positive integration into the City's operations and get new employees started on a productive and satisfying employment relationship, all new employees will be scheduled for a thorough orientation, administered by the Human Resources Manager. This orientation will normally be conducted during the first week of work. You will receive detailed information about general policies, procedures and benefits and basic information on pay and leave policies. Orientation sessions are documented using the New Employee Orientation checklist, which is signed by both you and the staff member conducting the orientation, and it is retained in your employee personnel file as a permanent record.

Department Directors are responsible to ensure that new employees are oriented to any specific Department, position, and work environment requirements and expectations.

As a new employee, you are hired on an initial probationary period of one year, see Chapter 3. The initial probationary period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your supervisor. Evaluation of your adjustment to work tasks, conduct, and other work rules, attendance and job responsibilities will be conducted during the initial probationary period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to see if your abilities and the requirements of the position match. It is also a chance to see if the City will meet your expectations as an employer.

Your performance will be evaluated at six months and at the end of your initial probationary period, and a decision about your employment status will be made. If you successfully complete the initial probationary period, you will be moved to regular status. If expectations are not met or skills are not satisfactory, it is unlikely that employment will be continued.

3.3 Types of Appointments

Appointment Type:

- **Volunteer:** An appointment, as defined in ORS 657.015, to which the appointee volunteers or donates services without receiving or expecting remuneration. Volunteer appointments are not eligible for benefits unless specifically authorized in a written agreement by the City Manager. Terms and conditions of volunteer appointments are contained within the City's Volunteer Handbook and any specific rules promulgated by the Department for which the Volunteer appointment is made. Please refer to the Volunteer Handbook for additional information.
- **Temporary:** An appointment which has a duration of less than one year and less than 2080 hours. This type of appointment is considered "at will." Temporary appointments are eligible to accrue sick leave, but are not eligible for any other benefits unless specifically authorized in this policy manual or in a written agreement by the City Manager.
- **Seasonal:** An appointment which has a duration of six or less months and is intended to cover a particular period of time; e.g. parks maintenance during the summer months, when additional employees are required due to increased work related to that season. This type of appointment is considered "at will" and is eligible to accrue sick leave but is not eligible for any other benefits unless specifically authorized in this policy manual or in a written agreement by the City Manager.
- **Intermittent:** An appointment that does not require a regularly scheduled workweek and is less than one-thousand forty (1040) hours in a year. This type of appointment is considered "at will" and is eligible to accrue sick leave but is not eligible for any other benefits unless specifically authorized in this policy manual or in a written agreement by the City Manager.
- **Initial Probation:** All new employees, excluding "at will", shall serve an initial probationary period of twelve (12) months. Employment during the initial probation period is considered "at will". Represented employees should refer to your collective bargaining agreement. Please refer to Chapter 8 for benefit information.
- **Regular:** Appointment commencing after successful completion of the Initial Probation. Employees will automatically achieve regular status at the end of their initial or transitional probationary period unless the Human Resources Manager receives written notification from the Department Director prior to the conclusion of the probationary period that the probationary period will be extended, or in the case of an initial probationary period, that the employee has not been successful in completing the probationary period. Please refer to Chapter 8 for benefit information.
- **Transitional Probation:** Employees who have completed their Initial Probationary Appointment and are subsequently promoted or who request a lateral transfer or reassignment will serve an additional transitional probationary period of twelve (12) months. Employees who are not successful in completing their transitional probationary appointment may, at the City's discretion, be transferred or reassigned to another vacant position. The Human Resources Manager will be responsible for determining if the employee is qualified for the transfer or

reassignment. The employee will serve an additional transitional probationary period of six (6) months following transfer or reassignment.

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

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

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

3.4 FLSA Classification

FLSA (Fair Labor Standards Act) Status

Employees are further classified according to Federal and State wage and hour laws into two additional categories of exempt and non-exempt as defined below. The Human Resources Manager will make appropriate designation regarding the status of each City position or when a position changes substantially. If you are uncertain as to your status, please contact the Human Resources Manager.

- Exempt: An employee who is exempt from the overtime pay requirements under federal and state laws. Exempt employees include managers, executives, supervisors, and professional staff and others who are paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.
- Non-Exempt: An employee who is paid an hourly wage, assigned a regular work shift of not more than forty (40) hours per week, and whose job calls for overtime payment as appropriate under state and federal regulations.

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CHAPTER 4

CLASSIFICATION & COMPENSATION

4.1 Position Designation

Position Designation

Every position in the City will be allocated to a Council approved classification and salary range. Each position designation will be accompanied by a position description containing the specific duties and responsibilities assigned to the position designation. Position descriptions will include the title, a narrative on the duties, the level and scope of responsibility, the minimum qualifications, and the knowledge, skills, and abilities required in order to successfully carry out the responsibilities. Position descriptions are intended to be explanatory and not restrictive. Department Directors are responsible for the content of the descriptions and retain the ability to modify specific and/or daily tasks as required including the assignment of higher level duties for limited periods of time.

Except under exceptional circumstances as determined by the City Manager, no new Regular position will be filled until a position designation has been determined by the Human Resources Manager. In the event that a position designation results in the need for a new City salary range, the Council must approve of the new range prior to position establishment in the budget. The Human Resources Manager will ensure that all employees are notified of their position designation and will maintain the official City record of all active position descriptions.

Department Directors are responsible for ensuring that the number of current employees does not exceed the number of budgeted positions.

Position Re-designation

Employees who believe that their duties and responsibilities have changed significantly since their position was designated may request a review of their position designation by making a written request to their Department Director. Once received from the Department Director, the Human Resources Manager will conduct an analysis of the duties and responsibilities of the position and determine the appropriate designation.

When an incumbent's position has been re-designated to a classification that is lower in salary, the employee will have the option of taking a voluntary reassignment. If the incumbent does not elect to take a voluntary reassignment and no other position is available for which they are qualified and is within their salary range, they may:

1. Request a voluntary transfer into another vacant position for which they are qualified.
2. Accept termination.
3. If part of a bargaining unit, they may exercise any specific rights under the current collective bargaining agreement.

When an incumbent's position has been re-designated to a classification with a higher salary, the Department Director will have the option of promoting the incumbent or conducting a recruitment process. Promotion of the incumbent will be dependent upon the Human Resources Manager's determination that the incumbent meets the requirements as defined in the new or revised position description. For incumbents to be promoted without a recruitment process, the Department Director must demonstrate that the duties and responsibilities of the position evolved over a significant period of time, typically greater than 18 months. The Human Resources Manager will determine if the change in position designation is due to a gradual increase in

duties and responsibilities over a significant period of time. If the Department Director conducts a recruitment for the re-designated position and the incumbent is not selected, and there are no other positions available for which the employee is qualified that are within the same salary range, the incumbent may:

1. Request a voluntary transfer into another vacant position for which they are qualified.
2. Accept termination.
3. If part of a bargaining unit, they may exercise any specific rights under the current collective bargaining agreement

When a re-designation of a position is the result of a City wide classification study, the incumbent of the position may retain the position and any applicable compensation policies as described in this Handbook.

4.2 Classification and Compensation Plan

The City Manager is responsible for the creation and maintenance of a classification plan. The classification plan will consist of a comprehensive listing and definition of all Council adopted classifications and salary ranges in City service. The purpose of the classification plan will be to:

- Establish qualification standards for employment eligibility,
- Assess parity in compensation for similar positions,
- Develop standards of work performance,
- Establish job families and career tracks,
- Provide a framework for analysis of organizational relationships or position designations (see Position Designations),
- Assist in the budget development process,
- Provide flexibility in the assignment of personnel.

The Human Resources Manager will administer a review of all City classifications and assigned compensation levels on a regular schedule. The Human Resources Manager will submit their findings to the City Manager for review. The City Manager will provide a report to the City Council for review and adoption. Compensation levels are typically reviewed every three years, concurrent with contract negotiations.

The City Council has adopted the following compensation philosophy:

- Compensation and benefit levels will be evaluated against current labor market comparables for each employee group (bargaining unit, management, non-represented, etc.). It is the Council's policy to maintain City compensation within plus-or-minus five (5) percentage points of the labor market median. Compensation and benefit levels will be based on all relevant information including, but not limited to, internal equity, salaries paid by other employers for comparable work, fringe benefit packages, the City's financial condition, and unusual problems of recruitment and/or turnover.

It is the Human Resource Manager's responsibility to determine the relevant labor market comparables when conducting a review of compensation. The Human Resources Manager will

analyze classifications in terms of duties and responsibilities, knowledge, skills, and abilities, minimum qualifications, changes in labor market forces and competition, and other relevant factors.

The City Council has ultimate authority to approve and/or revise the proposed salary and compensation adjustments as submitted by the City Manager. Compensation levels will be viewed as total compensation, including an analysis of salary, fringe benefit levels, cost of living changes, and other relevant factors.

In exceptional circumstances, the City Manager may initiate a review of compensation earlier than the three-year schedule in order to meet immediate organizational needs such as a rapid change in competition, labor market forces, or other factors. In this event, the City Manager will report findings to the City Council for review and adoption.

4.3 Pay Administration

The City values employees and is committed to compensating employees for their efforts and results. It is our intent to provide a competitive compensation package that will attract, retain and motivate employees. It is also our intent that policies and pay practices be administered consistently throughout the City.

Your pay as a new employee is established based on the pay level of current employees in the same or similar positions, and your previous experience and skills. The City Council adopts the salary schedule from which all City employees are compensated, see Classification and Compensation Plan.

You will be eligible for future pay increases based on your performance, contributions and success. This policy is to be interpreted in accordance with applicable federal and state laws and regulations.

Cost of Living Adjustments (COLA's)

If the City Council approves an annual cost-of-living adjustment, you will receive it as a modification to your base salary.

Merit Salary Increases

It is the City's policy to reward you with increases in pay for your dedication in your work, extra effort, and contributory performance. Management does not award increases on an automatic basis or at any preset interval. Your supervisor will determine if an increase is warranted at the time of your performance review. Step increases will be awarded based on satisfactory performance as documented in your performance appraisal. Exceptional performance may be rewarded with accelerated advancement through the steps. Prior written approval from the City Manager is required for accelerated advancement.

Paydays

You will be paid at least monthly, according to the City's payroll cycle. If the payday falls on either a Saturday or Sunday, paychecks will be distributed on the Friday prior to the payday. If a City holiday falls on a designated payday, you will receive your check on the last workday prior to the holiday.

Payroll Deductions

Certain mandatory and elective deductions are made from employee pay, and are noted on the paycheck stub. Only those deductions mandated by law or those you have authorized in writing are made, provided such deductions are not otherwise prohibited by state regulations.

Delivery of Paychecks

Your paycheck will be delivered to you each payday or directly deposited to your account as authorized. No paychecks will be delivered to any person other than you except upon your written request to do so.

Method of Payment

A statement of earnings and deductions showing gross earnings, deductions and the net salary amount will accompany each paycheck or notice of direct deposit. Employees are normally paid by check, but you may request payment by direct deposit to a checking or savings account at a financial institution, provided your financial institution has that capability.

Employee Withholding Allowance Certificates Form W-4

You are required under Federal law to furnish the organization with an Employee Withholding Exemption Certificate (W-4) at the date of hire. You must file a new W-4 form at any time the number of entitled exemptions decreases to less than the number being claimed. New W-4 forms may be filed when the number of entitled exemptions increases if desired, but it is not required. You may increase withholding by claiming fewer exemptions than entitled or by requesting additional withholding to be made if you find that insufficient tax has been withheld to meet your year-end tax liability.

Time Records for Nonexempt Employees

The timesheet is a record of time worked and must be filled out. It provides a permanent record of the time spent on the job, indicating the exact time worked. Each nonexempt employee will be issued a timesheet at the start of the pay period. Nonexempt employee pay is calculated from this record.

You should review your timesheet at the end of each week for completeness and accuracy. Supervisors will review timesheets each pay period and authorize them by signature. Timesheets must be completed in ink. If an error is to be corrected or time clarified, the timesheet should be taken to your supervisor who will take the appropriate action. All corrections must be made, reviewed, and initialed by the supervisor. Timesheets should be reviewed, signed, and turned in at the end of the pay period. Your signature on the timesheet each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your timesheet. Willfully falsifying a time card will be grounds for corrective action, up to and including termination.

Time Records for Exempt Employees

Employees classified as exempt report only absences from work on their timesheets. No deduction of pay will be made for hours worked less than your regular daily work schedule, typically eight (8) hours per day. Exempt employees may be required to use paid accrued leave (sick leave, vacation, leave, personal holiday or administrative leave) to cover full or partial day absences in accordance with City policy. While exempt employees are not paid by the hour, it is generally expected that the duties of their position will require a minimum of forty (40) hours per

week to achieve optimal performance. By signing the timesheet, you are certifying, by default, that you have worked an average of forty (40) hours in each week in the pay period.

Improper Deductions from Pay for Exempt Employees

The City will reimburse any exempt employee whose pay is reduced in violation of this policy. If you feel your pay has been improperly reduced, please notify the Human Resources Manager.

Final Paycheck

While we request that you give us at least ten days advance notice prior to departure when resigning from the organization, if you provide us with at least 48 hours notice (excluding holidays and weekends) you will receive your final paycheck on the last day worked. If less notice is given, the final paycheck will be provided within five business days or on our next regularly scheduled payday, whichever occurs first. Final paychecks will include all wages earned through the last workday plus payment for any accrued and vested benefits that are due and payable at separation.

4.4 Salary Administration

The Human Resources Manager will provide consistency and guidance in the management of salary administration. This includes the approval of beginning salaries, performance based salary adjustments, increases at time of promotion and the provision of pay options in the event of a transfer, demotion, reassignment or leave of absence.

All salaries will be set within the Council adopted salary range and in compliance with applicable federal, state, and local laws. Payment of salaries for employees covered under the overtime provisions of the Fair Labor Standards Act or state law will be for hours worked except where these policies permit otherwise. Hours worked include holidays and any paid leave time, excluding sick leave.

Salaries for New Employees

Employees will normally be hired or reinstated at the beginning of the salary range. When the City Manager deems it is appropriate, they will have the authority to approve a higher starting salary. In any event, a beginning salary may not exceed the salary range approved by the Council for that position.

Salaries for Promotional Appointments

Employees will normally be promoted to a salary rate at least one step higher than his or her base pay in the lower classification, unless such an increase puts him or her beyond the top of the higher range. A one step increase is defined as the percentage difference between the final two steps of the lower range. If the employee's base pay in the lower range plus one step increase is lower than the first step in the higher range, the employee will be paid at the first step rate. If the employee's base pay in the lower range plus one step increase is higher than the top step in the higher range, the employee will be paid at the top step rate. If the employee's base pay in the lower range plus one step increase falls within the higher range, the employee will be paid at the step rate which represents at least a one step increase, but less than a two step increase in base pay.

When the City Manager deems it is appropriate, they will have the authority to approve a higher promotional starting salary.

The employee's anniversary date for wage increases will be the date of appointment to the promotional classification.

Overtime & Compensatory Time

Overtime for FLSA non-exempt, non-represented employees will be paid for time worked in excess of forty (40) hours in the employee's designated workweek. Time worked will include any paid leave taken during the week in which the overtime is being calculated, excluding sick leave. Only those employees who are not exempt under the provisions of the Fair Labor Standards Act or state law, unless otherwise designated by the City, will be eligible to receive overtime pay and/or compensatory time. Overtime will be paid at the rate of one and one-half times the employee's regular rate of pay. Time worked as overtime will not be considered when determining eligibility for benefits, retirement, or completion of either an initial or promotional probationary period.

Non-represented employees who are eligible for overtime pay may, with the mutual consent of their supervisor, accrue compensatory time in lieu of overtime. Compensatory time will be earned at one and one-half times the number of hours worked and may be accrued up to a maximum of eighty (80) hours. Compensatory time off will be considered the same as time worked when determining eligibility for benefits, retirement, or completion of either an initial or promotional probationary period.

Temporary, seasonal and intermittent employees are eligible for overtime under the same conditions as regular employees, however; they may not earn compensatory time.

Annual Salary Adjustments and Special Increases

All salary adjustments will be based on performance as documented in an employee's performance appraisal. Annual salary adjustments will occur every twelve months on the employee's anniversary date from appointment into the position. When an employee has performed at or above the satisfactory level, as determined by their supervisor, the employee may be granted a one step salary increase. Salary increases will be commensurate with performance ratings; however, in no case may an increase cause the employee's salary to exceed the top of the salary range established by Council.

When exceptional performance is documented in an employee's performance appraisal, a supervisor may recommend an acceleration of advancement through the salary range, normally a two-step increase. Department Directors must submit a written recommendation for approval to the City Manager prior to initiating the increase.

Employees who experience any leave of absence without pay, excluding military service or Family Medical Leave, which exceeds thirty (30) calendar days, will have their annual salary adjustment prorated to reflect the actual number of months in paid status during the evaluation cycle.

The City Manager will have the authority to approve individual salary increases outside of the annual adjustment should special circumstances warrant such action.

Represented employees will receive annual salary adjustments in conformance with their collective bargaining agreement.

Higher Classification Work

When an employee is assigned in writing to assume the majority of the duties (greater than 50%) of a position in a higher pay range for a period of more than 8 continuous hours, they will be awarded higher classification pay. The premium will normally be five (5) percent over their base rate of pay for all hours worked at the higher level position. This premium does not apply in situations where an employee is performing higher level duties for the purposes of training.

When the Human Resources Manager deems it is appropriate, they will have the authority to approve a higher premium.

CHAPTER 5

STANDARDS OF CONDUCT

5.1 Work Rules

The City believes that policies and procedures are essential for the orderly operation of our business and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that everyone can act in accordance with our workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive, but serve as guidelines to demonstrate work behaviors considered important to the City.

1. You are expected to be at work on time, stay until your workday ends, and to do the work assigned or requested of you. If you are unable to be at work on time, you are expected to contact your immediate supervisor promptly. Please refer to Departmental attendance guidelines for additional information.
2. You are expected to regard your workplace with respect and attention. City of Forest Grove records, equipment, and property are to be treated carefully and appropriately. You are responsible for those items in your custody and will be held accountable for their maintenance, appropriate use and/or accuracy.
3. You are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City or outside regulatory bodies.
4. You are expected to conduct yourself in a professional manner, exhibiting a high regard for our customers, vendors, business associates, and co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned. This also applies to alcohol consumption when representing the City in a business or social capacity.
5. You are expected to maintain the confidentiality of organization information or customer information in your possession (i.e., personnel information, etc.).
6. Clothing you wear to work should be neat in appearance and be consistent with a professional atmosphere, keeping in mind the impression made on the public, visitors, and other employees and the need to promote organization and employee safety. Good individual judgment is the best guideline, but the City retains the right to decide what dress is appropriate. Please speak with your supervisor for Department specific dress standards.
7. Public relations is an integral part of each employee's job. Employees represent the City to those with whom they come in contact or by whom they are observed. All employees should remain cognizant of this responsibility in carrying out their duties in a professional and efficient manner.

The information regarding appropriate behavior may help in providing guidance for employee actions. You are urged to use reasonable judgment at all times and to seek supervisory advice in any doubtful or unclear situation. By everyone doing their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. As a matter of policy, the City seeks to resolve conduct and performance problems in the most informal and positive manner possible. However, when someone does not conduct themselves with the intent of the work rules, action will be taken to correct the situation promptly and completely. Violations of workplace rules will result in corrective action, up to and including termination.

The City also believes that employees should be given an opportunity to be heard in matters involving discipline and we have adopted formal procedures. Please refer to chapter 6 of this

manual. Employees who are covered under collective bargaining provisions are encouraged to refer to the specific language contained in their agreement.

Department Directors are responsible for the establishment of rules and procedures, which regulate the specific work activities, and conduct of employees in their department. Department work rules may be more restrictive than City rules due to their specific operational requirements.

5.2 Ethics

At the City of Forest Grove, we believe in treating employees with respect and adhering to ethical and fair practices. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of our organization or to compromise its reputation or integrity. Employees may not use their position as a public employee to gain a financial benefit, nor avoid a financial cost to themselves, their families, or their personal businesses if the opportunity is available only because of the position held by the employee. Employees who conduct themselves inappropriately or who create a detrimental impact on the City may be subject to corrective action up to and including termination.

Employees are responsible for carrying out their duties in a manner that contributes to a positive and productive work environment and further achieves the City's goals and objectives. Employee behavior should reflect favorably on the City and serve the public interest as opposed to individual interest.

Supervisors, managers, and Department Directors will have the added responsibility of providing leadership that makes such performance and conduct possible and holds employees accountable for their actions.

Conflict of Interest

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, customer/client, or any individual or organization doing or seeking business with the City. This means you may not maintain an outside business or financial interest, or engage in any outside business or financial activity which conflicts with the interests of the City, or which interferes with your ability to fully perform your job responsibilities. For example, if your job responsibilities include purchasing, or someone is in a position to influence such purchases, the individuals should have no proprietary or financial interest in any business that furnishes products, materials, or service to the organization or in any related transaction. Nor may they benefit directly or indirectly from a third party who furnishes products, materials, or services to the organization.

