



CITY OF CENTRAL POINT

Oregon

City Council Meeting Agenda Thursday, January 14, 2021

Next Res(1652) Ord (2072)

Swearing in was done prior to the Council Meeting.

- I. **REGULAR MEETING CALLED TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **PUBLIC COMMENTS**

Public comment is for non-agenda items. If you are here to make comments on a specific agenda item, you must speak at that time. Please limit your remarks to 3 minutes per individual, 5 minutes per group, with a maximum of 20 minutes per meeting being allotted for public comments. The council may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. Complaints against specific City employees should be resolved through the City's Personnel Complaint procedure. The right to address the Council does not exempt the speaker from any potential liability for defamation.

- V. **CONSENT AGENDA**

- A. **Approval of December 10, 2020 City Council Minutes**

- B. Approval of Re-appointments to Committees and Commissions

- VI. **ITEMS REMOVED FROM CONSENT AGENDA**

- VII. **ORDINANCES, AND RESOLUTIONS**

- A. Resolution No. _____, A Resolution Approving the Revised Management Compensation Plan and July 1, 2020 - June 30, 2021 Classification Pay Plan (Simas)
 - B. Resolution No. _____, A Resolution Approving the 2021 Rules of the City Council and Code of Ethics (Clayton)
 - C. Resolution No. _____, A Resolution of the City of Central Point, Oregon Granting a Non-Exclusive Franchise to Qwest Corporation D/B/A CenturyLink QC (Dreyer)

- VIII. **BUSINESS**

- A. Election of 2021 Council President (Clayton)
 - B. Local City Council Committee and Board Assignments 2021 (Clayton)
 - C. Citizen Advisory Committee Appointment (Clayton)

Mayor
Hank Williams

Ward I
Neil Olsen

Ward II
Kelley Johnson

Ward III
Melody Thueson

Ward IV
Tanea Browning

At Large
Rob Hernandez

At Large
Michael Parsons

D. Property Tax Update (Weber)

IX. MAYOR'S REPORT

X. CITY MANAGER'S REPORT

XI. COUNCIL REPORTS

XII. DEPARTMENT REPORTS

XIII. EXECUTIVE SESSION

The City Council will adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XIV. ADJOURNMENT

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail to Deanna.casey@centralpointoregon.gov.

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201

CITY OF CENTRAL POINT

Oregon

City Council Meeting Minutes Thursday, December 10, 2020

I. REGULAR MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Hank Williams

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Attendee Name	Title	Status	Arrived
Hank Williams	Mayor	Remote	
Neil Olsen	Ward I	Present	
Kelley Johnson	Ward II	Remote	
Melody Thueson	Ward III	Remote	
Taneea Browning	Ward IV	Remote	
Rob Hernandez	At Large	Remote	
Michael Parsons	At Large	Remote	

Staff members present: City Manager Chris Clayton; City Attorney Sydnee Dreyer; Finance Director Steve Weber; Police Chief Kris Allison; Police Captain Dave Croft; Parks and Public Works Director Matt Samitore; Community Development Director Tom Humphrey; Community Planner II Justin Gindlesperger; IT Director Jason Richmond; and City Recorder Deanna Casey.

IV. PUBLIC COMMENTS

1. John Eaton

Mr. Eaton has been a resident in Central Point for 8 years. He is concerned about the timing of the solicitation for the Dennis Richardson Memorial. Everyone is having a hard time financially right now due to COVID. He feels the city should return with a request for donations after the pandemic.

V. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Taneea Browning, Ward IV
SECONDER:	Rob Hernandez, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

A. Approval of November 19, 2020 City Council Minutes

B. Approval of 2020 City Surplus List - Donation to City of Rogue River

VI. PUBLIC HEARING

Minutes Acceptance: Minutes of Dec 10, 2020 7:00 PM (CONSENT AGENDA)

A. Resolution No. _____, A Resolution of the City of Central Point approving the 2020 Water Master Plan

Parks and Public Works Director Matt Samitore explained that the Water System Master Plan update includes two primary steps 1) revise the existing hydraulic computer model of the city water system and 2) update the current Master Plan that provides the basis for a Capital Improvements Plan (CIP). The model is intended to serve as a tool for the City's evaluation, planning, and design activities. The Master Plan outlines the projects needed to improve and expand the water system in the most cost-effective manner over the next twenty years (2040).

The analysis produced no new significant improvements that were not previously anticipated by city staff. The city has been upgrading its water system for the past 20 years on a regular basis. The next few years will include the following improvements:

- New 2.5-3 Million Gallon Reservoir needed after 2030 with a new pump station at Beall Lane.
- Seismic resiliency at several creek crossings to ensure adequate water flow in case of the Cascadia Event.

The only financial implication at this time associated with the master plan is an update to the City's Water SDC's. There is an anticipated SDC increase scheduled for 2021. The new Reservoir and pump station will be discussed in 2031 when the existing bond for the Vilas Reservoir and pump station is paid off.

Kelley Johnson moved to approve Resolution No. 1649, A Resolution Approving the 2020 Water Master Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelley Johnson, Ward II
SECONDER:	Melody Thueson, Ward III
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

VII. ORDINANCES, AND RESOLUTIONS

A. Resolution No. _____, A Resolution Canvassing the Votes Cast at the General Election Held November 3, 2020

City Manager Chris Clayton explained the Charter requires that the City Council canvass all election returns at the first regularly scheduled meeting following receipt from the County Clerk of the certification of election results. The City Recorder received the election report from Jackson County on November 28, 2018. The proposed resolution specifies who won the election for each position presented to the voters of Central Point.

Rob Hernandez moved to approve Resolution No. 1650, A Resolution Canvassing the Votes Cast at the General Election Held November 3, 2020.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Hernandez, At Large
SECONDER:	Michael Parsons, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

B. Natural Hazard Mitigation Plan

The City's Natural Hazard Mitigation Plan (NHMP) was last acknowledged in 2011, and should to be updated in accordance with the Disaster Mitigation Act of 2000 and the Federal Emergency Management Agency (FEMA) *Local Mitigation Planning Handbook*. It is important to update and assure that the mitigation strategies account for changes in the community as growth occurs and new information is available about hazards and mitigation best practices. It also helps to assure that the mitigation strategies align with the community vision, values and resource availability. By keeping the NHMP updated, the City of Central Point is eligible to receive non-emergency related disaster funding sources through FEMA.

Access to these resources can be critical in leveraging limited resources to help protect people and property in Central Point. Additionally NHMP planning helps the City keep flood insurance premiums lower community-wide. Following the events of the Alameda Fire in September, the CAC and Planning Commission members expressed concerns about evacuation routes, clean-up and maintenance along the Bear Creek Greenway, and subdivision development regulations for water supply and gas shut-off valves.

Council expressed the same concerns and would like staff to review the updated mitigation plan and provide an overview of the natural hazards and the expected impacts to Central Point. The Plan includes an introduction to natural hazard risks, risk assessments and the hazard profiles for Central Point.

Melody Thueson moved to approve Resolution No. 1651, A Resolution by the City Council of Central Point Adopting the 2020 Natural Hazard Mitigation Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melody Thueson, Ward III
SECONDER:	Rob Hernandez, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

VIII. BUSINESS

A. Planning Commission Report

Community Development Director Tom Humphrey presented the Planning Commission Report for December 1, 2020:

- The Council discussed and selected dates for a joint Planning Commission meeting with Jackson County for the Central Point Urban Growth Boundary Amendment. They have agreed both meetings to be in February.
- The January Planning Commission meeting will be moved to the 3rd Tuesday of January because of the holidays.
- The Commission was updated on various new development projects around

town.