Misrepresentation

As an employee, you should consider how you represent the City in your transactions and interactions. You should be careful not to misrepresent the City policies, practices, procedures, or misrepresent your status and authority to enter into agreements. You should also avoid using the City's name, likeness, facilities, assets, or other resources or using the authority of your position with the City for personal gain or private interests.

Gifts/ Gratuities

No employee may receive, give, pay, promise, or offer to our suppliers or agents anything of value, whether cash or any other property, for the purpose of securing or appearing to secure preferential treatment. This also includes any form of gratuity to or from employees of our suppliers or agents or members of their families.

In the event that you are offered a gift, gratuity, recognition item, or other item of personal benefit, you must notify your Department Director. If such offer does not violate the spirit of this policy, the employee may accept it on behalf of the City as long as the item may be used for the public good. In no event will the City accept any item whose value is determined to be in excess of fifty dollars (\$50.00).

Travel Awards

Travel awards including frequent flier miles, compensation for being displaced and related items accrued or earned by officials and employees on official City business are considered to be part of the salary and benefits to which such officials and employees are entitled as compensation. Officials and employees shall make decisions regarding travel arrangements and expenses in the best interest of the City rather than to maximize accrual of this benefit. Abuse of this benefit, including but not limited to influencing travel arrangements so as to maximize accrual of awards to the detriment of the City or public is prohibited and is cause for discipline. Employees shall be responsible for ensuring that this compensation is reported as income for tax purposes to the extent required by law.

Examples of travel awards are coupons, discounts, credit card rebates, frequent flyer miles, and tickets and vouchers for being bumped from an airline flight. Employees should be aware of provisions of the Oregon public employee ethics statutes (ORS 244.040). This statute prohibits a public employee from using or attempting to use his/her official position to receive a financial gain or avoid a financial detriment that would not be available but for the person's employment by a public agency.

Outside Employment

While employed with the City, you may not engage in outside employment that conflicts with the nature of the City's business, conducts business with the City, or otherwise interferes with your ability to perform according to established standards of performance and work rules. Also, you may not conduct business connected to outside employment during hours you are scheduled to work for the City.

Off-Duty Conduct

As a general rule, the City regards the off-duty activities of employees to be their own personal matter. However, there are certain types of off-duty activities that are of concern because of the potential negative impact on the City's reputation within the community we serve. For that reason, employees who either engage in or are associated with illegal or otherwise harmful conduct, the nature of which adversely affects the City or their own ability or credibility to carry out their employment responsibilities, may be subject to corrective action up to and including termination.

Solicitation and Bulletin Boards

In order to ensure that employees are not disturbed, interrupted or disrupted while at work, the City has established the following no solicitation policy:

- Individuals who are not employed at the City may not solicit our employees or distribute literature on City property at any time.
- If you wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club or society, you may do so only during times when you are on a break or lunch period. You may solicit or distribute literature only to those employees who are also on their break or lunch period. The distribution of literature in work areas is prohibited at all times, but you may place it in established break areas or lunchrooms.
- Certain types of material such as obscene, profane or inflammatory items and political advertisements or solicitations are strictly prohibited.
- You may not solicit, expect or accept contributions from vendors, clients or anyone doing business with the City.
- You may not sell merchandise or collect funds of any kind without prior approval from your Department Director.

The City bulletin boards keep you up to date and are used to post notices and information required by law. If you are covered by a collective bargaining agreement, there may also be union bulletin boards in your Department. Please refer to your collective bargaining agreement for additional details. City bulletin boards are to be used only for posting or distributing notices or announcements of a business nature that are equally applicable and of interest to employees or are directly concerned with City business.

Political Activities

City employees are entitled to exercise their rights to hold membership in or support a political party, to participate in political campaigns, to vote, and to privately express their opinions on political subjects or candidates. Any political activity is prohibited during the workday, this includes soliciting money, influence, service, or other things of value or otherwise aid or promote any of the following during working hours:

- Political committees; or
- Nomination or election of any person to public office; or
- Passage or defeat of any ballot measure.

Additionally, The City Council has determined that having an employee serving on or campaigning for the Council would unnecessarily create the appearance of conflict of interest, would create management difficulties in supervision, discipline and maintenance of confidentiality, and would cause governmental inefficiencies resulting from the above. Therefore, employees are not permitted to be a candidate for, or serve on, the City Council.

5.3 Electronic Communications

The enhancement of external and internal communication through the use of electronic communication equipment is a goal of the City of Forest Grove. Electronic communication devices and systems include, but are not limited to: cell phones, desk phones, voice mail,

smartphones, desktop and laptop computers, computer software, email systems, texting devices and the Internet. This policy outlines the City's expectations for employees regarding access, use and disclosure of information when using these communication systems.

All electronic communication devices purchased by the City of Forest Grove are considered property of the City, and employees shall have no expectation of privacy in connection with the transmission, receipt or storage of information on these devices. The City, within the bounds of current and future laws, reserves the right to review, audit, intercept, access and search these business systems at will, monitor data and messages within them at any time for any business-related reasons, and disclose selected contents without notice or other restriction. Personally owned electronic communication devices used by employees for City business may be subject to public records search in accordance with applicable laws and/or court orders. Additionally, all electronic communication devices used for City business are governed by the standards and practices set by the Oregon Government Ethics Commission.

This Electronic Communication Policy applies to all City of Forest Grove employees and their use of personally owned and/or City-provided electronic communication devices, computers, software and network systems during work hours. Inappropriate use of such equipment, including use that violates any code, law, regulation or policy set by the City of Forest Grove or outside regulatory bodies, or failure to comply with any part of this policy, may result in disciplinary action up to and including termination of employment.

Telephones, Smartphones and Voice Mail

The ability to make and receive telephone calls is an essential element of the services the City of Forest Grove provides to the public. The City's telephones, voice mail systems, and all other electronic communication devices are intended for official business only, but may be used incidentally for personal reasons in accordance with this policy. All calls on City-owned phones, including any personal calls allowed by City policy, and voicemail are subject to being monitored, accessed, retrieved or deleted without permission of the employee. This tracking may include the phone numbers of incoming and outgoing calls and text messages, as well as their duration.

The City of Forest Grove may provide cellular phones and/or smartphones to employees to facilitate City work. Smartphones include devices with traditional telephone functionality and additional features typically found on a desktop, laptop and/or tablet computer. These devices should not be used for an employee's personal convenience. All personal calls and/or texts should be brief and infrequent, and personal cell phones calls conducted away from work areas.

(a) Use of City-provided Desk Phones, Cellular Phones and Smartphones

The City does not prohibit personal use of the City phone system provided that the use is infrequent and brief. The City recognizes that employees occasionally have a need to talk to family members, schedule service technicians, confer with children's schools, and take care of a variety of other matters during "regular" working hours.

Personal long distance calls may only be made on City phones using a pre-paid calling card. No personal call resulting in a charge to the City may be made on City-owned phones, even if the employee reimburses the City for the cost.

(b) *Use of Personal Cellular Phones and Smartphones*

If approved by the employee's department director, personal electronic communication devices may remain on during work hours in vibrate or silent mode only unless employee has received authorization from their supervisor to have their phone on ring mode. However, based on individual work environment circumstances, department directors may prohibit employees from carrying personal electronic communication devices in the workplace.

(c) *Schedules/Appointment Calendars kept on Cellular Phones and Smartphones*

The City recognizes the benefit of keeping a comprehensive schedule on an electronic communication device that may include both work and personal appointments. However, employees who choose to combine work and personal calendars on a work-related electronic device acknowledge that these devices may be subject to record searches in accordance with applicable laws.

(d) *Personal Features on Cellular Phones and Smartphones*

The City also recognizes that employees may desire personal features such as web browsing, texting capabilities or access to social media sites on personal and/or City-owned devices during work hours. This type of access should be brief and infrequent, and must follow the "Use of City Network: Computers/Internet/Email" section that follows. Additionally, all devices that contain sensitive City data, or have applications that can access sensitive City data, should be kept locked when not in use. These devices must be equipped with a password or authentication system to unlock the device, and if possible, the data should also be password-protected in case the device is lost or stolen.

(e) *Loss, Theft or Damage to Cellular Phones*

If a City-owned smartphone is lost, stolen or broken, the department director will determine whether this occurred as a result of employee negligence when deciding if the City will replace the device. If a personally owned smartphone or cellular phone is lost, stolen or broken, the City will not replace the device, nor assist with replacement costs.

Use of City Network: Computers/Internet/Email

The City of Forest Grove's computer system is provided to assist employees in the performance of their job duties and is for authorized users only. The City has the ability to capture and store all data and email sent, received, placed or accessed on its computer network and related systems. Any message or communication sent through our systems is subject to the City's harassment, equal employment opportunity, workplace violence and non-solicitation policies. You are expected to carefully compose and review the wording, tone and content of your communications prior to transmission. Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be sent by email or other form of electronic communication or displayed on or stored in City computers or other portable devices. If you encounter or receive this kind of material, you should immediately report it to your supervisor.

Use of the network without authority, or in excess of an employee's authority, is subject to monitoring by an authorized person or persons, including law enforcement. The City may take action related to inappropriate use of its network, without prior notice, if an employee is determined to have generated, sent or received such material.

Employees who access networks and computer systems administered by other agencies to perform their work are expected to comply with all usage policies of both the City of Forest Grove and of the agency administering the network or computer systems.

Personal Use of City Network: Computers/Internet/Email

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

Personal use of the City's computer system may not interfere with the employee's work, another employee's work, or have an undue impact on the network. Employees should have no expectation of privacy in connection with the transmission, receipt or storage of information, even if the computer is for approved personal use. Employees may not store personal files, folders, pictures, music or videos on the City's network systems and the City reserves the right to remove any personal items from the City's network systems without notice to the employee.

Employees are not prohibited from storing personal files or pictures on City-owned devices or desktop/laptop hard drives, but are discouraged from doing so for several reasons, including 1) all data on City-owned devices and networks is the property of the City and is discoverable under public records law; 2) any personal items stored on the employee's hard drive or City-owned device that are not in accordance with City policies contained in this handbook may subject the employee to corrective action; and 3) the City will not be responsible for recovering non-work related items that are lost.

The City's computers, email system and Internet connections may *NOT be* used to:

- Send email anonymously or without authorization.
- Send offensive messages ("Offensive" for the purposes of this Policy is broadly defined as containing information or images that would be considered inappropriate in the City workplace or that would contribute to creating a hostile work environment. Examples include, but are not limited to, content which could make others feel uncomfortable because of their treatment of topics involving gender, race, disabilities, or sexual matters.)
- Increase personal gain, do personal business, or support political ventures;
- Support charitable, religious or political activities or causes (other than City-approved activities).
- Play games, stream music or stream personal videos.

- Download or install new programs; this requires departmental and IT approval.

City equipment may not be used at any time to access inappropriate sites or to transmit or receive inappropriate information. Pornography, gambling and hate group sites are examples of inappropriate sites. Accessing these sites is a misuse of City property unless required by job responsibilities and explicitly authorized by supervisor (e.g. police detectives).

Use of Non-City (Personal) Computers/Tablets that are not covered by the City's stipend
Personal computer/tablet use in the workplace is permitted only:

- During an employee's lunch period.
- During an employee's break period.
- If authorized by the employee's supervisor for performing City work during work hours under the following conditions:
 1. The City will not compensate employee for lost, stolen or damaged device;
 2. The employee will not receive a stipend or other compensation for the device;
 3. IT staff will not support or troubleshoot problems with the device; and
 4. The employee understands that if their personal device is used for work-related purposes, it may be subject to public records disclosure laws.

City-owned, Stipend and Personal Cell Phone Use
In the Workplace

Type of Activity	City-owned Cell Phone	Personal Cell Phone (Covered by City Stipend)	Personal Cell Phone (Not covered by City Stipend) (Applies during work hours, which excludes break and lunch periods)
On during work hours?	Yes.	Yes.	Yes – in silent or vibrate mode unless otherwise authorized.
Personal calls?	Yes – away from work area so as not to disrupt others; and brief and infrequent at all times.	Yes – away from work area so as not to disrupt others; and brief and infrequent during work hours.	Yes – away from work area so as not to disrupt others and brief and infrequent.
Personal Web searches?	Yes – brief and infrequent at all times.	Yes – brief and infrequent during work hours.	Yes – brief and infrequent.
Social media?	Yes – work related.	Yes – work related during work hours; otherwise brief and infrequent.	Yes – brief and infrequent.
Texting?	Yes – work related.	Yes – Work related or brief and infrequent during work hours if personal.	Yes – brief and infrequent.
Work calendar/email sync?	Yes.	Yes.	With department director approval.
Install applications?	Yes – work related.	Yes – all.	Not Applicable.

NOTE: Based on individual work environments, supervisors shall have the ability to prohibit use of cellular phones for personal reasons during work time; and, if allowed, to determine if usage of such devices for personal reasons meets the “brief and infrequent” requirement. Employee’s productivity, efficiency and disruption to the work environment or other staff will be some factors supervisors will consider in making these determinations.

City-owned Desktop, Laptop and Tablet Computers

Personal Web searches?	Yes – brief and infrequent for information like maps, weather or phone numbers.
Install applications?	No – please contact IT for application installations.
File sharing?	No, unless approved by IT.
Streaming music and videos?	No, unless approved by IT.
Social Media?	Yes – Work-related and personal use on lunch or break time
Games?	No.
New programs/executable?	No. IT must install all new programs.

Approval is not required to download work-related documents in formats such as PDF or Word.

Information Sharing

Employees are not allowed to use code (e.g. “hack into”), access unauthorized files, or retrieve any stored information unless given clearance in advance by an authorized supervisor. City property or information that is confidential and/or proprietary cannot be shared with individuals outside the City without prior clearance from a department director. Any employee who leaves employment with the City is prohibited from taking or copying any City property or information unless specifically authorized in writing by their department director.

Information Technology Access Policy

Information technology includes but is not limited to: all individual computers, computing and electronic communication devices and services, telecommunication devices, email, networks, telephones (including cellular), voice mail, fax transmissions, video, multimedia, applications and instructional materials.

Access rights to information/data stored on City-owned equipment will be granted on an as-needed basis. Only those rights needed to accomplish tasks related to an employee’s job function will be granted. Authorized users of the City’s computer network include City employees and other individuals who are contracted to help support the City systems. Any other use is strictly prohibited.

Data of a confidential nature must be protected and must not be disclosed without authorization. Unauthorized access, manipulation, disclosure, or secondary release of such data/information constitutes a security breach. Failure on the part of an employee to take reasonable care to prevent such access may be grounds for disciplinary action up to and including termination of employment.

City of Forest Grove Information Technology (IT) staff is granted access to information technology resources to facilitate their job activities. However, IT staff agrees to abide by all relevant City of Forest Grove policies and procedures, as well as all current federal, state and local laws. These include but are not limited to: personnel policies and procedures related to harassment, plagiarism, commercial use, security, unethical conduct; and laws prohibiting theft, copyright and licensing infringement, unlawful intrusions and data privacy laws.

Information Technology staff is responsible for reviewing, understanding and complying with all policies, procedures and laws related to access, acceptable use and security of the City of Forest Grove information technology resources.

The City of Forest Grove recognizes the importance of preserving the privacy of users and data stored in information technology systems. Staff and third-party contractors must honor this principle by neither seeking to obtain unauthorized access to information technology systems, nor permitting or assisting others in doing the same. Furthermore, staff and third-party contractors must not make or attempt to make any deliberate, unauthorized changes to data on an information technology system. Staff must not intercept or attempt to intercept or access data communications not intended for that staff member, for example, by “promiscuous” network monitoring, running network sniffers, tapping phone or network lines, or any other means of intercepting data communications.

Even though the City reserves the right to retrieve and read any email messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. We expect that employees will respect others’ privacy and unless authorized to do so, will not retrieve or read electronic messages not intended for them. The use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to your Department Director upon request.

There may be occasions when a user’s data will need to be accessed without the user’s permission. When these occasions arise the IT staff member must obtain written permission from the department director or city manager prior to accessing the data. Staff must not conceal their identity when using information technology systems, except when anonymous access is explicitly authorized. Staff is also prohibited from masquerading as or impersonating others, or otherwise using a false identity, unless expressly given permission from a supervisor for the purpose of performing official job duties, such as police department detectives.

Without specific authorization, staff may not remove or modify any City of Forest Grove owned or administered equipment or programs from information technology systems (e.g. City’s network, servers, storage, cloud programs, etc.).

Off-site Information Technology Equipment and Data Use Policy

Information technology equipment and data includes but is not limited to: all individual computers, computing and telecommunication devices, telephones, City records and instructional materials.

Employees are required to obtain permission from their supervisor prior to taking computer equipment off-site. Department directors are responsible for knowing who within their respective departments has possession of any information technology equipment that is taken off-site.

If the equipment has been kept off-site for more than one month, and the equipment has been used on the Internet and/or files loaded or any external devices attached to the computer equipment, it shall not be reconnected to the City's network without first being examined by IT staff. This will allow IT to ensure virus and other updates are current on the equipment.

Employees are responsible for taking reasonable precautions against theft or damage to computer equipment. Data of a confidential nature must be protected and must not be disclosed without authorization. Confidential data or information should be transferred using a secure device that requires authentication to access. If possible, the data should also be encrypted. Unauthorized access, manipulation, disclosure, or secondary release of such data constitutes a security breach.

Software installations are to be performed by Information Technology (IT) staff only. Only software owned by the City and approved by IT staff shall be installed on City computers. Installation of personal software on any City-owned equipment is expressly prohibited.

Computer equipment may not be used to download, copy, or store any copyrighted software, publications, music, video, or other content without permission from the copyright holder. The City allows music and videos to be played from the DVD/CD player, but the music or video may not be copied to the computer or network.

Any theft or damage to computer equipment is to be reported immediately to the IT staff and your supervisor.

When computer equipment assigned to an employee is returned to the City, the user is required to notify his/her supervisor, and to send a "help desk ticket" to IT staff notifying them of the change of status of the computer equipment if it has been off site for more than thirty days.

Working from a Non-City Computer

Using a personal electronic device such as a smartphone, netbook, other mobile device, laptop or personal computer to access City electronic communications and documents for work may make the personal electronic device subject to a records search. Personal electronic devices should not be used for working directly on City documents without approval from your department director.

A thumb drive (also known as a flash drive, jump drive, pen drive or memory stick) used to transport electronic communication and documents for work on personal electronic devices may make the thumb drive subject to a records search.

No personal thumb drives should be used on City computers without approval from IT. Sending electronic communications or documents to a personal email account or other online account may make the email account or other online account subject to a records search.

Virtual Private Network (VPN)

When using the City's VPN (a secure Internet connection that connects outside computers to the City's network), no electronic work communication or documents should be downloaded to a personal device. If documents are downloaded to a personal device, this may subject the personal device to a records search. If work needs to be done on a local device outside of work, a City device should be borrowed after getting approval from your department director.

Even if an employee follows all City policies and does not download any documents to their device (personal computer, smartphone and any other electronic device) used to access the City's

network or information, the employee's device may still be subject to a records search if required by public records law or by court order to confirm that no data was downloaded to the device.

Social Media (Facebook, Twitter, Texts or Other Social Networks)

1. City of Forest Grove employees must follow the City's policies when posting to blogs, wikis or any other form of user-generated media on behalf of the City. Information posted is public information.
2. Employees must obtain approval from their department director to post to social websites on behalf of the City.
3. Messages sent or received via social networking sites may fall under the public records law. Check with the City Recorder for records retention requirements.
4. Employees must follow copyright, fair use and public disclosure laws.
5. Employees may not post materials related to political activities, parties or candidates.
6. Employees may not provide or post confidential information. Permission must be obtained from the appropriate person or department before publishing information.
7. Members of the public and City vendors or contractors may not be referenced without their approval.
8. Any use of City equipment and/or time to post personal items or access social media sites for personal use shall be brief and infrequent. Department Directors shall have the authority to prohibit employees from accessing social media sites on City equipment and/or time if such use is deemed to be disruptive in the workplace and/or if an employee is deemed to have violated any part of the policies contained herein.
9. Employees must respect their audience and City policies when posting on behalf of the City. Employees may not use ethnic slurs, personal insults, obscenity, material that is harassing, defamatory, fraudulent or discriminatory; or engage in any conduct that violates City policies and/or would not be acceptable in the City's workplace.

Laws and Licenses Compliance

Users are required to comply with all software licenses, copyright laws, Oregon Government Ethics Commission guidelines, City policies and state and federal laws when using the City's computers, sending or receiving email or accessing or downloading information from the Internet.

Unauthorized duplication of copyrighted computer software violates the law and is contrary to the City's standards of conduct. Employees will not engage in nor make or use unauthorized software copies under any circumstances. Legally acquired software in sufficient quantities for all computers will be provided by the City's Information Technology staff to meet the legitimate software needs for City work. The City and its employees will comply with all license and purchase terms regulating the use of any software acquired or used.