RESULT: FOR DISCUSSION ONLY

B. Parking Permit Program - Discussion Item Only

City Attorney Sydnee Dreyer explained that over the past year the city has received numerous complaints regarding parking issues on Good Fortune Drive. There have been multiple broken-down RV's, vans and vehicles parked in the public right-of-way. There were fairly large "debris fields" surrounding these vehicles creating obstruction in the travel lanes. Good Fortune Drive is regularly used by Semi-Trucks going to Pilot Gas Station.

Staff is suggesting we create a parking district limiting the parking on Good Fortune Road to 4 hours and giving the option to businesses to purchase parking passes allowing their customers to park longer. Mrs. Dreyer explained several examples of different parking options from other cities. We could set up districts and the businesses can apply to the city for the permits and distribute them as needed.

There was discussion about where the transients will go if we don't allow them to park in this location. Chief Allison stated that we provide information for shelters and assistance if they are in need. Staff will work on a draft program and return to the January Study Session.

RESULT: FOR DISCUSSION ONLY

C. Skate Park Closure Rules Discussion

Parks and Public Works Director Matt Samitore explained that the city has had an ongoing problem with the Skate Board Park over the past several month. The issues include littering and vandalism, inappropriate language and slander to city staff and the public, there has been damage to the facility. Staff has installed a temporary fence around the facility with the ability to close the park if issues persist.

The Park Commission created a list of rules to add to the current skate park rules and what would cause the park to be shut down. Council can designate the length of time we would keep it shut down. Staff explained that this has been a constant problem with the skate park over the years. There are always challenges when you get young and old skaters together without supervision.

Citizen John Eaton:

Mr. Eaton stated that he is a part time coach for Jujitsu. Our kids need to have things to do. He would like to ask the Council to reach out to the kids and ask for compliance before shutting the facility. If you close the park now they will find a place to go that is not meant for skating. Please don't take away another option for our kids.

There was discussion about the issues at the park. Council is not in favor of closing the park and taking away things for our kids to do. However the

vandalism and slander to city staff cannot continue. Council is in favor of adopting the additional rules and closing the park for two weeks if necessary.

Staff explained that we have put a lot of time and resources into this issue. Currently this is the worst it has been over the years. It was agreed that the park should be closed from dusk to dawn over the holidays. We recently received the new cameras for the park that should be installed next week.

Kelley Johnson moved to approve the recommended Skate Park Rules.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelley Johnson, Ward II
SECONDER:	Michael Parsons, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

D. CARES Act Funding Status

Finance Director Steve Weber updated the council on the allocation of CARES funding. The city entered into an intergovernmental agreement with the State of Oregon Department of Administrative Services (DAS) for the City's allocation of CRF resources in the amount of \$550,024.36. The funds have been used to reimburse the city for eligible expenditures. After the program period ends, a supplemental budget will be brought to the City Council.

If there are more stimulus funds approved the city would like to see more donations to our partners like St. Vincent De Paul and other service industries.

RESULT:	FOR DISCUSSION ONLY
----------------	----------------------------

IX. MAYOR'S REPORT

Mayor Williams reported that he attended LOC Virtual meetings.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- A recent report shows that all the cities in the valley have been using less water this year. Medford Water Commission will be raising rates to keep their budgets level.
- We will be including the Sr. Center for in our next CARES distribution.
- FEMA has provided photo examples of the RVs and temporary housing options that they are providing.
- The finalized Strategic Plan copies are available.
- Staff is researching options for including the greenway into the Urban Renewal Boundary. We will be working with the County to take jurisdiction of the Greenway so that we can keep it clear of blackberry bushes and transient camps.

XI. COUNCIL REPORTS

Minutes Acceptance: Minutes of Dec 10, 2020 7:00 PM (CONSENT AGENDA)

Council Member Mike Parsons reported that he attended the tree lighting and a virtual Parks and Recreation Commission meeting.