Copyright infringement is an unlawful act. The City will maintain strong internal controls to prevent the making or using of unauthorized software copies. Compliance with software licenses and copyright laws is required.

System Security

All employees have a responsibility to take reasonable precautions to protect the City's computer system. Reasonable precautions include but are not limited to: updating anti-virus software when requested by IT, not allowing unauthorized access to the computer system and safeguarding the employee's password.

If an employee becomes aware of a virus or the threat of a virus, the employee should immediately contact IT with the information. Information Technology will evaluate the risk and, if warranted, notify all employees of the precautions that need to be taken.

Email as a Public Record

Under Oregon's public records law, most electronic mail messages created for business purposes are public records. Although some messages may not fall under the definition of public record, it is safest to assume all messages created could be considered public record. The only privacy an employee can expect is that afforded through disclosure exemptions. The privacy afforded government employees using government email systems is minimal and an employee should have no expectation of privacy. Email that does not meet the definition of a public record may still have to be released as part of litigation.

Public Access and Exemption from Disclosure

Email, like other forms of public records, must be made available to any member of the public upon request unless it falls within one of the specific exemptions described in the public records statute. A person need not demonstrate a "legitimate" need for public records to be entitled to inspect them.

The City requires that all public records requests be made in writing. A request form is available on the City's website. Please check with your supervisor or City Recorder if you have a question about whether an electronic mail message should be provided to the public.

Retention and Disposition

The retention of records stored in electronic records systems, including email systems, is governed by the City's retention schedule. No single retention period encompasses all email. Email is only a method of communication, so employees must evaluate each message to determine where it fits into the City's retention schedule. The City has adopted Oregon Administrative Rule 166-200, "City General Records Retention Schedule." The schedule is available online at http://arcweb.sos.state.or.us/rules/OARS_100/OAR_166/166_200.html. If you have a question about the retention of a message, please contact the City Recorder.

An email mailbox should not be used for long-term storage. If an email falls within the definition of a public record it should be kept with the appropriate file. Printed messages should include any attachments and all header information, i.e., time and date, routing information, etc. It is the responsibility of the holder of the official record to make sure the file is updated. For example:

- An updated records policy is emailed to all employees. It is the responsibility of the person sending the email to keep the record copy.

- A citizen calls and leaves a detailed message regarding a pending file. The receptionist forwards the message through the email system. It is the responsibility of the person receiving the message to add the message to the file.
- Email related to a current project or issue may be retained on the system as a reference tool. Once the project has been completed or the issue resolved, the employee should verify that all relevant email is in the file and then delete the email from their email account in accordance with the City's records retention policy.

Policy Compliance

Employees who violate any part of this Electronic Communication Policy may have email access, Internet and other privileges suspended, and may be subject to disciplinary action up to and including termination of employment.

5.4 Employment Recordkeeping

It is the City's policy to establish and maintain records of employment for employees in all organizational units consistent with State and Federal regulations.

Your employee records are property of the City and the City will determine contents. At a minimum, your employment record will contain legally mandated documents pertinent to pay, benefits, working conditions, performance, training and other terms and conditions of employment. A separate "confidential" file will be maintained to store medical, benefits, worker's compensation and other sensitive material, including background check information for applicable positions. Management of official employment records for employees of the City is centralized in Human Resources. Please contact the Human Resources Manager regarding employment records requests.

To the extent required for day-to-day management, your supervisor may keep files on employee training, performance plans, notes on counseling sessions, etc. This file is considered confidential and stored in a secure file. The Department file will not contain sensitive material, e.g. medical information. Performance management data, i.e. notes illustrating performance accomplishments or shortfalls, customer complaints or commendations, notations of verbal counseling sessions, etc. may be incorporated in the performance evaluation for the period to which it is applicable. Thereafter, it will be purged from the supervisor's desk file. Generally, discipline documents such as interview notes or other associated and relevant material will be sent to the Human Resources Manager upon disposition of the issue for review, retention or destruction as appropriate.

No material that can be considered derogatory may be placed in your personnel file unless you have been given an opportunity to read it and be advised it will be placed on file. You will be asked to sign and date the file copy to acknowledge receipt of the material. Your signature does not indicate concurrence with the information presented, merely that the employee has had an opportunity for review. You may prepare written comments regarding the information believed to be derogatory, incorrect or a misrepresentation of facts. Your comments will be included as part of the file and retained until the referenced document is destroyed.

To the extent there is a discrepancy between this policy and a collective bargaining agreement, the collective bargaining agreement will govern.

Your records are confidential and access shall be managed as set forth in law and by City policy. Contents of your record may be reviewed by you, your immediate supervisor, your Department Director and your designated representative. Authorized individuals should contact the Human Resources Manager in advance to arrange a review appointment. You have the right to review and receive copies of the records maintained.

Separated employees may request a copy of employee records for up to one year from the date of separation. The City may charge a reasonable fee to defray reproduction costs.

Recruiting supervisors of the City are allowed to review the employee record in conjunction with internal reference checking. Again, contact the Human Resources Manager to schedule an appointment for the review.

Your employee file contents will be minimally retained as provided for by laws governing retention of City government records, as they may be revised from time to time. The City may elect to extend the retention period. The current retention schedule is available from Human Resources.

Public access to employee records will be managed in accordance with State and Federal laws regarding the release of public information. All requests for employee data should be directed to the Human Resources Manager. Normally, Human Resources will confirm employment, dates worked, rate of pay and eligibility for rehire by telephone. This will frequently meet the needs of other employers or lending institutions. All other requests for data must be submitted in writing with an accompanying employee release. Absent the release, Human Resources will review the request and, if permissible by law, provide the information. Otherwise the request will be denied. The employee will be advised of the request and its disposition. Subpoenas will be honored consistent with law as confirmed by the City's legal counsel.

You must notify Human Resources in the event that you have a change in your name, marital status, address, telephone number, dependents, emergency contact, or any job related physical or other limitations which would impact your employment.

It is the City's policy to release only a current/former employee's position title, dates of employment, and salary range to outside agencies when conducting reference checks. If you wish the City to release any additional information, please contact Human Resources and complete a Reference Release form. The City will maintain this form in your personnel file.

5.5 Harassment

The City of Forest Grove recognizes that its strength lies in its employees. It is our policy that all employees have the right to work in an environment where the dignity of each individual is respected. For that reason, we expect all employees to conduct themselves in a manner that complies with our Harassment Policy. Any harassment of employees by fellow employees is not permitted, regardless of their working relationship or supervisory status. As an employer, the City encourages employees to report conduct that may violate our Harassment Policy so that concerns can be addressed and resolved as soon as possible.

The City will not tolerate conduct by any employee that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. We desire to maintain a working environment free from all forms of harassment, whether based upon race, color, religion, ancestry, national origin, age, marital or family status, veteran status, sexual orientation, physical or mental disabilities, on-the-job injuries, sex, or any other legally protected characteristic or status.

Behavior such as telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting a person's race, age, national origin, disability, or mimicking one's speech, accent or disability, are examples of prohibited conduct and will not be tolerated. Employees are also prohibited from retaliating against anyone who complains about harassment or cooperates in a harassment investigation.

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

- Submission to such conduct is explicitly or implicitly made a term or condition of employment; OR
- Submission to or rejection of such conduct is used as the basis for making an employment decision; OR
- Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive work environment. (EEOC Guidelines issued 1980).

The first requirement in determining whether sexual harassment has occurred is that the behavior in question must be based on gender. The behavior may or may not be sexual in nature. The types of conduct which qualify as sexual in nature take a wide variety of forms, ranging from overt serious harassment, such as sexual assaults, rapes and propositioning, to insulting gender-related comments to subtle harassment such as complimenting an employee on his/her physical appearance and flirting.

Between these extremes, virtually any type of conduct that is sexual or gender-based in nature can become a form of prohibited sexual harassment. However, the most common forms of sexual harassment include:

- Dirty jokes;
- Sexual innuendoes;
- Talking about your sex life;
- Sexual gestures;
- Displaying calendars or printed materials of a sexual nature;
- Making offensive or stereotypical comments about members of one sex or the other;
- Making derogatory comments about sexual orientation or gender identity;
- Using E-mail or other City communication systems to transmit information of a sexual nature;
- Sexual touching, including any type of contact with intimate body parts;

- Making graphic comments about another employee's physical attributes; and
- Making any type of comment that is sexual or gender-based in nature.

Even if this type of conduct occurs between employees off duty, it should be reported if it is offensive to you. This is because sexually offensive conduct that occurs between employees off the job may "carry over" to the job environment.

Similarly, if a non-employee subjects you to this type of conduct during your working time and it is offensive to you, please report it. We will investigate during your working time and address sexual harassment concerns regardless of who is engaging in the reported behavior.

The second requirement is that the conduct in question must be "unwelcome" to you. Often a person can stop sexually offensive conduct (dirty jokes, sexual comments, etc.) by simply telling the person who is engaging in this behavior that it is offensive and requesting that they stop. We encourage you to take this approach, if it is comfortable to you. However, no employee is required to complain directly to the offending employee. If you are more comfortable reporting the offensive conduct to your supervisor, department director or the Human Resources Manager, you may go directly to any of them.

As a practical matter, employees have a wide range of sensitivity levels . . . what one person considers offensive, another may not consider offensive. The best approach for any employee is to assume that sexual conduct, whether physical, verbal or otherwise, is likely to be offensive to someone. It is not necessary that the offensive conduct be directed at the particular person who raises a complaint. Often sexual harassment claims arise from one person overhearing or overseeing something not intended for them. The "bottom line" is that if you engage in this type of behavior you assume the risk that someone will be offended. Consequently, you assume the risk of being disciplined or discharged for violating the City's Harassment Policy.

It is your responsibility to act in a manner that is consistent with our harassment policy. This includes any messages or communications sent or received through our electronic communication systems. The use of information systems (including e-mail, Internet, Intranet) for the display or transmission of sexually explicit images, messages, off-color jokes, or anything that may be construed as harassment or showing disrespect for others, is prohibited.

It is your second responsibility to report conduct that you believe violates our Harassment Policy. If you are subjected to any type of harassment by an employee or anyone you come into contact with through your job or you have observed behavior or overheard comments that raise concerns regarding compliance with this policy, you should promptly contact either of the following people:

- Your supervisor;
- Your Department Director; or
- The Human Resources Manager.

We encourage employees to report claims and work with us to informally resolve problems involving harassment. Our ability to resolve these kinds of problems is dependent on your cooperation in reporting incidents that create an offensive work environment for you. We believe that all our employees have an affirmative obligation to promptly report harassment.

In the event an incident or complaint is reported, an investigation will be undertaken immediately. Investigations will be kept confidential to the extent we determine confidentiality can be maintained while allowing us to comply with our obligations. If you are not satisfied with the handling of a complaint or the action taken, you should bring the complaint to the next higher level of authority. Violators will be subject to appropriate disciplinary or other corrective action. Each manager/supervisor has the responsibility to maintain the workplace free from any form of harassment.

It is also important for you to understand that the City respects the right of its employees to raise harassment concerns and participate in investigations. We do not allow supervisors, managers or employees to retaliate against employees who report harassment or cooperate with investigations. "Retaliation" is broadly construed and includes conduct such as giving an employee the cold shoulder, changing their duties, treating an employee rudely, etc. In short, we expect all employees to respect the right of other employees to raise harassment concerns and cooperate with investigations. By doing so you will help us resolve such concerns at an informal level.

Any employee who feels they have been retaliated against should promptly bring complaints or concerns about retaliation to their supervisor, Department Director, or the Human Resources Manager. These types of complaints will also be immediately investigated and violators will be subject to appropriate disciplinary or other corrective action.

5.6 Substance Abuse

General Provisions

The City is committed to establishing and maintaining a work place free from the effects of alcohol or drug use and abuse. In support of this policy, the City's drug-free awareness program provides employees information about the dangers of alcohol and drug abuse. City employees may also have access to dependency and rehabilitation counseling through City employee benefits programs.

It is a condition of employment with the City that all employees work drug and alcohol free. Employees must report any violations occurring on City premises or off City premises while conducting City business. A report of a criminal drug statute conviction must be made to your Department Director and the Human Resources Manager within five (5) days after the conviction. (This requirement is mandated by the Drug Free Workplace Act of 1988.) Employees are expected to report any suspected violations of this policy to their Supervisor.

The City recognizes drug and alcohol use may escalate to a serious illness and will provide reasonable support to employees who are working to overcome their dependence. Employees suffering from alcohol and/or drug dependency or abuse are encouraged to seek substance abuse counseling and rehabilitation through the employee assistance program or health plan providers. All treatment information is confidential. The employee's voluntary disclosure of treatment will not be the impetus for corrective action nor will it absolve the employee from discipline if disclosed after the discipline process has commenced.

A City employee may not knowingly possess, use, transfer, offer, share, attempt to sell or obtain, manufacture, or be under the influence of drugs or alcohol or the metabolite of the substance in any situation during which the employee is engaged in a job-related activity including, but not limited to, the following situations:

- While on or in City property, including but not limited to buildings, parking lots, or City leased or rented space;
- Driving or a passenger riding in any vehicle or equipment used to facilitate or conduct City business; and
- In any other circumstance in which the safety of employees, customers, clients, or the public at large; or the productivity, quality of work products or services, or security of property or information can be impacted.

Drug and alcohol possession or use of the metabolite of such substances are prohibited during any hours during which the employees are engaged in or conducting City business regardless of whether such time falls within normal work hours or the work week. This includes but is not limited to time off-duty when wearing a City uniform, or in conjunction with City-authorized activities except where the City Manager has authorized the moderate consumption of alcoholic beverages.

A City employee may not possess on City premises, in City vehicles or when otherwise representing the City any alcohol containers (e.g., cans, bottles, etc.) or drug paraphernalia. "Drug paraphernalia" means equipment, products, and materials of any kind that are marketed, designed for use, or used in connection with anything from the planting to the manufacturing, packaging, selling, concealing, or introducing into the body any illegal drug. City maintenance employees will not be in violation of this policy for clean-up and disposal of such material discarded by others.

Violations of this policy may result in corrective action up to and including termination and may result in legal charges.

The City reserves the right to inspect or search any employee's personal property on City premises, including City-owned parking structures and parking facilities, if the employee is reasonably suspected of having violated this policy. Employees do not have an expectation of privacy as to City premises. City areas subject to search include, but are not limited to desks, file cabinets, lockers and offices spaces, whether or not the employee is afforded the ability to lock such spaces. All City employees are deemed to consent to a search made under this policy. Refusal to cooperate in any such inspection or investigation may result in corrective action up to and including termination.

All City employees called to work in an emergency must notify the duty supervisor of alcohol consumption, ingestion of prescription or other drugs, or the metabolite of such substances, during off duty hours that result in substance presence in their systems when called to work. The supervisor will determine the individual's suitability for work. If approved by the supervisor to work, assignments may be off the front-line, administrative in nature as to free other employees for the safety-sensitive assignments. A Public Safety employee authorized to work will not be deemed to have violated this policy.

The Chief of Police or designee may suspend any or all of the provisions of this Policy as required to accommodate an on-going investigation, or other authorized police activity. Officers party to such an investigation must secure policy suspension authorization in advance of the anticipated consumption.

Prescription medication or other therapeutic substances authorized for use in emergency medical care or storage in City facilities are exempted from this Policy.

Definitions

Drug: substance(s) considered unlawful under Drug-Free Workplace Act of 1988 or the metabolite of the substance including but not limited to marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP) and:

- Prescription or non-prescription drugs which may impair judgment or job performance.
- Drugs which may be illegal to use when not prescribed by a physician and shared prescription drugs for which the employee is not the patient.
- Prescription drugs which are prohibited are those which have either not been prescribed for the employee to treat an existing circumstance or those which, although prescribed for the employee, may impact the individual's ability to function safely at work and have not been brought to the attention of the employees' immediate supervisor. Drugs for personal health management for which side effects are not the norm, e.g. vitamins, birth control pills, etc., need not be disclosed if in fact no side effects are experienced. However, the employee is responsible for updating the supervisor if drug reaction varies from the norm and has the potential for impacting workplace performance.

Alcohol: ethanol, isopropanol, or methanol;

Drug Testing: checking for drug or alcohol use;

Conditional employment offer: delivering an invitation to work for the City which conditions acceptance upon a negative drug test;

Random: scientifically valid method of selecting employees for drug testing that ensures all covered employees have an equal chance of being chosen;

Reasonable suspicion: noticeable behavior or appearance that would lead a reasonable person to suspect drug or alcohol use or other activities prohibited by this policy that would warrant drug testing, work place search, EAP referral or all of the preceding. Reasonable suspicion testing must be accompanied by identifiable conditions including but not limited to: unkempt or disheveled appearance, staggering, slurred speech, odor of alcohol or other controlled substance emanating from the employee or inadequate or inappropriate work performance.

Sample: urine or breath specimen obtained from the person being tested.

Required Testing

The City may require the collection and testing of a sample of an employee's or prospective employee's urine or breath for any job-related purpose consistent with business necessity and the terms of this policy, including:

Pre-employment.

Pre-employment drug tests are conducted on applicants if warranted by their position or required by state or federal law after a conditional employment offer has been made.

Reasonable Suspicion.

Reasonable suspicion drug and alcohol tests may be performed if there is evidence that would lead a reasonable person to suspect that the employee's ability to perform job functions is impaired or that the employee is otherwise engaged in the unlawful behavior defined in law or Policy. The employee will be given the opportunity to offer an alternate explanation if behavior triggers suspicion; however, the City reserves the right to determine whether reasonable suspicion exists. Only supervisors trained in the signs and symptoms of drug and alcohol use may order reasonable suspicion testing.

Post-accident.

Any accident in the workplace involving a City employee performing City business or driving a City vehicle may also be considered as constituting reasonable suspicion for testing.

City employees holding a Commercial Driver's Licenses (CDL), as required for their work activity, shall be subject to random drug and alcohol testing as mandated by the U.S. Department of Transportation (USDOT).

In addition to tests required of this section the City may require employees or groups of employees to undergo drug testing on a random or chance basis. For represented employees, this provision shall be subject to advanced bargaining with the union.

Employees shall notify the supervisor immediately upon beginning work when taking any medication (prescription or non-prescription) or other drugs which may interfere with performance and/or cause a safety hazard in operating City vehicles or equipment. The supervisor will keep such information confidential to the extent possible. Management, Human Resources or other appropriate parties may be consulted for guidance on leave and/or other employment concerns.

The City will arrange and pay for the cost of testing. Sample collection shall be performed in a manner that guarantees the individual's privacy to the maximum extent consistent with ensuring that the sample is not contaminated, adulterated, or incorrectly identified.

A USDOT drug test conducted under this Policy shall be considered to have yielded a positive result if the test establishes the presence of the drug at levels equal to or greater than the cutoff level prescribed by applicable legislation. Testing not subject to USDOT provisions shall be managed in accordance with cut off levels established by the U.S. Department of Health and Human Services for on-site testing.

The City shall normally schedule a drug test or an alcohol impairment test of employees during, or immediately before or after, a regular work period. A supervisor shall accompany the employee to the test site. If necessary, a family member will be contacted to escort the employee home or another employee will do the same to insure the safe transportation of the employee.

Alcohol or drug testing required by the City is considered to be work time for the purposes of compensation and benefits for current employees.

Upon request, the employee has the right to obtain the written test results and the City will comply within five days after receipt of the written request, so long as the written request is made within six months after the date of the test.

An employee shall have the opportunity to explain a positive result in a confidential setting before the City takes adverse employment action.

A communication received by the City relevant to drug test or alcohol impairment test results and received through the City's testing program is a confidential and privileged communication and may not be disclosed except:

- To the tested employee, prospective employee or another person designated in writing by the employee or prospective employee;
- To individuals designated by the City to receive and evaluate test results or hear the explanation of the employee or prospective employee; or
- As ordered by a court or governmental agency.

5.7 Vehicle Usage and Safety

The purpose of this policy is to ensure that employees and volunteers who drive on City business or as part of their regularly assigned job duties are properly licensed and maintain an acceptable driving record; and to provide guidance on the proper use of vehicles with the goal of preventing accidents and injuries. Vehicle crashes are costly to the City, but more importantly, they may result in injury to employees or members of the public. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. The City expects each driver to drive in a safe and courteous manner pursuant to the Driver Safety Rules section of this administrative procedure. The attitude employees take when behind the wheel is the single most important factor in driving safely.

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

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

Applicability

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

Vehicle Safety Committee

The Vehicle Safety Committee is comprised of the Human Resources Manager and a minimum of one additional Department Director appointed by the City Manager. The committee is responsible for:

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

City Risk Manager

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

Driver Guidelines and Reporting Requirements

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

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

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

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

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

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

Driver Criteria & Administration

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

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

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

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

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

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

If an employee is required to drive as part of their regularly assigned job duties and their driver's license becomes invalid or their driving record becomes unacceptable, the employee may be subject to disciplinary/corrective action as provided by the applicable collective bargaining agreement or the current City of Forest Grove Employee Handbook.