Council Member Kelley Johnson reported that she attended virtual LOC meetings and thanked Chief Allison and our Officers on the work they have been doing for the transient traffic in her neighborhood.

Council Member Melody Thueson reported that she attended the School Board meeting. They are spending Bond money on new intercom systems, and updating the HVAC system.

Council Member Tanea Browning reported that:

- She attended the Black Alliance meeting.
- She attended a Greenway tour of Boes Park. It is an amazing space.
- They are going to have baby goats at the Arboretum to help with fire suppression.

Council Member Rob Hernandez attended the tree lighting and the Boes Park tour.

Council Member Neil Olsen reported that there is good news on COVID vaccines.

XII. DEPARTMENT REPORTS

City Attorney Sydnee Dreyer stated that on December 8th Jackson County closed all of the greenway except for the bike path to the public. This is to allow the new vegetation to take hold.

There were no other staff reports.

XIII. EXECUTIVE SESSION ORS 192.660

Mike Parsons moved to adjourn to Executive Session under ORS 192.660 (2)(i) Employee Evaluations; (2)(e) Real Property Transactions; and (2)(h) Legal Counsel. Tanea Browning seconded and the meeting was adjourned to Executive Session at 8:40 p.m.

A. **(2)(e) Real Property Transactions**

E. **(2)(h) Legal Counsel**

F. **Motion to:** (2)(i) Employee Evaluations

Council Returned to regular session at 9:50 p.m.

City Manager Chris Clayton stated that he will return to Council with an update to the management compensation plan.

Council Member Mike Parsons moved to approve an amendment to City Manager Chris Clayton's employment contract increasing his salary by 2.5% and authorizing the Mayor to execute said agreement on behalf of the City.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Parsons, At Large
SECONDER:	Taneeea Browning, Ward IV
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

XIV. ADJOURNMENT

Neil Olsen moved to adjourn, all said "aye" and the meeting was adjourned at 9:57 p.m.

The foregoing minutes of the December 10, 2020, Council meeting were approved by the City Council at its meeting of _____, 2020.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Minutes Acceptance: Minutes of Dec 10, 2020 7:00 PM (CONSENT AGENDA)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:**
Administration

FROM: Chris Clayton, City Manager

MEETING DATE: January 14, 2021

SUBJECT: Approval of Re-appointments to Committees and Commissions

ACTION REQUIRED: Motion **RECOMMENDATION:**

It is time to reappoint members and a chairperson for various committees. This consent agenda item is for re-appointments and chair appointments only.

Planning Commission

The term for Brad Cozza and Jim Mock expired on December 31, 2020. Staff has received word from both Mr. Cozza and Mr. Mock that they would like to remain on the Planning Commission.

Tom Van Voorhes is the current Chair of the Commission.

Current members are:	Tom Van Voorhees	Amy Moore	Brad Cozza
	Kay Harrison	Patrick Smith	Chris Richey
	Jim Mock		

Staff recommends reappointment of Brad Cozza to Position 1 and Jim Mock to Position 6 with expiration dates of December 31, 2024.

Staff recommends reappointment of Tom Van Voorhees as Planning Commission Chair.

Park and Recreation Commission

The term for Jennifer Horton expired on December 31, 2020. The City has contacted Mrs. Horton who would like to be re-appointed to the Commission. Park Commission appointments are for three year terms.

Current members are:	Patricia Alvarez	Dennis Browning	Lee Orr
	Fran Cordeiro-Settell	Carl Orndoff	Sharon Rogers
			Steph Hendrickson

Staff recommends re-appointment of Jennifer Horton with term ending December 31, 2023.

Staff recommends re-appointment of Patricia Alvarez as Chair.

Citizens Advisory Committee

The Citizens Advisory Committee members do not have annual appointments. The Council and Mayor are required to appoint a Chair for this committee. David Painter has been Chair of the CAC for several years and staff would recommend reappointment of him as chair for 2021. There are currently two vacancies on the CAC. Staff has been advertising and will present recommendations later in the meeting.