Driver Screening Guidelines

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

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

Class 1 – Major Violations

- DWI/ DUI
- Refusing a substance test
- Fleeing or eluding a police officer
- Commission of a vehicular felony
- Vehicular manslaughter
- Hit and run
- Reckless driving
- Drag/ street racing

Class 2 – Crashes

- Crashes regardless of fault

Class 3 – Minor Violations

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

Driver Safety Rules

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

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

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

Drivers are responsible for the security of City vehicles assigned to them. Unless explicitly authorized by the employee's supervisor (e.g. Emergency Vehicles in Fire Department), the vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.

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

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

Mobile Communication Devices

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

- Familiarize yourself with the device features for easy dialing.
- Place your hands-free device in an accessible location, preferably in a fixed holder in front of you.
- Keep your conversations short.

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

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

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

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

Crash Procedures

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

Call for medical aid if necessary.

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

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

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

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

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

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

General Rules and Regulations for the Use of City Vehicles

Vehicle Priority

#1 – 24-Hour assigned vehicle

#2 - Used during work day

#3 - Pool vehicle

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

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

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

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

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

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

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

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

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

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

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

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

Use of Pool Vehicles

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

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

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

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

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

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

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

Smoking is not allowed in any City vehicles.

Personal Automobiles

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

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

Personal Use, Passengers, & Authorized Drivers of City Vehicles

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

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

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

5.8 Workplace Violence

The City understands the importance of a safe and secure environment for its employees and recognizes the need to create a violence-free workplace for both its employees and the public. This policy is intended to prevent workplace violence from occurring and therefore describes prohibited conduct, warning signs identified with potentially violent behavior, procedures for reporting violations of this policy, and other pertinent information that is necessary to help deter violence in the workplace.

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

The policy applies to all departments of the City with respect to the conduct of all employees. For the purpose of this policy ‘employees’ of the City includes volunteers in all departments of the City, while independent contractors and community service workers are excluded.

Weapons in the Workplace

Bringing a deadly weapon to the workplace or carrying a deadly weapon while at work is strictly prohibited. For the purpose of this policy, “workplace” is defined as the facility where an individual is working and the parking lot where employees are designated to park their cars. This prohibition does not apply to persons authorized to carry weapons as part of their job responsibility, such as police officers and specifically identified persons within the fire department. For the purpose of this policy, “deadly weapon” means a device, instrument or object that is specifically designed for causing death or serious physical injury. The prohibition applies to employees who have a concealed weapon permit. Under no circumstances shall an individual who has not already been exempt from the prohibition have a weapon stored in a City-owned vehicle or facility. The prohibition does not apply to personal defense devices, such as personal attack alarms, nor to chemical defense sprays, such as mace.

Reporting

All employees are responsible for notifying their supervisor if they become aware of any threat or violent act in the workplace or on City property. An incident assessment report should be completed by the supervisor or the Human Resources Manager upon notification that such an incident has occurred. Under some circumstances, the Police Department may be informed of the contents of a report for the safety and well-being of employees.

Confidentiality

While the City cannot promise complete confidentiality due to the need to investigate, information about any complaint will be treated as confidentially as possible, consistent with proper investigation and responsive action. Generally, this means confidential information will be shared on a need-to-know basis.

Police Intervention

Since members of the Police Department are employees of the City, it is pertinent to outline when they are to be involved in any situation that might arise. The role of the Police is to enforce the law, and they will be asked to intercede in situations when a law may be broken, or if an employee feels it is necessary to contact them concerning their safety on the job. Where criminal wrongdoing is apparent, the matter will be reported to the Police Department.

Domestic Violence

Incidents of domestic violence at work shall be reported and investigated the same as other violent incidents. The City may become involved and take action if or when there is violent behavior which takes place while the employee is on the job or at the workplace.

Restraining Order

All individuals who apply for or obtain a protective or restraining order which lists their place of work or makes a reference to a person not being within a certain yardage of the employee are encouraged to inform their supervisor so as to assist in eliminating any chance of this person causing them or any fellow employees harm at the workplace.

Searches

The City reserves the right to search any property owned by the City when there are reasonable grounds. For the purpose of this policy, "reasonable grounds" includes when the City has reasons for suspecting that the search will turn up evidence that the employee is in violation of this policy. Therefore, employees should have no expectation of privacy concerning City property, i.e. desks and lockers. This is for the welfare and well being of City employees and to prevent any unauthorized persons from bringing a deadly weapon into the workplace.

Workplace Violence Defined

For the purpose of this policy, 'workplace violence' is defined as any act of physical, verbal, or written aggression by an individual or by a group, that occurs in the workplace or arises out of work activities. This includes any and all infliction of bodily injury or the attempt to make harmful physical contact, verbal and physical harassment, verbal and physical threats, and any actions that cause others to feel unsafe in the workplace.

Warning Signs of Potentially Violent Individuals

There is no exact method to predict when a person will become violent. One or more of these warning signs may be displayed before a person becomes violent but does not necessarily indicate that an individual will become violent. A display of these signs should trigger concern as they are usually exhibited by people experiencing problems. The signs are not limited to the following:

- Irrational beliefs and ideas
- Displays of unwarranted anger
- Verbal, nonverbal or written threats or intimidation
- New or increased source of stress at home or work
- Fascination with weaponry and/or acts of violence
- Inability to take criticism
- Feelings of being victimized
- Expressions of a plan to hurt oneself or others
- Intoxication from alcohol or other substances

- Externalization of blame
- Unreciprocated romantic obsession
- Expressions of hopelessness or heightened anxiety
- Taking up much of supervisor's time with behavior or performance problems
- Violence towards inanimate objects
- Productivity and/or attendance problems
- Reaction of fear among co-workers or clients
- Stealing or sabotaging projects or equipment
- Drastic change in belief systems
- Lack of concern for the safety of others

Categories of Workplace Violence

Violence by "strangers": This type of violence is committed by a person who is a "stranger" to the workplace and the persons working there; a person who enters the facilities with the purpose of committing a robbery or other violent acts, such as rape or murder.

Violence by "customers or clients": This type of violence is committed by a person who is either the recipient, or the object, of a service provided by the workplace or the victim.

Violence by "co-workers": This type of violence is committed by a person who has a work-relationship with the workplace. This designation includes employees, supervisors, and managers. This could result from a corrective action, unsatisfactory review, unfavorable grievance resolution, denied promotion, or contract negotiations. In addition, the violent act could be due to the individual's thoughts and feelings that are going on inside which may not necessarily be related to anything in the external world. If an individual feels persecuted or abused, even without any basis in reality, that person could become agitated or violent.

Violence by "personal relations": This type of violence is committed by an individual who has some personal relationship with a worker in the workplace, such as a current or former spouse, lover, or friend, or by an individual with difficulties at home, with the family, or with finances.

Threats

A threat is defined as an expression of intent to commit violence that places the listener in fear of imminent bodily harm, or is of such a nature that a reasonable person could be placed in fear of imminent bodily harm upon perceiving the expression of intent. The overall context of a statement, including nonverbal communications, should be taken into account to determine if such a statement is a threat covered by this policy. Threats are typically defined in three (3) categories: veiled, conditional, and direct.

- Veiled Threats - A veiled threat involves reference to a violent act and an association with the present situation. A veiled threat may be made to sound innocent, such as "I sure hope that what happened in Oklahoma City does not happen to you" or it may be more subtle, such as "They're pushing me so hard, I'm not sure what I might do."
- Conditional Threats - A conditional threat contains the words "if," or "or". For example, "If you do that, I'm going to shoot you" or "Approve my application or I'll get even with you later".

- Direct Threat - A direct threat is a warning of a pending violent act. "I'm going to punch you in the nose" is an example of a direct threat.

Results and Repercussions

The City will deal with corrective action on an individual basis. In determining the appropriate corrective action (if any), the City will consider all of the circumstances, including the nature of the complaint and the context in which events occurred. If evidence exists to support the allegations, corrective action, up to and including discharge, will be taken against the offender and a record of any corrective action taken will be included in the employee's personnel file. Individuals who lodge good faith complaints or who participate in a City investigation will not be retaliated against or otherwise treated adversely relating to the reporting of the situation or participation in an investigation.

5.9 Employee Health and Safety

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

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

The committee is charged with the responsibility to define problems and obstacles for loss prevention; identify hazards and suggest corrective actions; help identify employee safety training needs; and to develop accident investigation procedures.

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

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

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

If an injury occurs you are required to:

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

Smoking in the Workplace

The City is dedicated to providing a healthy, comfortable and productive work environment for all employees. The health risks of exposure to secondhand smoke have been well established and smoking can also be a cause of material annoyance and discomfort to those who are present in the same or confined places. There are additional sanitation risks associated with smokeless tobacco in terms of spitting and disposal of tobacco in open containers, sinks or walking surfaces. As a result all City facilities and property are designated as non-smoking and tobacco-free.

The use of tobacco and/or nicotine-related products and smoking are prohibited during work time and within any City-owned, leased or managed property, including but not limited to buildings, vehicles, parks and temporary work areas. Prohibited products include:

- Cigarettes
- Cigars
- Pipes
- Plant-products
- Electronic smoking devices
- Smokeless tobacco

Employee Right to Know/Hazard Communication Program

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

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

Container Labeling

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

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

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

The supervisor in each section will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels that have identification and hazard warning blocks.

Safety Data Sheets (SDS)

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

Employee Information and Training

When you begin work, your supervisor will conduct a health and safety orientation and you will receive information and training about the following:

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

After receiving this training, you will sign a form to verify that you attended the training, received any applicable written materials, and understood the organization's policies on hazard communication.

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

5.10 Security Identification (ID) Badge Program

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

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

- The personal safety of staff, visitors, and the public.

- The protection of the City's physical assets from potential harm, including theft, damage, or other potential risks.
- The protection of the entire community from any compromise of the select agents entrusted to the City.
- The protection of people, work product, infrastructure, and physical assets from intentional acts of disruption or terrorism.

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

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

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

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

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

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

Department Responsibilities

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

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

All Badge Recipients

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

- Know and comply with the Security ID Badge Program.
- Provide one of the following forms of photo ID when picking up a badge: drivers license, state ID, Passport, Birth Certificate, or military ID.
- Wear the Security ID Badge at all times while in City facilities and/or during working hours.
- Wear the Badge above the waist, on the front of the person, and in a manner such that the photo and name are readily and easily visible to others.
- Do not loan or transfer the Security ID Badge to anyone, for any reason, and under no conditions.
- Do not deface or in any way alter, or duplicate the Security ID Badge in any manner.
- Immediately report the loss of the Security ID Badge to your supervisor.
- Upon termination or leave from assignment on which the Badge was issued, return the Badge according to policy for termination, leave, etc.

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CHAPTER 6

PERFORMANCE MANAGEMENT

6.1 Performance Management

To accomplish a meaningful performance evaluation system upon which the City can continuously monitor the effectiveness of the organization and its operations, all employees will receive regularly scheduled formal performance evaluations prior to the employee's anniversary date. Performance evaluations are required at least annually regardless of the employee's eligibility for an increase in pay. New employees during their initial probationary period will be evaluated at least once every six (6) months.

The objectives of our Performance Management and formal appraisal process are:

- To ensure that each employee knows how they are performing against established performance standards;
- To determine how well the City is performing in assisting with employee work performance and organizational objectives;
- To encourage communication and two-way feedback;
- To provide a consistent, objective, and fair method of making compensation decisions;
- To provide a tool for career planning; and
- To provide a permanent record of employee performance and contribution.

Managers and supervisors are accountable for providing employee development actions designed to improve and enhance employee performance such as:

- Reasonable employee training;
- Assigning, directing, monitoring and reviewing employee work;
- Assisting employees in correcting deficiencies; and
- Objectively evaluating employee performance during the evaluation period.

Our performance appraisal program is intended to be participatory, involving your input as much as that of your supervisor, thereby helping you to contribute to the growth and improvement of your career and the City. You are encouraged to:

- Inquire about your performance from time to time;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the organization;
- Ask for assistance in developing a goal-oriented path for advancement within the department or City; and
- Learn about training available to assist you in improving your skills, qualifying for a promotion, or lateral transfer.

Performance evaluations serve as one factor in decisions related to employment such as training, merit pay increases, job assignments, employee development, promotions and retention. Written evaluations are to identify specific performance levels as compared to established standards, to acknowledge the merit of above standard performance and to prescribe the means and methods of correcting performance deficiencies to the required level of performance.

6.2 Corrective Action

The City has high performance expectations because we strongly believe that everyone benefits when we all work together and conduct ourselves in a manner that mutually reflects the best interests of co-workers and the City. It is the philosophy of the City to take corrective action measures when needed for the purpose of correcting areas of performance deficiency or to deal with violations of policies and work rules. The purpose of corrective action is to both correct the situation and avoid repetition.

You are expected to carry out your duties in a manner that contributes to a positive and productive work environment and supports the goals and objectives of the City. Any action or behavior that detracts from this goal or that detracts from encouraging an environment based on professionalism and respect will be considered cause for corrective action.

Examples of cause for corrective action include, but are not limited to:

- Performing any unlawful act while on duty; or any conviction of a felony or misdemeanor, particularly those that are related to the position you hold.
- Indulging in conduct that reflects discredit upon the City or impedes the effective performance of City functions.
- Using position as a City employee to gain financial benefit or avoid financial cost for self, relatives or personal business.
- Indulging in offensive conduct, disrespectful treatment of other employees, public officials or members of the public, or any conduct prohibited by City policies, including all those referenced herein, safety policies, and any other policies established by your Department.
- On duty or off duty use of social media to post statements that disclose confidential information obtained through City employment; discriminate against, harass or defame City employees; or otherwise violate City of Forest Grove policies.
- The use of alcoholic beverages, illegal drugs or the misuse of prescription drugs while on duty. Being under the influence of intoxicants or illegal drugs. Being under the influence of prescription drugs that affect the performance of your duties.
- Insubordination or failure to meet the stated expectations of your supervisor, in situations where the instruction is lawful and does not pose a risk of harm to you.
- Performing duties in an inefficient manner or intentionally wasting time in the performance of duties. Inattention to duty or failure to be productive.
- Inability to perform or intentionally failing to perform the duties and responsibilities of your assigned position.
- Inability to perform or intentionally failing to perform the required job competencies.
- Unauthorized use of, damage to or negligence in, the care and handling of City property or equipment.
- Absence without authorization or misuse of City leave, repeated tardiness, which are not protected by law.
- Untruthfulness, whether verbal or written, regarding any employment matter related to your position or application for employment. Falsification of City documents or records.
- Willful violation of any provisions of ordinance or policy adopted by the City Council or City Manager.

You will be informed if corrective action is necessary as soon as possible after any performance problem has been identified. Your manager or supervisor will discuss the situation with you, explaining the policy and the necessity of corrective action to avoid other corrective actions and ensure that the action is carried out in a manner that does not cause you unnecessary embarrassment.

Although one or more corrective action measures may be taken in connection with a particular performance problem, a formal order is not required. Corrective action may include any of a variety of actions depending on the circumstances and severity of the particular situation.

Counseling sessions, letters of expectation and oral reprimands are intended only to serve as warnings and will not be considered corrective action. Any corrective action taken during a probationary period, whether initial or transitional, will not impact the right of the City to discontinue your employment in this position at any time. Please refer to Chapter 3 for additional information on initial and probationary appointments.

Corrective actions may be taken at the discretion of management and include **any** of the following:

- Written reprimand.
- Suspension without pay.
- Demotion in position or salary.
- Termination of employment.

Each action will be documented in your personnel file. The corrective action process may not always commence with a verbal counseling or include every step. The above options are not to be seen as a process in which one step always follows another. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or subsequent offense. Each situation will be evaluated given the nature and seriousness of the offense, your work history, and the environment in which the offense took place.

Prior to initiating any of the above actions or any other action impacting pay for a regular employee or an employee serving a transitional probationary period, the supervisor will:

- Provide the employee with proper written notification of the pending allegations; and
- Provide a meaningful opportunity for the employee to respond orally or in writing to the allegations; and
- Give consideration to all relevant information prior to taking action.

When an employee is suspended without pay, the employee will not accrue leave during any periods in which they are not in pay status.

In cases where the Department Director determines that it is necessary to end the employment relationship between the City and a regular employee, the Department Director will review the facts with the Human Resources Manager prior to action. The employee will receive written notification of the cause for separation.

Exempt employees may be suspended without pay under this policy, but only in full-day increments. Their pay will be reduced in an amount that is proportionate to the number of days suspended.

An employee may request and have removed from his or her personnel file any letter of reprimand which is more than two (2) years old if there have been no related problems during that period. An employee may request to remove any letter imposing corrective action more severe than a letter of reprimand which is more than five (5) years old, provided there is no subsequent related disciplinary action taken during the intervening period of time. In the event there is more than one letter imposing corrective action which is more severe than a letter of reprimand, none of the letters may be removed until the most recent letter is more than five (5) years old.

6.3 Appeals and Dispute Resolution

The City strives to create and sustain an environment where employees feel respected and safe from reprisal in bringing forth issues relating to their employment. To that end, the City will endeavor to resolve employee concerns informally, at the lowest possible level, and in a manner that is fair and considerate of all those involved. When issues covered by this policy cannot be resolved informally through discussions with the employee's supervisor, the employee may initiate an appeal. Retaliation towards an employee for initiating an appeal is expressly prohibited and may be grounds for termination.

The following types of appeals are covered under this policy:

- Position designation (classification);
- Denial of reassignment during a reduction in force;
- Corrective Action (excluding oral & written reprimands)
- A perceived violation of City policy;
- A perceived improper administration of a City policy;
- Other work-related disagreements (excluding performance evaluations).

The deadline for initiating an appeal for any of the above issues will be seven (7) calendar days from the date the employee first had knowledge of the issue, or when the employee was first informed of the intended corrective action. In cases of termination, the deadline for initiating an appeal is seven (7) calendar days from the effective date of the termination. Only a non-represented employee who has completed their initial probationary period is eligible to appeal corrective actions. Represented employees may not use this process to address any subject that is covered under the terms of their collective bargaining agreement. All management personnel are responsible to ensure that the appeal process is administered in a fair and consistent manner.

Appeal Steps

Step 1 - Immediate Supervisor: The appeal will be filed with the employee's supervisor. The supervisor, or other manager or supervisor appointed by the Department Director, will respond in writing to the employee within seven (7) days of receipt.

Step 2 - Department Director: Appeals which are unresolved at Step 1 may be submitted to the Department Director within seven (7) days of receipt of the response at Step 1. The Department Director will respond in writing to the employee within fourteen (14) days of receipt.

Step 3 - City Manager: Appeals which are unresolved at Step 2 may be submitted to the City Manager within seven (7) days of receipt of the response at Step 2. The City Manager will respond in writing to the employee within fourteen (14) days of receipt. The City Manager may support the Department Director's decision, reverse the decision, or modify it. The City Manager's decision is final and binding.

Issues relating to behavior that is perceived as unlawful harassment or the reporting of improper governmental action may be addressed through separate protocols, as the situation warrants.

CHAPTER 7

SEPARATION FROM EMPLOYMENT

7.1 Separation from Employment

Separation from employment with the City occurs when you voluntarily resign, you are laid off or terminated by the organization.

Resignation

In order to resign in good standing, the City would appreciate receiving notification of intent to resign at least ten working days prior to departure date for employees and thirty days for supervisors and management level personnel.

Employees who resign from the organization in good standing may be eligible for re-employment consideration. To determine eligibility, former employees must file an employment application with the Human Resources Manager and await notification of an available position. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. When a position becomes available, the Human Resources Manager and the Department Director will review the former employee's performance records and the circumstances surrounding the termination of previous employment with the organization. The City is under no obligation to rehire former employees. An employee who is reinstated to the same position within one year of separation shall be appointed at the same rate of pay, benefits, and seniority held at the time of resignation. All other rehires shall be considered to be new employees.

Job Elimination, Reduction in Work Hours or Staff

The City's desire is to avoid circumstances that require a reduction in hours or staff, but we also recognize that situations may arise where we will need to make such reductions. Depending upon the circumstances, we may respond in a variety of ways, including offering a voluntary reduction in hours or days of work, reducing your work hours or days of work, reducing expenses by other means, or by a reduction of the workforce. Among the factors we will consider in selecting employees for any reduced hours or reduction in force are:

- Your department, location, or job;
- Your job knowledge, skill and ability to do the required work;
- Your performance, attendance, safety and disciplinary history and records;
- Your possession of licenses, registrations and or certifications required by the job;
- Your creativity and teamwork skills, if required for the job;
- Your demonstrated willingness to go the extra mile for the organization, co-workers and customers; and,
- The efficiency of our operation.

Evaluation of these factors is in our discretion. When we conclude that all the factors are substantially equal, we will reduce the hours of or lay off the employee with the least length of service. The immediate supervisor will personally notify employees of a layoff. After explaining the layoff procedure, you will be given a letter describing the conditions of the layoff, such as the effects on benefits, the possibility of reemployment, procedures, and any outplacement services.

Affected employees will be given two weeks' notice of lay-off, during which time the employee shall be allowed reasonable time off with pay to pursue other employment. During a one-year period of time following the lay-off, the City shall consider those persons laid-off for rehire, if a suitable position becomes available. An offer of re-employment may be made orally or in writing to the last address reflected in your personnel records. It is your obligation to keep us informed of any changes in your telephone number and address. The offer will identify the available job and the date you are to report to work. If you decline reemployment or fail to report on the date specified, you will be deemed to have waived any reemployment privileges and will be treated as a voluntary resignation.

Discharge

"At will" employees may be terminated at any time, with or without cause and without right of appeal. Employees serving Initial Probation are considered "at will". Please see Chapters 2 and 3.

All regular employees are hired at the City for an indefinite period of time and may be discharged with cause. However, our philosophy and general practice is to provide employees, who have completed initial probation with an opportunity to correct minor performance and conduct problems before discharge is implemented.

The City has a corrective action policy found in Chapter 6 of this Handbook that describes action management may take, at our discretion, to correct performance infractions prior to discharging employees.

The decision to discharge employees is based not only on the seriousness of the current performance infraction but also on the individual's overall performance record and length of service with the City.

The City also believes that our employees should be given an opportunity to be heard in matters involving corrective action, including discharge, and we have provided a formal problem resolution procedure found in Chapter 6 of this Handbook for that purpose. You are encouraged to use the procedure to resolve any issues you may have that cannot be resolved by consulting with your supervisor.

Exit Interview

An exit interview will be scheduled with you when you leave the organization. This gives you an opportunity to get any unresolved issues addressed before leaving the organization and allows us to solicit your honest opinions of our organization and any suggestions for improvement of the City. We encourage all employees to participate in an exit interview when they separate from employment and we value all opinions and suggestions we receive in the process.

Return of Organization Property

Upon separation from your employment, either voluntarily or otherwise, you must return all organization property in your possession by your last day of employment. City property includes credit cards, organization vehicles, keys, ID cards, pagers, cellular phones, tablets, laptops, tools, software, computer storage devices (e.g. USB drives), uniforms, this Handbook and any other items in your possession that belong to the organization.

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CHAPTER 8

EMPLOYEE BENEFITS

8.1 Benefits Overview

The City strives to provide the best, most equitable and cost-effective benefits for employees in recognition of the influence employment benefits have on the economic and personal welfare of our employees. Paid in various benefit forms on your behalf, the total cost to provide the benefit program described in this Handbook and other documents is a significant supplement to your pay and should be viewed as additional compensation.

Policies, provisions and procedures that govern the City's benefit program apply to all employees eligible to participate, whether exempt or nonexempt status, unless otherwise provided in a particular benefit plan.

If you are covered by a collective bargaining agreement please refer to it for information concerning your level of benefits, eligibility, and enrollment costs related to all fringe benefits.

Some benefits may earn credit during your new-hire introductory period, but eligibility to use the benefit will not occur in most cases until you obtain regular status, or meet other conditions of employment specified in the Handbook or contained in the benefit policy/plan booklets.

Benefit Pro-ration and Employee Cost Sharing

If you are a regular part-time employee, some of your benefits are determined on a prorated amount of hours according to your benefit accrual rate or other formula. For example, you will accrue vacation and sick leave benefits at a lower rate than full time employees. Your accrual rate is based on the number of hours your position is budgeted.

Discretionary employment benefits, those benefits that are not mandated by state or federal law, are selected and controlled by the City Council through adopted resolutions. Decisions to provide and continue providing these benefits are based on such considerations as cost, composition of our workforce, operational efficiency, and desirability of benefit provisions. Where costs of discretionary insurance benefit plans exceed the City's interest, ability, or willingness to pay the full premium rate to maintain the current benefit level, you may be required to share in the cost to continue the insurance plan coverage.

Benefit Design and Modification

The City reserves the right to design plan provisions and to add, eliminate, or in other ways modify any discretionary benefits described in this Handbook or elsewhere in plan documents, where and when it is deemed in the City's best interest to do so. These benefits are subject to change depending on Council decision and available resources.

Benefit Plan Documents

You will be provided with summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents will govern. All of these official documents are readily available from the Human Resources Manager for your review. We ask that you refer any questions about this information to the Human Resources Manager.

8.2 Health Insurance Benefit

The City currently provides health, dental, and vision insurance coverage for employees and their dependents if they are otherwise eligible to participate in the plan. You will be provided with information about the plan at the time you become eligible to participate in the plan. You are asked to review the summary plan description for answers to questions regarding coverage, eligibility, and cost. Any need for further information should be referred to the Human Resources Manager.

Eligibility

This benefit is provided for all regular full-time employees and regular part-time employees who are scheduled to work 20 or more hours per week on an ongoing basis. Additionally, temporary or intermittent employees who are regularly scheduled to work 30 or more hours per week on an ongoing basis, or who have averaged 30 or more hours per week during the City's established 12 month look-back period in accordance with the Affordable Care Act, will also be eligible for health insurance benefits. If otherwise eligible, you may begin to participate in the plan the first of the month after your hire date. Temporary and intermittent employees who do not meet the eligibility requirements outlined above are not eligible to participate in the health insurance plan.

Please contact the Human Resources Manager to discuss the eligibility for this benefit.

Plan Enrollment

Upon eligibility, you may complete enrollment forms. If you do not wish to enroll at the time of eligibility, and later decide to request enrollment, a verification of insurability form may be required from your previous health insurance provider, and your request for enrollment is subject to possible rejection by the healthcare plan insurance carrier.

Annually, an open enrollment period will be conducted during which times you may make changes to your elections and dependent coverage.

The cost of the monthly premium for full time, regular employees is shared between our employees and the organization as adopted by the City Council. Please contact Human Resources for current premium costs.

The cost of the monthly premium for part-time, regular employees is approximately 55%. Please contact Human Resources for specific information.

Any eligible employee who chooses not to enroll in the insurance plan is not entitled to any other form of compensation in lieu of coverage and is required to sign a written waiver of participation.

Premium Cost

Specific types of coverage and benefit payment schedules are described in the City's health care plan booklets that are available to all eligible employees. At the time of eligibility and during Open Enrollment each year we will inform you about the contribution the City will make toward your monthly premiums if you are eligible to participate in the plan. Premium rates are established by the insurance carrier and are subject to change-usually based on increased costs to provide medical services and the amount of services required by our employees.

Any premium co-payment and dependent coverage you are required to pay is funded through a payroll deduction.

Termination of Coverage

In the event that you or your dependents lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time. Eligibility can be lost due to a prolonged absence from work or upon the occurrence of certain "qualifying events," that would otherwise cause your group health coverage to terminate. Examples of qualifying events are termination of employment, reduction of hours, divorce or legal separation, entitlement to benefits under Medicare, a child dependent reaching majority age or a leave of absence.

You, your spouse, and/or dependents are permitted to continue group health insurance for a certain period of time at your own expense. However, continuation does not occur automatically. You must notify us in writing within 60 days after the date a covered family member will lose coverage because of an event or the covered family member will permanently lose the right to continuation coverage. Election of coverage and payment of the premium must then occur within a specified time limit for coverage to continue. You and any covered dependent will be given a notice covering the provisions of the law at the time you enroll and again upon the occurrence of any qualifying event.

8.3 Life Insurance

Group Life

The organization currently provides group life insurance coverage for regular employees eligible under the City's current policy. Employees will be provided with information about eligibility in the plan at the time of hire. The organization pays for the full premium. The standard coverage equals one times the employee's annual base pay rounded to the next thousand with a one-hundred forty thousand dollar (\$140,000) maximum. Employees may elect additional coverage at their own expense.

Dependent

Employees may elect dependent coverage and/or additional dependent coverage at their own expense.

8.4 Long-Term Disability

The City provides a Group Long-term Disability plan. The plan provides compensation to regular employees eligible under the City's current policy who are unable to work due to an accident or illness lasting ninety (90) days or more. Employees will be provided with information about the plan at the time of hire. The City currently pays for the full premium.

8.5 Section 125 Plan

The City may provide Section 125 plans, including the Premium Only, Healthcare Flexible Spending Account, and Dependent Care Assistance plans as authorized by IRS code. These

plans allow employees to have group medical or dental costs deducted from their paychecks on a pre-tax basis.

The Premium Only Plan allows the employee portion of premiums to be deducted on a pre-tax basis, reducing payroll taxes for both the City and the employee.

The Healthcare Flexible Spending Account (FSA) is available for insurance co-payments, deductibles, and other eligible medical expenses not reimbursed by insurance as defined by IRS Section 213(d).

The Dependent Care Assistance Plan (DCAP) covers the cost of caring for a dependent while the employee and spouse work.

Additional information is available during open enrollment or by contacting Human Resources.

8.6 Retirement Plans

After six months of full-time employment, regular full-time employees are required to participate in one of the City's retirement plans depending on the employee group he/she is in: the Defined Benefit Plan or the Defined Contribution Plan. Eligible regular part-time employees regularly scheduled to work at least 20 hours per week will be enrolled in the Defined Contribution Plan.

1. **Defined Benefit Plan:** the City pays the employee's portion of the contribution at a rate established by annual salary. Contributions to the retirement plan must meet actuarial requirements. Employees who terminate prior to being eligible for vesting rights must withdraw their contributions to the plan. Please contact the Human Resources Manager for a copy of the plan documents.
2. **Defined Contribution Plan:** the City contributes a percentage of the employee's base pay as established by resolution of the City Council into a 401(a) plan selected by the employee. Retirement benefits for the defined contribution plan are based on the accumulated contributions and earnings over the employee's participation in the plan. The retirement benefits are dependent on the accumulated account balance for each employee at retirement. Guidelines for withdrawals will be governed by the rules in accordance with IRS Section 401(a) rules. There are no vesting requirements for this plan.

8.7 Health Reimbursement Arrangement (VEBA)

Regular employees who elect a health insurance plan with the City of Forest Grove will receive monthly contributions of one percent (1%) of the employee's base salary to a medical savings account Voluntary Employees' Beneficiary Association (VEBA) plan, under Section 501 (c) (9) of the Internal Revenue Code. This benefit is designed to help you plan for retirement medical costs. Please contact Human Resources for additional information.

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CHAPTER 9

TYPES OF LEAVE

9.1 Vacation Leave

All regular non-represented full-time and part-time employees are eligible for vacation based on the schedules below.

FLSA Exempt positions:

<u>Continuous years of service</u>	<u>Benefit</u>
1 to 2 years	15 days per year
2 to 5 years	20 days per year
more than 5 years	25 days per year

FLSA Non-Exempt:

<u>Continuous years of service</u>	<u>Benefit</u>
1 to 2 years	10 days per year
2 to 5 years	12 days per year
5 to 10 years	15 days per year
10 to 15 years	20 days per year
more than 15 years	25 days per year

Regular, part-time employees' monthly and accrual limit is based on a pro-rata basis calculated on the work schedule established by your position. For purposes of vacation, continuous service will be calculated from the nearest first of the month related to your date of hire. Vacation hours will not accrue when an employee is on an unpaid leave of absence on an hour-for-hour basis.

The purpose of vacation and personal time is to allow employees to enjoy periods of time away from work and have time available for personal use. Vacation time is intended to provide time away from work for rest and recreation. Vacation time will be paid out at separation in accordance with applicable laws.

Time is not to be banked and never used; therefore, your accrual limit cannot exceed 45 days (360 hours). Vacation benefits will stop accruing when the maximum allowed has been reached until you reduce the total below the maximum, at which time the benefit will begin accruing again.

Initial probationary employees will not be eligible to use accrued vacation until the employee has completed six (6) months of service, unless otherwise designated by the City Manager. The City Manager may, due to labor market competition or other business related factors, assign a higher vacation accrual rate.

Vacation leave is available for use after it is credited to your leave bank. FLSA non-exempt employees must use vacation in no less than quarter hour (15 minute) increments. FLSA exempt employees are required to use appropriate accrued leave to cover absences from work that result in them falling more than four hours short of their average weekly work schedule (40 hours per week for full-time employees). Use of accrued leave is not required if the exempt employee's absence is the result of flexing work schedules due to workload.

Any employee wishing to use vacation time should request vacation hours as early as possible so that arrangements for coverage can be made. Requests for vacation time are to be made in writing and given to your supervisor. Every attempt will be made to grant each request, however, no guarantees can be offered. In the event of competing requests for times submitted at the same time, approval will be given to the employee with the longest tenure.

Vacation leave may not be used to extend an employee's length of employment at the time of termination.

Once approved, vacation leave may not be modified to sick leave unless the event qualifies under the Family Medical Leave policy as a serious health condition.

Vacation Buy-Back

Non-represented, FLSA Exempt, employees who have used forty (40) hours of vacation in a designated twelve (12) month period and who have at least eighty (80) hours of vacation "on the books" at the end of that twelve (12) month period are eligible for vacation buy-back. Vacation buy-back allows an employee to take pay for up to forty (40) hours of vacation. This option will be made available two times during the year, but may be used by an employee only once during a twelve (12) month period. Additional information is available from the Human Resources Manager.

9.2 Sick Leave

Sick Leave

All eligible regular, intermittent, seasonal, and temporary full-time and part-time employees may use sick leave accruals for the following purposes:

- For an employee's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. (You are encouraged to make such appointments before arriving to work or after work hours, if possible.)
- For care of an immediate family member with a mental or physical illness, injury or health condition, care of an immediate family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition or care of an immediate family member who needs preventive medical care. Immediate family is defined as spouse, same sex domestic partner, the biological, adoptive or foster parents or children of the employee, ,parents or children of the same-sex domestic partner, siblings, grandparents, grandchildren, in-laws, persons with whom the employee was or is in a relationship of in loco parentis, and other close relatives who reside in the employee's household. The Human Resources Manager may approve exceptions to this policy on a case-by-case basis upon written justification from the employee.
- As specified in section 9.7, Family and Medical Leave, in the Employee Handbook, or Oregon Family Leave (OFLA).

- Any other purpose covered by the Oregon Family Leave Law (ORS 659A.159).
 - For a purpose specified in Oregon's Domestic Violence, Sexual Assault or Stalking Leave Law (ORS 659A.272).
 - In the event of a public health emergency, including but not limited to: (a) Closure of the employee's place of business, or the school or place of care of the employee's child, by order of a public official due to a public health emergency; (b) A determination by a lawful public health authority or by a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others, such that the employee must provide self-care or care for the family member; or (c) The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons.
1. Regular, full-time employees accrue sick leave at a rate of eight (8) hours per month. Regular part-time employees receive a prorated amount based on scheduled hours. Sick time accumulated for regular status employees will not exceed 1400 hours.
 2. All other employees eligible to accrue sick leave (for example, seasonal, temporary, and intermittent employees) accrue one hour of sick leave for every 30 hours worked. Sick time accumulated for seasonal, temporary and intermittent employees will not exceed 80 hours and no more than 40 hours may be used in a 12 month period.

When an employee is on an unpaid leave of absence, sick hours will not accrue on an hour for hour basis. Sick leave is available for use after it is credited to your leave bank.

FLSA non-exempt employees must use sick leave in no less than quarter hour (15 minute) increments. FLSA exempt employees are required to use accrued leave to cover absences from work that result in them falling more than four hours short of their average weekly work schedule (40 hours per week for full-time employees). Use of accrued leave is not required if the exempt employee's absence is the result of flexing work schedules due to workload.

It is in your best interest not to be at work when you are disabled due to illness or injury. It is your supervisor's responsibility to send you home if you are incapacitated or a threat to other employees' health and/or safety and you are expected to cooperate with the decision.

Time for routine doctor or dentist appointments should be charged to sick time unless other arrangements have been made with your supervisor. You are encouraged to make such appointments before arriving to work or after work hours, if possible.

In the event of an extended leave, you must use accumulated sick leave in conjunction with income protection plans or other sources of disability income to achieve full pay for as long as possible. However, at no time can the combination of these exceed normal earnings.

You are expected to notify your supervisor at the beginning of each workday during illness or injury. Exceptions to this include a serious accidental injury, hospitalization, or when it is known

in advance that you will be absent for a certain period of time. A Medical Release Statement may be requested for review before you return to work in certain situations.

Unused sick leave is not paid at termination, but may be convertible under the terms of the City's Defined Benefit Retirement Plan. Please refer to the Defined Benefit Retirement Plan documents for additional information. If an employee is separated from employment with the City of Forest Grove and is re-employed within 180 days, his/her sick leave balance at the time of separation will be restored.

In the case of a work-related accident or injury, you may use sick time to offset any days not paid through Workers' Compensation, or to offset the reduction in regular pay until accumulated sick time is used. However, at no time can the combination of these exceed normal earnings, nor can you use more sick time than that accumulated.

Donated Leave Program

The City has implemented a leave donation program to assist regular employees who have, as a result of extended or catastrophic illness and/or injury, exhausted all accumulated leave (sick, vacation, personal, and compensatory time) and are not receiving workers' compensation or retirement benefits.

Employees may voluntarily donate vacation leave or compensatory time in increments of one hour or more to an eligible employee's sick leave account, based on the conversion of the donor's salary rate to sick leave hours at the donee's salary rate.

Donors are prohibited from recovering any unused hours from the donee's sick leave account once donation has been credited. Donations are required to be documented, including the donor's signature and any verification of need of the employee receiving donations. The period of time an employee is eligible to receive donated leave will not exceed ninety (90) calendar days in any twelve (12) month period, non-retroactive. The Human Resources Manager is responsible for establishing and administering the donated leave program and making final determinations regarding need. Request for donated leave must be made to the Human Resources Manager.

Employees receiving donations must understand that the use of donated vacation leave or compensatory time as sick leave may offset disability payments.

9.3 Paid Holidays

The City observes the following holidays each year. The organization is officially closed on these days, unless otherwise determined by the Department:

New Year's Day
Martin Luther King Jr. Day
Memorial Day
Independence Day
Labor Day
Veterans Day (See 9.14 below)
Thanksgiving Day

Day after Thanksgiving
Christmas

In addition, eligible employees will also receive two personal holidays per year.

If a holiday falls on a Sunday, it will be observed on the following Monday. When a holiday falls on a Saturday, it will be observed on the previous Friday.

Personal Holidays are credited at the beginning of the calendar year and shall be prorated to the nearest hour for newly hired employees. Personal Holiday hours must be used in no less than quarter hour (15 minute) increments. Personal Holidays must be used within the year credited or forfeited. Personal Holiday hours are payable at termination for regular employees only.

Regular full-time and part-time employees are eligible for Holiday pay. Full-time employees receive eight (8) hours of holiday pay as paid time, regardless of the number of hours scheduled to work on the holiday. Employees are required to supplement their holiday pay with vacation, compensatory, or actual work hours to cover the scheduled hours.

Part-time, regular employees will receive a pro-rated amount of paid time based on their regularly scheduled time. For instance, a regular, part-time employee working 20 hours per week would receive 4 hours of holiday pay because they are working 50% of full-time.

To be eligible for holiday pay, the employee must be in pay status the regularly scheduled work day immediately preceding and immediately after the holiday.

If covered by a collective bargaining agreement, please refer to it for specific language related to holiday pay, eligibility, and use.

9.4 Leaves of Absence Policy

The City recognizes that our employees may encounter many situations that require a temporary extended absence from work. We offer several different types of leaves of absence for this purpose:

- Bereavement Leave
- Civic Duty Leave
- Family & Medical Leave
- Worker's Compensation Leave
- Personal Leave
- Administrative Leave
- Uniformed Services Leave and Re-Employment
- Domestic Violence Leave
- Lactation Leave
- Veterans Day Leave

The type of leave may determine which employees are eligible and what procedure is to be followed in requesting and obtaining the leave. The effect of the leave on benefit accruals, benefits and reinstatement rights also vary according to the type of leave you are requesting.

Each of these leaves is discussed on the following pages. If you have any questions about your potential eligibility for a leave or your benefits and rights while on a leave, please contact the Human Resources Manager.

9.5 Bereavement Leave

Regular full-time and part-time employees are eligible to take a Bereavement Leave in the event of death of immediate family members as defined below: (Also see Section 9.7 – Family and Medical Leave for information about Bereavement Leave under OFLA.)

Coverage

Immediate family is defined as spouse, same sex domestic partner, parents, children, children of the same-sex domestic partner, siblings, grandparents, grandchildren, in-laws (including father, mother, brother or sister), parents of the same sex domestic partners, and other close relatives who reside in the employee's household.

The Human Resources Manager may approve exceptions to this policy on a case-by-case basis upon written request from the employee.

Length of Leave

You are allowed to take up to five consecutive regularly scheduled working days away from work for a bereavement leave for immediate family members. If you need additional time off for any bereavement purpose, you must use earned vacation, compensatory time, or sick leave, or apply for an unpaid personal leave of absence.

Request Procedure

You are expected to give us as much notice as possible of the need for time-off so that we can make arrangements to cover your absence. Determination to grant the leave will be made by your Department Director. Verification of family relationship and death may be requested in limited circumstances.

Pay while on Leave

If you are a regular employee, you will continue receiving your regular pay for up to the five days allowance. Exempt employees will continue receiving their regular salary for any additional partial days missed for any bereavement purpose.

Status of Benefits

Eligibility for benefits or continuance of benefit accruals are not affected by bereavement leaves. If the length of your absence extends beyond the five-day leave allowance and you are granted additional time off in the form of a personal leave, the effect of the additional leave on your benefits will be determined by the City's personal leave policy, later in this chapter.

Reinstatement

You will be reinstated to the same position you held at the time your leave began subject to our general reinstatement policy.

9.6 Civic Duty Leave

Jury or Witness Duty

If you are subpoenaed to serve as a witness or on jury duty you may obtain a leave of absence. If it is felt that your absence would create an undue hardship to you or the City, we may request, with your full agreement, that you be excused from jury duty.

Length of Leave

Jury or witness duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions. If an employee is released from jury or witness duty prior to the completion of his/her scheduled shift, he/she must return to work for the remainder of the scheduled work shift.

Request Procedure

You must notify your Department Director as soon as you receive the notice or as soon as is practicable so that arrangements can be made to cover the position. You are expected to provide us with a copy of the subpoena or notice within five days after it is received.

Pay while on Leave

You will be compensated for the difference between the civic pay received and your regular rate of pay for up to sixty (60) days. Any continued absence beyond 60 days must be charged against your accrued vacation, compensatory time, or unpaid in the event no leave balance exists. You must remit to the City any remuneration received, less expenses, in order to receive your regular pay for the leave. Please speak with the Human Resources Manager if you have any questions pertaining to the procedure.

Status of Benefits

Benefits are not affected by jury or witness duty leaves.

Reinstatement

You will be reinstated to the same position you held at the time your leave began subject to our general reinstatement policy. You are expected to report to work during regular work hours when not in court. If requested, you must supply proof of appearance in court or serving on a jury.

9.7 Family and Medical Leave

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

The Family and Medical Leave Policy (FML) covers employees including employees absent from work due to occupational related illness or injury, except to the extent provisions in applicable collective bargaining agreements, state or federal laws provide otherwise. Workplace

injuries that qualify for family leave under this policy will not be counted against an employee's Oregon Family Leave Act (OFLA) entitlement.

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

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

Eligibility

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

- **FMLA**
Employee must have been employed by the City for at least twelve (12) months, and worked at least 1250 hours during the 12-month period immediately preceding the leave.
- **OFLA**
Employee must have been employed by the City for at least 180 calendar days immediately preceding the leave and have worked for an average of at least 25 hours per week during the 180 days immediately preceding the leave. Employees are eligible for parental leave after being employed for 180 calendar days, without regard to the number of hours worked per week.
- **OMFLA**
Employee must have worked an average of 20 hours per week for the City for at least 180 calendar days immediately preceding the date the employee takes OMFLA leave.

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

Purpose of Leave:

- **Parental**
Leave to care for a child under the age of 18 born to or placed for adoption or foster care with the employee. Under OFLA, an employee who uses 12 workweeks of parental leave is entitled to take up to 12 additional workweeks of sick child leave.
- **Employee Medical**
Leave because of the employee's own serious health condition, which prevents the employee from performing at least one essential function of his or her job. This includes pregnancy-

related disability and absences from work due to prenatal care. Under OFLA, a woman using pregnancy disability leave is entitled to up to 12 additional workweeks of leave in the same year for any qualifying OFLA purpose.

- Family Medical Care

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

- Military Caregiver

Leave to care for a seriously ill or injured covered service member who is the employee's parent, child, or spouse or for whom the employee is the next of kin. Such leave may be taken for up to 26 workweeks in any single 12 month period. Leave to care for a military service member, when combined with all other FMLA leave may not exceed 26 workweeks in a single 12 month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness that 1) either existed before the beginning of the service member's active duty and which was aggravated by service in the line of duty on active duty, or 2) was incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. A covered service member is also a veteran discharged under conditions other than dishonorable within the five-year period before the employee first takes military caregiver leave to care for that veteran who is undergoing medical treatment, recuperation or therapy for a serious injury of illness. This is covered under federal law.

- Qualifying Exigency

Leave for a qualifying exigency arising out of the fact that the employee's parent, child or spouse is a member of the Armed Forces (including the National Guard and Reserves) and is on covered active duty or has been notified of an impending call or order to covered active duty. For members of the regular Armed Forces, covered duty is defined as duty during deployment of the member with the Armed Forces to a foreign country. For members of the National Guard or Reserves, covered duty is defined as duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, attending post-deployment reintegration briefings, caring for the service member's parent when the parent is incapable of self-care and the service member has been called to active duty, and spending up to fifteen (15) calendar days with a military member who is on Rest and Recuperation leave during covered active duty (such leave may be used only during the military member's Rest and Recuperation leave). An employee's request for qualifying exigency must be supported by appropriate certification. Qualifying exigency leave is covered under federal law.

- Oregon Military Family Leave Act

Leave for a spouse or domestic partner of a member of the Armed Forces, the National Guard, or military reserve who has been called to active duty or notified of impending call to

active duty, or who has been deployed. An eligible employee may take a total of 14 calendar days leave per deployment after the military spouse or domestic partner has been notified of an impending call or order to active duty and before deployment and when the military spouse is on leave from deployment.

- Bereavement Leave under OFLA

Leave for an employee to attend the funeral or alternative to a funeral of a covered family member (as defined by OFLA: see first paragraph of this section), to make arrangements necessitated by the death of the family member, or to grieve the death of the family member. An eligible employee may take up to 14 calendar days of leave within a twelve month period per death of a covered family member. Leave must be taken within 60 days of the date the employee receives notice of the death of the family member. Eligible employees may begin leave prior to formal notice to the employer, but must at least provide verbal notice of the need for leave within 24 hours of commencing the leave, plus provide written notice and explanation of the need for leave within three days of returning to work.

Employees may, if necessary, take multiple bereavement leaves during any OFLA year. Employees with multiple family member deaths are not required to take leave concurrently for each family member. Bereavement leave will be credited against the employee's 12 weeks of leave under OFLA.

Bereavement Leave taken under the provisions of Section 9.5 and this Section will be combined and credited against the employee's 12 weeks of family leave allowed under OFLA. See Section 9.5 for information regarding pay during bereavement leave.

Definition of a Serious Health Condition

Under FMLA, a serious health condition is an illness, injury, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

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

Length of Leave

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

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

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

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

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

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

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

Counting Leave

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

Pay

Employees will receive no regular compensation while on FML leave, except for bereavement leave in accordance with Section 9.5 – Bereavement Leave.

Employees absent on FML due to a serious health condition for self or qualifying family member will be required to use available accrued sick, vacation, holiday leaves, or in the case of the employee's own serious health condition, workers' compensation and/or Long-Term Disability benefits, in that order before going into authorized unpaid time. Employees may choose to use accrued compensatory time in lieu of accrued leave until it is exhausted.

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

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

Benefits While on Leave

Group employee benefits will continue if the employee makes the required employee premium payments while on leave. In the case of premium payment default, the City will advance

employee cost share and recover the advance upon the employee's return to work at the rate of 10% of the employee's gross pay each pay period.

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

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

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

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

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

Other Benefits While on Leave

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

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

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

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

Leave Application

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

When the need for leave is not foreseeable, or its approximate timing uncertain (e.g., adoption placement, medical emergency), notice is required as soon as is practical given the particular circumstances. In this situation the employee or a representative if the employee is

incapacitated, must notify the immediate supervisor as promptly as available means of communication permit. If an emergency occurs while at work, the employee must notify the immediate supervisor before leaving the workplace.

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

Certification Requirements

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

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

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

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

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

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

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

Employer Notice

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

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

Return to Work

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

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

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

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

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

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

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

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

FMLA Specific Provisions

Under FMLA is it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;

- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

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

9.8 Workers' Compensation Leave

The City will insure employees for injuries received while at work as provided under the Oregon State Worker's Compensation Act. The day of injury will be considered a normal work day and will be paid by the City.

All job-related injuries or illnesses are to be reported to the supervisor immediately, regardless of severity. In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to report an injury or illness may preclude or delay the payment of any benefits to you and could subject the City to fines and penalties.

A probationary or regular employee receiving time-loss payments under workers' compensation may, in addition, draw upon sick, vacation, and/or compensatory time accruals to make up the difference between the workers' compensation payment and their normal net pay. Use of accruals in this manner will be subject to the standard deductions. If a probationary or regular employee is absent for less than 112 scheduled work hours due to an injury compensable under workers' compensation, the City will pay the employees regular wages for up to the first 24 scheduled hours of work missed.

Non-represented probationary and regular employees receiving time-loss payments will be credited with full-accrual payroll periods for up to 60 calendar days.

In any event, no duplication of payments between the City's workers' compensation carrier and the City will be allowed.

Return to Work of Injured Workers

It is the policy of the City of Forest Grove to return its employees with compensable work-related injuries or illnesses to an available and suitable position as soon as possible. To achieve this, the City shall provide, where possible, temporarily modified work (light duty) while the employee is recovering. Light duty positions are not a property right and, therefore, they are not guaranteed in all situations. Any light duty work assignment must provide benefit to both the City and the injured worker.

This policy applies to all City employees when appropriate. Departmental operating policies and/or City labor agreements may provide additional procedural requirements but do not alter the authority of this policy. The City will determine appropriate work hours, shifts, duration and location of all work assignments and reserves the right to determine the availability, appropriateness, and continuation of all light duty assignments.

The injured employee shall report immediately all accidents, incidents, work-related injuries or illnesses to his/her supervisor whether or not medical care is anticipated. If the immediate supervisor is not available, the report shall be made to the next level supervisor or the Human Resources Manager. Upon receiving medical care, the employee shall provide a report of medical condition prepared by the attending physician within 24 hours of medical treatment to the Human Resources Manager. The employee should inform their physician that the City has a return to work program with light duty/modified work assignments available and review their current job duties and responsibilities with the physician. The medical report(s) shall contain specific and objective information such as employee capabilities, limitations and prognosis for use by the City to determine an appropriate work assignment or leave status. The employee will then provide the documentation requesting a light duty assignment including the tentative start date, duration, and specific limitations imposed by their physician, and prognosis for release to full duties. The employee will not be allowed to return to work without a signed release from their attending physician.

Supervisors are required to review the injured worker return-to-work process with the employee, complete an Injury Report Form 801 within 24 hours of the injury if an injury requiring medical treatment has occurred, and immediately forward it to Human Resources Manager. Supervisors must also investigate and complete an Oregon Occupational Safety & Health Division (OR-OSHA) on-the-job injury incident report within 24 hours and send the report to the Human Resources Manager. The supervisor will ensure that the injured employee has a current copy of their job description, if requested by the physician, to aid the physician in their evaluation.

The Department Director will offer an available light duty work assignment to an injured employee, where feasible. The temporary assignment shall be in agreement with the physician's medical restrictions, be consistent with agency policies and collective bargaining agreements, and normally be limited to a 90-day period during which time interim evaluations shall be made. The assignment must not only accommodate the employee's limitations, but also provide benefit to the City. The employee during this period of modified work assignment will maintain his/her permanent position with regular salary, seniority and benefits. Upon release to regular duties, the employee will return to his/her regular assignment.

In the event that an employee is determined to have a permanent restriction and is unable to return to his/her original assignment, they will be evaluated pursuant to State and Federal law.

9.9 Personal Leave

Regular full-time and part-time employees may be granted a personal leave of absence without pay under certain circumstances. A personal leave of absence is an approved period of time away from work for personal reasons that does not fall under the guidelines of the Family and Medical Leave policy, or other leave policy. A personal leave of absence is granted at the discretion of the City Manager and is normally granted to protect the length of service and benefit rights for an employee whose service might otherwise be terminated.

Eligibility

You become eligible for a personal leave of absence after six (6) months of service. If you desire to take a personal leave of absence you must first gain approval of your Department Director.

Length of Leave

The leave may be requested for any time over 30 days. A personal leave of absence starts on the first regular workday following the last day worked.

Request Procedure

A written request should be submitted to your Department Director at least one week (5 working days) in advance of any time not worked which exceeds ten days, except in cases of emergency. Any leave request must include an expected date of return. If you do not return within three days of that date, and no extension has been requested, you will be assumed to have voluntarily resigned.

Pay while on Leave

Personal leaves of absence are without pay. You must exhaust any accrued leave prior to beginning a personal leave of absence, unless authorized by the City Manager.

Status of Benefits

Insurance coverage will not be maintained for you while on a personal leave of absence. You may continue insurance coverage by paying the full premium by the first of each month if continuance of insurance coverage desired. Benefits do not accrue during a leave of absence, but are retained at the same level.

Reinstatement

The organization will attempt to arrange employment for individuals returning from a personal leave of absence, but no guarantees are made. While you are on a personal leave of absence, you are required to check in with your supervisor on a regular basis, to inform us of your status and to notify us of any change in personal data.

9.10 Administrative Leave

There are two types of administrative leave within the City.

Investigations

When situations arise which require review by the City and where the City Manager believes it is in the best interest of the City to temporarily remove an employee from the work environment, however an immediate suspension is inappropriate, the City Manager may authorize an administrative absence with pay. Except in cases where the City is awaiting the results of a fitness for duty examination, Administrative Absence With Pay will normally not exceed thirty (30) consecutive calendar days.

In Lieu of Overtime

Regular, non-represented, FLSA exempt full-time employees are eligible to receive 5 days (40 hours) of administrative leave in lieu of overtime compensation on a calendar year basis. Administrative leave is credited at the beginning of the calendar year and shall be prorated to the nearest hour for newly hired employees. Employees must receive supervisor approval prior to taking administrative leave. Administrative leave must be used within the year credited or forfeited. Administrative leave hours are forfeited upon termination.

9.11 Uniformed Services Leave and Re-Employment

Regular employees requiring a leave of absence for service in the uniformed services are provided leave and will be re-employed at the end of the leave. Policies governing this leave are designed according to the Uniformed Services Leave and Re-employment Act and applicable state regulations. The policy covers those employees who enter active military duty voluntarily and extends to Reservists or National Guard members who are called to limited active duty or extended training duty, including regularly scheduled active duty for training.

Eligibility

All employees of the organization except those hired on a temporary basis are eligible for the leave.

Length of Leave

The length of the military leave is determined by the uniformed services organization calling you to active duty or military encampment.

Request Procedure

You must provide written notice of your obligation or intention to perform service in the uniformed services, unless notice is precluded by military necessity or is otherwise unreasonable or impossible. Failure to do so may result in loss of re-employment rights.

Pay while on Leave

Employees of the City who are members of the Oregon National Guard or any reserve component of the armed forces of the United States are entitled to a paid leave of absence from duties for a period not to exceed fifteen (15) calendar days in any federal fiscal year (October 1 through September 30) for Active Duty Training (ADT) or Inactive Duty Training (IDT), provided the employee is employed at least six months prior to the leave.

Military leaves are without pay unless you elect to utilize vacation, compensatory time, or other benefits earned before commencement of the leave and are otherwise eligible to use such benefits. You must request and obtain approval to leave accrual pay during military leaves of absence.

Status of Benefits

Reservists, National Guard members and veterans returning from military service in the Armed Forces have and retain rights with respect to seniority, vacation, compensation and length of service pay increases, as may be from time to time provided by applicable statutes of the United States and the state of Oregon. You may maintain health care insurance benefits for up to 18 months while on leave by paying the insurance premium through COBRA for any leave extending beyond 30 days.

The City will continue to credit your retirement account on your behalf during periods of active duty if you are currently an active member in the retirement plan.

Reinstatement

If you are returning from a Uniformed Service Leave, you must report to work or request re-employment within prescribed time limits, which are based on the length of the leave:

1 to 30 days: You are expected to report to work on the first regularly scheduled workday following completion of training and you will be reinstated to the same position you held at the time the service leave began.

31 to 180 days: If you are a Reservist or National Guard member returning from initial active duty for training you must submit an application for re-employment within 31 days after release from service under honorable conditions. You will be returned to the same position held at the time the service leave began, provided the leave has been for less than 90 days in length. If 91 days or longer, when you return you will be reinstated to the same job, or comparable job in terms of like seniority, status and pay, as long as you are qualified to perform the duties.

181 days or longer: If you are returning from active duty in the armed services, you must submit an application for re-employment within 90 days after completion of satisfactory service. You will be reinstated to an equivalent position as long as you are qualified to perform the duties and the organization's circumstances have not changed to the extent that it would be impossible or unreasonable to provide re-employment. When returning, you are required to provide documentation to verify your rights to re-employment, including your separation papers. Time limits for application for re-employment are extended for up to two years for disabled veterans.

Failure to file an application within the required time period forfeits the right to re-employment.

9.12 Domestic Violence Leave

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

Types of Services /Treatment

An employee may take leave to seek legal or law enforcement assistance, to secure medical treatment, to obtain counseling, to relocate or to take other reasonable steps to ensure the health and well-being of themselves or their child or legal dependent. Employees who are the victim of domestic violence, sexual assault or stalking may request a reasonable safety accommodation in the work place. A reasonable safety accommodation could include a transfer, reassignment, modified work schedule, unpaid leave, changed work telephone number, changed work station, installed lock or any other adjustment to the job structure, workplace facility or work requirement in response to actual or threatened domestic violence, sexual assault or stalking. The reasonableness of the safety accommodation will depend on the particular circumstances at issue.

Length of Leave

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

Request Procedure

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

Pay While on Leave

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

9.13 Lactation Leave

The City promotes and supports expressing breast milk on its premises, and will support employees' continuation of expressing breast milk upon return to work. Female employees may use up to 30 minutes of unpaid time during every four hour work period to express milk until their babies are 18 months old.

9.14 Veterans Day Leave

An employee who is scheduled to work on Veterans Day and is a veteran as defined in ORS 408.225 may request to take the day off under the following circumstances:

1. The employee must provide the City with at least 21 days prior notice that he/she is requesting Veterans Day off; and
2. The employee must provide the City documentation verifying that he/she is a veteran as defined in ORS 408.225.

The City will do one of the following within 14 calendar days before Veterans Day:

1. Grant the qualifying employee the day off. The employee will be required to use appropriate paid leave to cover his/her absence; or
2. Deny the request to take Veteran's Day off due to the employee's absence causing an undue hardship, such as significant economic or operational disruptions. The employee will be allowed to choose a single day off before the following Veterans Day. The day off must be in addition to any other time off to which the employee would otherwise be entitled. The employee will be required to use appropriate paid leave to cover his/her absence.

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CHAPTER 10

OTHER FRINGE BENEFITS

10.1 Deferred Compensation

The City provides a voluntary deferred compensation plan (457b) through multiple vendors. Contributions may be made pre-tax or post-tax through payroll deduction and are made at no cost to the City. Please contact Human Resources for additional information.

10.2 Wellness

The City recognizes that the health and fitness of all employees contributes to a higher level of morale and performance. The City's Wellness Program is aimed at improving overall employee health and fitness through identification of risk factors, encouragement of physical fitness and lifestyle changes, and ongoing education.

The City's Wellness Program may incorporate the following:

- A Citywide Health Fair,
- Brown bag lunch hour sessions in the summer,
- Free admission to fitness or public swim sessions and water aerobics classes at the Aquatic Center,
- A monthly fitness center subsidy in the amount of \$7.50 (Please note, the fitness subsidy is considered taxable income), and
- Monthly distribution of the Hope Health Letter.

Please contact Human Resources for additional information about any of these services.

10.3 Employee Assistance Program (EAP)

The City makes available to employees an Employee Assistance Program (EAP) designed to assist in the identification and resolution of concerns or problems (personal or job related), which may adversely affect an employee's personal or professional well-being or job performance. These personal concerns may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress and other personal matters. The Employee Assistance Program includes:

- A written directive describing program services; procedures for obtaining program services;
- Confidential, appropriate and timely problem assessment services;
- Referrals to services, either workplace or community resources for appropriate diagnosis, treatment, and follow-up;
- Written procedures and guidelines for referral to and/or mandatory participation; and,
- Training of designated supervisory personnel in the program services, supervisor's role and responsibility, and identification of employee behaviors which would indicate the existence of employee concerns, problems and/or issues that could impact employee job performance.

An employee's referral may either be voluntary, in which the employee elects to participate in the program, or it may be a supervisory referral, in which a supervisor uses agency guidelines to refer an employee into the program. Appropriate measures are taken to ensure confidentiality of records for employees admitted to the program, according to established City policy and state and federal regulations.

10.4 Education & Training

The City supports and advocates continued education and training for every employee to enhance their job performance and assist in their potential career advancement within the City.

Regular employees who have completed their initial probationary period may request reimbursement for the costs of college-level courses, seminars, and conferences relevant to their role in the organization within the following guidelines:

1. Such requests must be made in writing to the Department Director and approved prior to the employee's enrollment or participation. Department Directors must submit requests for approval to the City Manager.
2. Funds for such expenditures must be available in the current budget.
3. The employee may not be receiving reimbursement for tuition from any other source, nor be otherwise compensated for completion of the course by the City.
4. Reimbursement for all classes will be made only if the employee produces a receipt for the cost of the course and evidence indicating attainment of a "C" grade or better for undergraduate classes; a "B" grade or better for post-graduate classes; or passage of the course in a pass/fail course.
5. Reimbursement for college tuition shall be limited to \$400.00 per course up to a maximum of \$2,400 per fiscal year per employee.
6. Courses which are offered only during regular working hours may be approved by the Department Director, provided time off can be arranged and reasonable arrangements can be made to make up the time off.

10.5 Credit Union

Employees and family members are eligible to join the Credit Union immediately upon hire.

10.6 Voluntary Supplemental

The City currently offers several voluntary supplemental insurance plans for employees to consider.

All of the supplemental insurances are offered to regular employees on a post-tax basis. Participation in supplemental insurance plans is voluntary and solely at the employee's expense. Please contact Human Resources for additional information about any of the supplemental benefits.

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CHAPTER 11

ACKNOWLEDGEMENT

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Handbook Receipt Acknowledgment Form

As an employee of the City of Forest Grove, I acknowledge the following things:

1. I have received a copy of the Employee Handbook. I understand that the Handbook contains important information about the City's policies, work rules and my benefits. I also understand that the Handbook outlines my responsibilities as an employee of the City. I also understand that I have the responsibility to read and understand the information in the Handbook, and to ask my supervisor for clarification of any information I do not understand.
2. I understand that this Handbook is not a contract of employment or a guarantee of specific treatment in specific situations. Except for any supplemental safety policies and rules that apply to employees in certain jobs or work areas, or otherwise stated in a written employment contract, I understand that this Handbook supersedes all prior Handbooks, policies and understandings on the subjects contained in it.
3. I understand that unless stated in an employment contract, the City has the right to change, modify, add to, substitute or eliminate, interpret and apply, in its sole judgment, the policies, rules and benefits described in this Handbook. I understand that should the content be changed in any way, the City will require an additional signed acknowledgment from me to indicate that I am aware of the changes.
4. I understand that the Council is the only body authorized to make changes in the policies, rules and benefits described in this Handbook and that all such changes must be in writing to be valid. I also understand that the City Manager is the only person who will ever have the authority to enter into an employment contract, and that all such contracts must be in writing and signed by both parties to be valid.
5. I am aware that I may be given confidential information during the course of my employment, such as customer lists or other information. I understand that this information is critical to the success of the City and I agree not to disseminate or use it outside of the workplace. In the event of my termination, either voluntary or involuntary, I agree not to use this information or communicate it to any other individual, organization or entity.
6. I understand that if there is a possibility that I may drive a vehicle on City business in the course of my employment, my driving record will be monitored to ensure compliance with the City's driving policy outlined in Section 5.7 of this Handbook.

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

Employee Signature

Date

Print Employee's Name

Driver's License Number

Date of Birth



A place where families and businesses thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>10.</u>
MEETING DATE:	_____
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *April 11, 2016*

PROJECT TEAM: *Michael Kinkade, Fire Chief*

SUBJECT TITLE: *Gaston IGA Renewal*

ACTION REQUESTED:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Order	<input checked="" type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Informational
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X all that apply

ISSUE STATEMENT:

In 2015 the City of Forest Grove and the Gaston Rural Fire Protection District entered into a contract for Fire Chief Services. That contract expires in May and requires Council action for renewal.

BACKGROUND:

The Gaston Rural Fire Board is satisfied with the services provided and would like to continue the contract. There have been no complaints made to the Fire Chief from employees, elected officials, volunteers, or citizens of either community regarding the services. Operational standardization and economic benefits have been realized by both agencies. The Fire Chief has successfully managed the additional responsibilities with no negative impacts.

FISCAL IMPACT:

Renewal of this intergovernmental agreement will produce \$33,000 in revenue for the fire department.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution that continues the intergovernmental agreement.

ATTACHMENT(s):

Resolution No. 2015-18
2016 Resolution and IGA

RESOLUTION NO. 2015-18

**RESOLUTION AUTHORIZING CITY MANAGER PRO TEM
TO ENDORSE INTERGOVERNMENTAL AGREEMENT
BETWEEN CITY OF FOREST GROVE AND GASTON RURAL FIRE PROTECTION
DISTRICT FOR FIRE ADMINISTRATIVE SERVICES**

WHEREAS, The Intergovernmental Agreement (IGA) is made pursuant to ORS Chapter 190 that permits local government units to enter into agreements to further economy and efficiency; and

WHEREAS, This IGA is designed to promote efficient coordination and provision of fire and rescue service (Fire Department Services or FDS) to the citizens of Gaston and Forest Grove as well as adjoining rural districts while making efficient use of local fiscal resources; and

WHEREAS, the City of Forest Grove and Gaston Rural Fire Protection District intends to continue the nature and extent of the Fire Department Services that it makes available to its constituents. Cooperation between the City and Gaston will facilitate firefighter safety, administration and operations and make the provision of fire services more cost effective and efficient; and

WHEREAS, The IGA provides for certain conditions that both parties agreed were necessary for the City of Forest Grove to provide a pilot evaluation program for leadership and administrative services for the Gaston Rural Fire Protection District.

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

Section 1. That the City Council hereby approves and authorizes the City Manager Pro Tem to endorse the Intergovernmental Agreement (Exhibit A), between the City of Forest Grove and Gaston Rural Fire Protection District for Fire Administrative Services.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 23rd day of February, 2015.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 23rd day of February, 2015.



Peter B. Truax, Mayor

**GASTON RURAL FIRE PROTECTION DISTRICT
– CITY OF FOREST GROVE
INTERGOVERNMENTAL FIRE DEPARTMENT SERVICES AGREEMENT**

This Agreement is between the Gaston Rural Fire Protection District (Gaston RFPD) and the City of Forest Grove (Forest Grove), each a legal governmental agency operating under the laws of the State of Oregon.

The purpose of this Agreement is to promote and ensure the efficient coordination and provision of fire and rescue service to the patrons of each agency while maximizing the use of local financial resources.

FINDINGS

- a. This Agreement is made under ORS Chapter 190 that permits local government units to enter agreements to further economy and efficiency.
- b. This Agreement provides a structure for collaboration of the fire department services through cooperative administration.
- c. Each agency provides fire and rescue services to their citizens. Residents of each community have frequent contacts in the other community. Each agency provides mutual aid on a regular basis for fire and emergency services to each other.
- d. Forest Grove and Gaston intend to continue the nature and extent of the fire department services that it makes available to its constituents. Cooperation between the agencies will facilitate firefighter safety, administration and operations and make the provision of fire services more cost effective and efficient.
- e. Each department will continue to rely upon a combination of paid staff, volunteers and interns in the provision of services.

AGREEMENT

1. Management

The Gaston RFPD Fire Chief is retiring soon. Gaston RFPD needs experienced, capable and progressive management. Such management resources are available at Forest Grove and Forest Grove is willing to provide them to Gaston RFPD at a reasonable cost.

The management services provided include consultation, problem-solving, budget guidance, mentoring and supervision for Gaston fire personnel. Forest Grove will monitor the Gaston staff and assist with the monitoring and enhancement of the standard operating guidelines and operational procedures. Gaston fire employees may attend Forest Grove Fire staff development and training sessions.

The Forest Grove Fire Chief or his designee will attend and represent the Gaston RFPD at Washington County Fire Defense Board meetings and meetings of the Gaston Rural Fire Protection District and other meetings as needed, estimated to be approximately 5-7 hours per week.

2. Leadership

Forest Grove will assist Gaston RFPD with fire department structure and management issues and evaluate the cost and benefits of this. Related issues may include:

- a. Command and organizational options within the management structure and practices
- b. Fire department strategic planning including staffing patterns, response times and future ISO challenges and opportunities such as fire prevention and community risk reduction programs
- c. Emergency management
- d. Financial planning and budgeting
- e. Coordinated delivery between both agencies.
- f. Training, safety, medical surveillance and fitness programs
- g. Volunteer and intern programs, focusing on recruitment, retention and incentive programs
- h. Fleet maintenance program

3. Compensation

- a. The total amount paid by Gaston Rural Fire Protection District for services for the period of this Agreement will be \$33,000. This compensation will include any professional development, travel or incidental expenses of the Forest Grove necessary for the implementation of this agreement.
- b. Gaston RFPD will budget for these expenditures and reimburse Forest Grove each quarter for the costs of such services. Forest Grove will invoice Gaston RFPD within 30 days of the end of the calendar quarter and Gaston RFPD will pay the invoice within 30 days of receipt.

4. Gaston RFPD Operations

- a. Gaston RFPD employees will remain employees of that district, and will be supervised by the Forest Grove Fire Chief. The Gaston RFPD employee will report to the Forest Grove Fire Chief or his designee.
- b. Gaston RFPD will continue to operate the fire department and pay all costs associated with them.
- c. All Gaston RFPD real and personal property will remain owned and controlled by Gaston RFPD.

5. Records

Each agency will maintain fiscal records relating to this Agreement in accordance with state law and generally accepted public accounting principles. Each agency agrees that the other agency and its representatives will have access to such records and to other books, documents, papers, plans and writings of the other city that relate to this Agreement to perform examinations and audits, and to make excerpts and transcripts.

6. Waiver

The failure of either agency to enforce any provision of this Agreement does not constitute a waiver of it or any provision.

7. Compliance with Laws

Gaston RFPD and Forest Grove will comply with all applicable laws in performing their obligations under this Agreement.

8. Hold Harmless and Indemnification

- a. Gaston RFPD and Forest Grove are each responsible for the acts of their employees and agents under this agreement.
- b. Gaston RFPD and Forest Grove each agree to defend, indemnify and hold harmless the other, and its volunteers, officers, employees, and agents against any and all claims or legal actions that may arise from any act relating to the provision of this Agreement.

9. Dispute Resolution

Gaston RFPD and Forest Grove agree to make good faith efforts to informally resolve any dispute relating to this Agreement. If any dispute is not resolved informally, the districts agree that the dispute will be exclusively settled by arbitration under Oregon law.

10. Term, Review and Amendment

This agreement is effective as soon as it is approved by the governing body of each agency. It contains all the agreements of Gaston RFPD and Forest Grove on this subject. Either agency may at any time request a meeting with the other within 30 days of the request to discuss any provision. This contract automatically cancels 12 months after approval unless extended by mutual agreement by both governing bodies. Any amendment to this Agreement must be in writing and signed by any authorized

representative of each city. This Agreement may be terminated prior to expiration by either party upon 30 days notice. Upon such early termination, the compensation provided for in Section 3 shall be prorated.

Performance of the parties under this agreement will be reviewed according to the following, non-exclusive criteria:

- a) Affect on management staff and communications between the two departments
- b) Ability to meet or exceed response service level standards
- c) Perceived effectiveness by the elected officials.

Signatures:

FOR THE CITY OF FOREST GROVE

FOR THE GASTON RURAL FIRE PROTECTION DISTRICT



Tom E. Gamble, City Manager Pro Tem



TBD, Chairperson
Michael Pedemonte

ATTEST:



Anna D. Ruggles, City Recorder

RESOLUTION NO. 2016-26

**RESOLUTION AUTHORIZING CITY MANAGER TO ENDORSE
INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF FOREST GROVE
AND GASTON RURAL FIRE PROTECTION DISTRICT
FOR FIRE ADMINISTRATIVE SERVICES**

WHEREAS, The Intergovernmental Agreement (IGA) is made pursuant to ORS Chapter 190 that permits local government units to enter into agreements to further economy and efficiency; and

WHEREAS, This IGA is designed to promote efficient coordination and provision of fire and rescue service (Fire Department Services or FDS) to the citizens of Gaston and Forest Grove as well as adjoining rural districts while making efficient use of local fiscal resources; and

WHEREAS, the City of Forest Grove and Gaston Rural Fire Protection District intends to continue the nature and extent of the Fire Department Services that it makes available to its constituents. Cooperation between the City and Gaston will facilitate firefighter safety, administration and operations and make the provision of fire services more cost effective and efficient; and

WHEREAS, The IGA provides for certain conditions that both parties agreed were necessary for the City of Forest Grove to provide a program for leadership and administrative services for the Gaston Rural Fire Protection District.

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

Section 1. That the City Council hereby approves and authorizes the City Manager to endorse the Intergovernmental Agreement (Exhibit A), between the City of Forest Grove and Gaston Rural Fire Protection District for Fire Administrative Services.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 11th day of April, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 2016.

Peter B. Truax, Mayor

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**GASTON RURAL FIRE PROTECTION DISTRICT
– CITY OF FOREST GROVE
INTERGOVERNMENTAL FIRE DEPARTMENT SERVICES AGREEMENT**

This Agreement is between the Gaston Rural Fire Protection District (Gaston RFPD) and the City of Forest Grove (Forest Grove), each a legal governmental agency operating under the laws of the State of Oregon.

The purpose of this Agreement is to promote and ensure the efficient coordination and provision of fire and rescue service to the patrons of each agency while maximizing the use of local financial resources.

FINDINGS

- a. This Agreement is made under ORS Chapter 190 that permits local government units to enter agreements to further economy and efficiency.
- b. This Agreement provides a structure for collaboration of the fire department services through cooperative administration.
- c. Each agency provides fire and rescue services to their citizens. Residents of each community have frequent contacts in the other community. Each agency provides mutual aid on a regular basis for fire and emergency services to each other.
- d. Forest Grove and Gaston intend to continue the nature and extent of the fire department services that it makes available to its constituents. Cooperation between the agencies will facilitate firefighter safety, administration and operations and make the provision of fire services more cost effective and efficient.
- e. Each department will continue to rely upon a combination of paid staff, volunteers and interns in the provision of services.

AGREEMENT

1. Management

The Gaston RFPD Fire Chief retired in 2015. Gaston RFPD needs experienced, capable and progressive management. Such management resources are available at Forest Grove and Forest Grove is willing to provide them to Gaston RFPD at a reasonable cost.

The management services provided include consultation, problem-solving, budget guidance, mentoring and supervision for Gaston fire personnel. Forest Grove will monitor the Gaston staff and review/comment on the standard operating guidelines and operational procedures. Gaston fire employees may attend Forest Grove Fire staff development and training sessions.

The Forest Grove Fire Chief or his designee will attend and represent the Gaston RFPD at Washington County Fire Defense Board meetings and meetings of the Gaston

Rural Fire Protection District and other meetings as needed, estimated to be approximately 5-7 hours per week.

2. Leadership

Forest Grove will assist Gaston RFPD with fire department structure and management issues and evaluate the cost and benefits of this. Related issues may include:

- a. Command and organizational options within the management structure and practices
- b. Fire department strategic planning including staffing patterns, response times and future ISO challenges and opportunities such as fire prevention and community risk reduction programs
- c. Emergency management
- d. Financial planning and budgeting
- e. Coordinated delivery between both agencies.
- f. Training, safety, medical surveillance and fitness programs
- g. Volunteer and intern programs, focusing on recruitment, retention and incentive programs
- h. Fleet maintenance program

3. Compensation

- a. The total amount paid by Gaston Rural Fire Protection District for services for the period of this Agreement is \$33,000 annually. This compensation will include any professional development, travel or incidental expenses of the Forest Grove necessary for the implementation of this agreement.
- b. Gaston RFPD will budget for these expenditures and reimburse Forest Grove each quarter for the costs of such services. Forest Grove will invoice Gaston RFPD within 30 days of the end of the calendar quarter and Gaston RFPD will pay the invoice within 30 days of receipt.

4. Gaston RFPD Operations

- a. Gaston RFPD employees will remain employees of that district, and will be supervised by the Forest Grove Fire Chief. The Gaston RFPD employee will report to the Forest Grove Fire Chief or his designee.
- b. Gaston RFPD will continue to operate the fire department and pay all costs associated with them.
- c. All Gaston RFPD real and personal property will remain owned and controlled by Gaston RFPD.

5. Records

Each agency will maintain fiscal records relating to this Agreement in accordance with state law and generally accepted public accounting principles. Each city agrees that the other city and its representatives will have access to such records and to other books, documents, papers, plans and writings of the other city that relate to this Agreement to perform examinations and audits, and to make excerpts and transcripts.

6. Waiver

The failure of either district to enforce any provision of this Agreement does not constitute a waiver of it or any provision.

7. Compliance with Laws

Gaston RFPD and Forest Grove will comply with all applicable laws in performing their obligations under this Agreement.

8. Hold Harmless and Indemnification

- a. Gaston RFPD and Forest Grove are each responsible for the acts of their employees and agents under this agreement.
- b. Gaston RFPD and Forest Grove each agree to defend, indemnify and hold harmless the other, and its volunteers, officers, employees, and agents against any and all claims or legal actions that may arise from any act relating to the provision of this Agreement.

9. Dispute Resolution

Gaston RFPD and Forest Grove agree to make good faith efforts to informally resolve any dispute relating to this Agreement. If any dispute is not resolved informally, the districts agree that the dispute will be exclusively settled by arbitration under Oregon law.

10. Term, Review and Amendment

This agreement is effective as soon as it is approved by the governing body of each agency. It contains all the agreements of Gaston RFPD and Forest Grove on this subject. Either agency may at any time request a meeting with the other within 30 days of the request to discuss any provision. This contract automatically cancels 12 months after approval unless extended by mutual agreement by both governing bodies. Any amendment to this Agreement must be in writing and signed by any authorized representative of each agency. This Agreement may be terminated prior to expiration by either party upon 30 days notice. Upon such early termination, the compensation provided for in Section 3 shall be prorated.

Performance of the parties under this agreement will be reviewed according to the following, non-exclusive criteria:

- a) Affect on management staff and communications between the two departments
- b) Ability to meet or exceed response service level standards
- c) Perceived effectiveness by the elected officials including input from the Forest Grove and Gaston Rural Fire Protection District.

Signatures

FOR THE CITY OF FOREST GROVE

**FOR THE GASTON RURAL
FIRE PROTECTION DISTRICT**

Jesse VanderZanden, City Manager

Phil Anderson, Chairperson

Date April 11, 2016

Date _____

ATTEST:

Anna D. Ruggles, City Recorder

Date April 11, 2016



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	11, 12 & 13
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: April 11, 2016

PROJECT TEAM: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; and Anna Ruggles, CMC, City Recorder

SUBJECT TITLE: Council Goals and Objectives for FY 2016-17 and Council Team Agreement

ACTION REQUESTED:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Order	<input checked="" type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Informational
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X all that apply

BACKGROUND:

The City Council met in Work Sessions on February 20, March 14 and continued discussions at the work session held on Monday, March 28, 2016. Council has set their Council Key Goals and Council Objectives for FY 2016-17 and has reviewed their Council Team Agreement.

Goals and Objectives for FY 2016-17: Pursuant to City Council Rules of Procedure, Section 16, the City Council shall adopt its Key Council Goals and Council Objectives no later than second regular meeting in March of each year. At the Council meeting held on March 28, 2016, due to time restrictions, Council postponed agenda items to April 11th Council meeting. The Council proposed 12 new Objectives and carried over 13 Objectives from the previous year that were identified as ongoing for 25 Objectives for Fiscal Year 2016-17 (Exhibit A). Once Council adopts its Goals and Objectives, the City Manager will assign the Goals and Objectives to departments and departments will incorporate any significant Council Goals and Objectives into their work plans and make presentations to Council at a later date.

Council Team Agreement: Pursuant to City Charter, Section 11, the City Council must adopt by resolution rules governing its meetings and proceedings and pursuant to Council Rules of Procedures, Section 5.2, there is reference to the Council Team Agreement. The Council Team Agreement (Exhibit A) contains the proposed edits that Council collectively concurred to include at previous work sessions noted above.

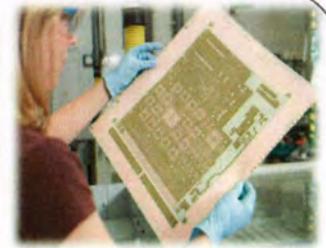
STAFF RECOMMENDATION:

Staff recommends the City Council approve the attached resolutions adopting the Council Key Goals, Council Objectives for FY2016-17 and Council Team Agreement attached as Exhibits A.

Attachment(s):

Resolutions and Exhibits A

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Council Goals and Objectives and Team Agreement

City Council
April 11, 2016

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Purpose of Presentation

- **Prior Council Work Sessions held on February 20 (Retreat); March 14 and March 28, 2016.**
- **Adopt Resolutions approving the Council Goals and Objectives for FY2016-17.**
- **Adopt Resolution approving the Council Team Agreement.**

Council Goals and Objectives

FOREST GROVE CITY COUNCIL									
GOALS AND OBJECTIVES									
<p>City Council has proposed a set of goals and priority objectives for Fiscal Year 2016-17. Once Council adopts the Goals and Objectives, the City Manager shall assign to departments and the objectives become part of the departments' work plans. For Fiscal Year 2016-17, the Council is proposing to carry over 13 objectives and identified 12 new proposed objectives (# shown in Bold) for a total of 25 objectives.</p>									
GOAL 1: PROMOTE SAFE, LIVABLE AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC, GREEN CITY									
		Actions:		Budget:	Time Frame:		Depts:	COUNCIL DIRECTION <i>Proposed</i>	STATUS <i>Proposed Next Steps</i>
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
1.1	Acquisition Process for Land Parcels in Watershed Drainage Areas		◆	\$	■		PW; Admin	Reserve a portion of timber sales for acquisition of land parcels in watershed drainage areas	Develop land acquisition process. Determine percentage of reserves as part of budget process FY2016-17.
1.2	Energy Reduction Programs		◆	\$	■		L&P; PW	1) Residential rebate programs for high efficiency toilets and solar; 2) Continue LED replacement project; and 3) Conduct a wind analysis in watershed	Continue energy conservation efforts and LED replacement project. Conduct analysis's for residential rebate programs for high efficiency toilets and solar. Conduct a wind analysis in watershed.
1.3	Industrial Area Planning		◆	\$	■		CD; ECD; L&E; L&P	Complete feasibility study for industrial area site planning	Continue work to certify readiness of industrial sites and complete area planning
1.4	Multiplex Ballfields			\$	■		P&R; L&E	Determine economic feasibility for multiplex ballfields	Conduct economic feasibility analysis and/or incorporate concept analysis as part of Parks Recreation and Open Space Master Plan

Council Goals and Objectives

GOAL 1 (continued)		Actions:		Budget:	Time Frame:		Depts:	COUNCIL DIRECTION <i>Proposed</i>	STATUS <i>Next Steps</i>
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
1.5	Neighborhood Watch Program			\$	■		PD	Draft a map showing established neighborhoods and Annual Report	Prepare a map showing established neighborhoods. Draft 1-2 page annual executive summary report.
1.6	Parks Recreation and Open Space Master Plan		◆	\$	■		P&R	Continue efforts and draft brochure listing parks/open spaces by location	Continue efforts. Prepare brochure listing parks/open spaces by location. Submit final master plan recommendation to Council.
1.7	Planned Residential Developments		◆		■		CD	Draft simple flow chart for PRD process	Draft a simple flow chart showing the steps of the process in sequential order for PRD.
1.8	Plaza Downtown		◆	\$		■	CD; L&E	Identify concept location	Incorporate concept analysis into URA downtown storefront revitalization program.
1.9	Rogers Park Upgrades		◆	\$	■		P&R	Complete renovation efforts in FY16-17	Issue an RFP for renovations including, but not limited to, new restroom facilities and playground equipment.
1.10	Staff Succession Planning				■		Admin; L&E	Draft succession planning guidelines for staff	Draft 1-2 page executive summary report outlining procedural guidelines for staff succession planning efforts.
1.11	Urban Renewal Agency Downtown Storefront Revitalization Program		◆	\$	■		CD; ECD; Eng	Draft downtown storefront revitalization program	Draft downtown storefront revitalization program. Hold URA work session.

Council Goals and Objectives

GOAL 2: PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN EFFECTIVE SERVICE LEVELS OF A FULL-SERVICE CITY									
		Actions:		Budget:	Time Frame:		Dept	COUNCIL DIRECTION <i>Proposed</i>	STATUS <i>Next Steps</i>
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
2.12	Capital Improvement Projects		◆	\$	■		PW; L&E; Admin	Develop a list and financial plan/policy for CIP Projects	Draft 1-2 page executive summary report listing long-term CIP projects. Draft a financial plan/policy.
2.13	City Full-Service Definition		◆		■		L&E; Admin; CD	Annual Town Meeting (ATM) topic and format	Schedule joint work session with Committee for Citizen Involvement regarding ATM format and topic.
2.14	Community Services Local Option Levy Renewal		◆	\$	■		Admin; L&E; FD; PD; Lib; P&R	Preparation for local option levy renewal	Draft 1-2 page executive summary report outlining process and potential election dates for submitting local option levy to voters and schedule Council work session discussion.
2.15	Fire Authority IGA		◆	\$	■		FD; Admin; L&E	Draft Fire Authority IGA. Compare costs to TVF&R.	Draft Fire Authority IGA. Compare costs to TVF&R. Continue work session discussions with Council.
2.16	Forest Grove Senior and Community Center		◆	\$	■		Admin; L&E	Review Senior Center financial request as part of budget process FY2016-17	Review Senior Center financial request as part of budget process FY2016-17.
2.17	Police Department Facility		◆	\$	■		Admin; L&E; PD	Continue request for proposal (RFP) for planning and design	Release RFP. Continue work session discussions with Council.

Council Goals and Objectives

GOAL 3: PROMOTE THE INTERESTS AND NEEDS OF FOREST GROVE IN LOCAL, STATE, AND NATIONAL AFFAIRS									
		Actions:		Budget:	Time Frame:		Dept	COUNCIL DIRECTION <i>Proposed</i>	STATUS <i>Next Steps</i>
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
3.18	Affordable Housing				■		CD	1) Participate in local and regional efforts; 2) draft white paper; and 3) review code for tiny houses	<i>Draft white paper for Council review that outlines city's efforts.</i>
3.19	City Charter Review	◆	◆	\$	■		Admin; L&E	Conduct Charter review	<i>Hold work session for the purpose of seeking direction from Council.</i>
3.20	City Success Stories				■		Admin; L&E	Boast City success stories	<i>Review and revamp City website.</i>
3.21	Council Academy	◆	◆	\$	■		L&E	Discuss viability of a Council Academy	<i>Hold work session for the purpose of seeking content and concept from Council.</i>
3.22	Fernhill Wetlands Research & Education Center		◆	\$	■		Admin; L&E	City anticipated funding participation	<i>Initiate joint meeting with Clean Water Services to discuss feasibility and next steps.</i>
3.23	Legislative Priorities; Local, State, Regional & National			\$	■		L&E	Continue supporting legislative-related efforts	<i>Continue supporting legislative-related efforts.</i>
3.24	Tourism			\$	■		ECD; L&E	Enhance collaboration efforts with FG/Cornelius Chamber	<i>Establish a private-public work group for tourism collaboration efforts with FG/Cornelius Chamber.</i>
3.25	Transportation		◆	\$	■		CD; Eng	1) List of strategically important transportation projects; and 2) Economic feasibility of transferring county roads to city jurisdiction	<i>Draft list of strategically important transportation projects. Conduct economic feasibility analysis for transferring county roads to city jurisdiction.</i>

CITY COUNCIL TEAM AGREEMENT

Pursuant to Resolution No. 2016-23, the Agreements for Conducting Council Meetings and Business

Team Agreement Page 1

1. Attendance at Council meetings is first priority; if unable to attend, please contact the City Recorder.
2. Be on time to meetings and read the packet prior to the meeting - be prepared to work.
3. Mayor will take the lead in keeping the meeting and discussion focused.
4. Distribute information in advance of Council discussion.
5. Mayor will recognize Councilors when indicating they wish to speak.
6. Put a time limit on audience testimony and ask them not to repeat previous speakers.
7. Use formal procedure (point of order, call for question, etc.) to focus the meeting. Formal procedure may be used when necessary for effective discussion in lieu of Council's usual, more informal, process. Individuals should use procedure appropriately and courteously.
8. Council meetings are televised live; this requires Council to act professionally by:
 - Treating the public and each other with courtesy;
 - Speaking in turn and on the issue;
 - No interrupting;
 - No engaging in side conversations; and
 - No use of personal communication electronic devices while conducting business at the dais.
9. Refrain from personal attacks, including to presenters, staff, and Council.
10. Agree to be diplomatic about disagreement; leave disagreement at the dais and do not try to polarize other Councilors.
11. Call the City Manager or designee with questions and requests prior to the meeting.
12. Information available to one council member will be available to all, in a timely manner.
13. Every effort shall be made to adjourn meetings by 9:30 p.m. Council recess shall be called if meeting extends past 9:30 p.m.
14. Councilors may request on their own accord one-on-one meetings with the Mayor.

Individual Council Member Conduct Agreements

Council Members agree to:

- Be straightforward about goals and issues.
- Cultivate exchange of views with other councilors.
- Avoid saying or doing anything that would discredit or harm the City.

Commitments as a Council

Council strives to:

- Continue to improve citizen involvement, awareness and participation.
- Improve follow-up and resolution of citizen concerns or complaints.
- Act as an advocate for the City.

Governing Provisions:

- **City Charter:**

- Section 10, Council Rules: “The Council must adopt by resolution rules to govern its meetings and proceedings.”

- **City Council Rules of Procedure:**

- Section 5, 5.2, Councilors: “Councilmembers shall preserve order and decorum during Council meetings, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer, Council Rules, and Council Team Agreement...”
- Section 16.1: 1) Goal Setting Parameters – The City Council shall set its goals annually. The goals shall include Short-term Goals and Objectives that the Council plans on completing within the next 12 months and Long-term Goals and Objectives that the Council plans to work on during their term of office and/or future goals and objectives that may take longer to complete. 2) Adoption – Council Goals and Objectives shall be adopted at a regular meeting of the City Council no later than the second regular session in March of the year.

RESOLUTION NO. 2016-21**RESOLUTION OF THE CITY OF FOREST GROVE CITY COUNCIL
ADOPTING CITY COUNCIL GOALS FOR FISCAL YEAR 2016-17**

WHEREAS, pursuant to City Council Rules of Procedure, Section 16, the City Council must set its Council Goals annually; and

WHEREAS, the Forest Grove City Council held an Annual Town Meeting on January 30, 2016; and

WHEREAS, the Forest Grove City Council and Management Team met in Goal-Setting Work Sessions on February 20, March 14 and March 28, 2016, to discuss setting goals for the next fiscal year; and

WHEREAS, the City Council has determined three goals for Fiscal Year 2016-17 as attached in Exhibit A.

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

Section 1. That the City of Forest Grove City Council hereby adopts the City Council Goals for Fiscal Year 2016-17 as follows (Exhibit A):

- GOAL 1 Promote Safe, Livable, and Sustainable Neighborhoods
and a Prosperous Dynamic, Green City**
- GOAL 2 Promote a Prudent Financial Plan to Maintain Effective
Service Levels of a Full-Service City**
- GOAL 3 Promote the Interests and Needs of Forest Grove
in Local, State, and National Affairs**

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 11th day of April, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 2016.

Peter B. Truax, Mayor



A place where families and businesses thrive.

CITY COUNCIL GOALS 2016-17

**Promote Safe, Livable and
Sustainable Neighborhoods and
a Prosperous Dynamic, Green City**

**Promote a Prudent Financial Plan to
Maintain Effective Service Levels
of a Full-Service City**

**Promote the Interests and Needs of
Forest Grove in Local, State, and
National Affairs**



RESOLUTION NO. 2016-22

**RESOLUTION OF THE CITY OF FOREST GROVE CITY COUNCIL
ADOPTING CITY COUNCIL GOAL OBJECTIVES FOR FISCAL YEAR 2016-17**

WHEREAS, the City Council adopted three key Council Goals for Fiscal Year 2016-17 pursuant to Resolution No. 2016-21; and

WHEREAS, the City Council and Management Team met in Council Goal Setting Work Sessions on February 20, March 14 and March 28, 2016, to discuss setting goals and objectives for Fiscal Year 2016-17; and

WHEREAS, the City Council has identified the City Council Goal Objectives for Fiscal Year 2016-17 as attached in Exhibit A.

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

Section 1. That the City of Forest Grove City Council hereby adopts the City Council Goal Objectives for Fiscal Year 2016-17 as attached in Exhibit A.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 11th day of April, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of March, 2016.

Peter B. Truax, Mayor

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FOREST GROVE CITY COUNCIL

GOALS AND OBJECTIVES

City Council has proposed a set of goals and priority objectives for Fiscal Year 2016-17. Once Council adopts the Goals and Objectives, the City Manager shall assign to departments and the objectives become part of the departments' work plans. For Fiscal Year 2016-17, the Council is proposing to carry over 13 objectives and identified 12 new proposed objectives (# shown in **Bold**) for a total of 25 objectives.

GOAL 1: PROMOTE SAFE, LIVABLE AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC, GREEN CITY

		Actions:		Budget:	Time Frame:		Depts:	COUNCIL DIRECTION <i>Proposed</i>	STATUS <i>Proposed Next Steps</i>
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
1.1	Acquisition Process for Land Parcels in Watershed Drainage Areas		◆	\$	■		PW; Admin	Reserve a portion of timber sales for acquisition of land parcels in watershed drainage areas	<i>Develop land acquisition process. Determine percentage of reserves as part of budget process FY2016-17.</i>
1.2	Energy Reduction Programs		◆	\$	■		L&P; PW	1) Residential rebate programs for high efficiency toilets and solar; 2) Continue LED replacement project; and 3) Conduct a wind analysis in watershed	<i>Continue energy conservation efforts and LED replacement project. Conduct analysis's for residential rebate programs for high efficiency toilets and solar. Conduct a wind analysis in watershed.</i>
1.3	Industrial Area Planning		◆	\$	■		CD; ECD; L&E; L&P	Complete feasibility study for industrial area site planning	<i>Continue work to certify readiness of industrial sites and complete area planning</i>
1.4	Multiplex Ballfields			\$	■		P&R; L&E	Determine economic feasibility for multiplex ballfields	<i>Conduct economic feasibility analysis and/or incorporate concept analysis as part of Parks Recreation and Open Space Master Plan</i>

Resolution No. 2016-22, Exhibit A

GOAL 1 (continued)		Actions:		Budget:	Time Frame:		Depts:	COUNCIL DIRECTION Proposed	STATUS Next Steps
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
1.5	Neighborhood Watch Program			\$	■		PD	Draft a map showing established neighborhoods and Annual Report	Prepare a map showing established neighborhoods. Draft 1-2 page annual executive summary report.
1.6	Parks Recreation and Open Space Master Plan		◆	\$	■		P&R	Continue efforts and draft brochure listing parks/open spaces by location	Continue efforts. Prepare brochure listing parks/open spaces by location. Submit final master plan recommendation to Council.
1.7	Planned Residential Developments		◆		■		CD	Draft simple flow chart for PRD process	Draft a simple flow chart showing the steps of the process in sequential order for PRD.
1.8	Plaza Downtown		◆	\$		■	CD; L&E	Identify concept location	Incorporate concept analysis into URA downtown storefront revitalization program.
1.9	Rogers Park Upgrades		◆	\$	■		P&R	Complete renovation efforts in FY16-17	Issue an RFP for renovations including, but not limited to, new restroom facilities and playground equipment.
1.10	Staff Succession Planning				■		Admin; L&E	Draft succession planning guidelines for staff	Draft 1-2 page executive summary report outlining procedural guidelines for staff succession planning efforts.
1.11	Urban Renewal Agency Downtown Storefront Revitalization Program		◆	\$	■		CD; ECD; Eng	Draft downtown storefront revitalization program	Draft downtown storefront revitalization program. Hold URA work session.

GOAL 2: PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN EFFECTIVE SERVICE LEVELS OF A FULL-SERVICE CITY

		Actions:		Budget:	Time Frame:		Dept	COUNCIL DIRECTION <i>Proposed</i>	STATUS <i>Next Steps</i>
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
2.12	Capital Improvement Projects		◆	\$	■		PW; L&E; Admin	Develop a list and financial plan/policy for CIP Projects	<i>Draft 1-2 page executive summary report listing long-term CIP projects. Draft a financial plan/policy.</i>
2.13	City Full-Service Definition		◆		■		L&E; Admin; CD	Annual Town Meeting (ATM) topic and format	<i>Schedule joint work session with Committee for Citizen Involvement regarding ATM format and topic.</i>
2.14	Community Services Local Option Levy Renewal		◆	\$	■		Admin; L&E; FD; PD; Lib; P&R	Preparation for local option levy renewal	<i>Draft 1-2 page executive summary report outlining process and potential election dates for submitting local option levy to voters and schedule Council work session discussion.</i>
2.15	Fire Authority IGA		◆	\$	■		FD; Admin; L&E	Draft Fire Authority IGA. Compare costs to TVF&R.	<i>Draft Fire Authority IGA. Compare costs to TVF&R. Continue work session discussions with Council.</i>
2.16	Forest Grove Senior and Community Center		◆	\$	■		Admin; L&E	Review Senior Center financial request as part of budget process FY2016-17	<i>Review Senior Center financial request as part of budget process FY2016-17.</i>
2.17	Police Department Facility		◆	\$	■		Admin; L&E; PD	Continue request for proposal (RFP) for planning and design	<i>Release RFP. Continue work session discussions with Council.</i>

GOAL 3: PROMOTE THE INTERESTS AND NEEDS OF FOREST GROVE IN LOCAL, STATE, AND NATIONAL AFFAIRS

		Actions:		Budget:	Time Frame:		Dept	COUNCIL DIRECTION <i>Proposed</i>	STATUS <i>Next Steps</i>
		Needs Direction	Council Action	Fiscal Impact	1-3 Years	4+ Years	Assigned		
3.18	Affordable Housing				■		CD	1) Participate in local and regional efforts; 2) draft white paper; and 3) review code for tiny houses	<i>Draft white paper for Council review that outlines city's efforts.</i>
3.19	City Charter Review	◆	◆	\$	■		Admin; L&E	Conduct Charter review	<i>Hold work session for the purpose of seeking direction from Council.</i>
3.20	City Success Stories				■		Admin; L&E	Boast City success stories	<i>Review and revamp City website.</i>
3.21	Council Academy	◆	◆	\$	■		L&E	Discuss viability of a Council Academy	<i>Hold work session for the purpose of seeking content and concept from Council.</i>
3.22	Fernhill Wetlands Research & Education Center		◆	\$	■		Admin; L&E	City anticipated funding participation	<i>Initiate joint meeting with Clean Water Services to discuss feasibility and next steps.</i>
3.23	Legislative Priorities; Local, State, Regional & National			\$	■		L&E	Continue supporting legislative-related efforts	<i>Continue supporting legislative-related efforts.</i>
3.24	Tourism			\$	■		ECD; L&E	Enhance collaboration efforts with FG/Cornelius Chamber	<i>Establish a private-public work group for tourism collaboration efforts with FG/Cornelius Chamber.</i>
3.25	Transportation		◆	\$	■		CD; Eng	1) List of strategically important transportation projects; and 2) Economic feasibility of transferring county roads to city jurisdiction	<i>Draft list of strategically important transportation projects. Conduct economic feasibility analysis for transferring county roads to city jurisdiction.</i>

RESOLUTION NO. 2016-23

**RESOLUTION OF THE CITY OF FOREST GROVE CITY COUNCIL
ADOPTING CITY COUNCIL TEAM AGREEMENT**

WHEREAS, the Forest Grove City Council is the duly elected governing body for the City of Forest Grove; and

WHEREAS, the City Charter, Section 10, specifies that the City Council shall determine its own set of rules to govern its meetings and proceedings beyond those specified in the Charter; and

WHEREAS, the Council Rules of Procedures, Section 5, specifies the rules of decorum and order; and

WHEREAS, the City Council met in Council Work Sessions on February 20, March 14 and March 28, 2016, and collectively reviewed and discussed their Council Team Agreement; and

WHEREAS, the City Council desires to adopt their Council Team Agreement attached as Exhibit A.

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

Section 1. That the City of Forest Grove City Council hereby adopts their City Council Team Agreement attached as Exhibit A.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 11th day of April, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of April, 2016.

Peter B. Truax, Mayor

CITY COUNCIL TEAM AGREEMENT

Pursuant to Resolution No. 2016-23, the Agreements for Conducting Council Meetings and Business

1. Attendance at Council meetings is first priority; if unable to attend, please contact the City Recorder.
2. Be on time to meetings and read the packet prior to the meeting - be prepared to work.
3. Mayor will take the lead in keeping the meeting and discussion focused.
4. Distribute information in advance of Council discussion.
5. Mayor will recognize Councilors when indicating they wish to speak.
6. Put a time limit on audience testimony and ask them not to repeat previous speakers.
7. Use formal procedure (point of order, call for question, etc.) to focus the meeting. Formal procedure may be used when necessary for effective discussion in lieu of Council's usual, more informal, process. Individuals should use procedure appropriately and courteously.
8. Council meetings are televised live; this requires Council to act professionally by:
 - Treating the public and each other with courtesy;
 - Speaking in turn and on the issue;
 - No interrupting;
 - No engaging in side conversations; and
 - No use of personal communication electronic devices while conducting business at the dais.
9. Refrain from personal attacks, including to presenters, staff, and Council.
10. Agree to be diplomatic about disagreement; leave disagreement at the dais and do not try to polarize other Councilors.
11. Call the City Manager or designee with questions and requests prior to the meeting.
12. Information available to one council member will be available to all, in a timely manner.
13. Every effort shall be made to adjourn meetings by 9:30 p.m. Council recess shall be called if meeting extends past 9:30 p.m.
14. Councilors may request on their own accord one-on-one meetings with the Mayor.

Individual Council Member Conduct Agreements

Council Members agree to:

- Be straightforward about goals and issues.
- Cultivate exchange of views with other councilors.
- Avoid saying or doing anything that would discredit or harm the City.

Commitments as a Council

Council strives to:

- Continue to improve citizen involvement, awareness and participation.
- Improve follow-up and resolution of citizen concerns or complaints.
- Act as an advocate for the City.