Current Members:

David Painter	Cinda Harmes
Patrick Smith	Caitlin Finley-Butler

Staff recommends appointment of David Painter as CAC Chair.

ACTION:

Approve the Consent Agenda as presented.



City of Central Point **Staff Report to Council**

ISSUE SUMMARY

TO: City Council **DEPARTMENT:**
Human Resources

FROM: Elizabeth Simas, Human Resources Director

MEETING DATE: January 14, 2021

SUBJECT: Resolution No. _____, A Resolution Approving the Revised Management Compensation Plan and July 1, 2020 - June 30, 2021 Classification Pay Plan

ACTION REQUIRED: **RECOMMENDATION:**

BACKGROUND/HISTORY:

The Council is asked to approve the Management Compensation Plan and Classification Pay Plan with any revisions from the prior approved plan. This proposed, revised Classification Pay Plan reflects changes for all employee groups since the last pay plan approved by Council on October 8, 2020, and has an effective date as of January 1, 2021.

December 2010, the council adopted the Management Compensation Plan (MCP). The plan specifies that to maintain a competitive compensation plan that minimum and maximum salary bands will increase based on the US City Average CPI-U July to July effective January of the following year. In most cases, a change to the minimum or maximum salary does not change a manager's salary as increases are performance based. At a minimum, management salaries are to be reviewed at least every three years which was done for 2017 and the salaries were reviewed in 2020.

For the past three years, the salary schedule range increases to the Management Compensation Plan have been limited to the CPI-U not to exceed 2.5%. The salary schedule increase for 2018 was 1.7%; 2019 2.5% (CPI-U was 2.9%); and 2020 was 1.8%. The CPI-U July 2019 to July 2020 was 1%. October 8, 2020 the Council approved several pay equity increases due to the Citywide Pay Equity Analysis and approved an overall 1% increase for all positions in the Management Compensation Plan. The City also conducted a market salary survey as outlined in the Plan as well as using other local jurisdictions and recommended delaying any additional increases due to the unknown effects of COVID-19. We are now proposing an increase of 1.5% increase to the January 1, 2021 salary schedule which would equal a total increase of 2.5% (1.5% more than what was approved on 10/8/2020). With the proposed increase, we will pay within 2-10% of those surveyed, for most positions.

The adjustments to the pay plan are to the salary range minimums and maximums, not to individual salaries. Pay changes for management employees are tied to performance and limited to the parameters set by the Management Compensation Plan.

The current Community Development Director has been working 4/5 time and will continue through June 30, 2021. The Community Development Department is in the process of reorganizing staff duties. Since January 1, 2021, the Building Official has been reporting directly to the City Manager. The City is proposing having a Planning Director instead of a Community Development Director and will be appointing the new director upon City Council approval of this position change.

The following changes are being proposed to the Classification Pay Plan:

- Part A of the pay plan (General Service Bargaining Unit) - No changes.
- Part B of the pay plan (Police Bargaining Unit) - No changes.
- **Part C of the pay plan (management/non-represented)**
 - Update the salary schedule by an additional 1.5% (total of 2.5% from 1/1/20 salary schedule) to the minimum and maximums of the scales effective January 1, 2021.
 - Addition of Planning Director to the Salary Schedule.

The Council is asked to approve the Management Compensation Plan and 2020-2021 Classification Pay Plan with any revisions from the prior approved plan.

RECOMMENDATION:

Motion to approve Resolution_____, A Resolution approving the Revised Management Compensation Plan and July 1, 2020 - June 30, 2021 Classification Pay Plan.

ATTACHMENTS:

1. 2021-1 Management Compensation and Classification Pay Plan Resolution
2. MCP 2021 Final
3. 2021-1 Final Pay Plan

RESOLUTION NO. ____

A RESOLUTION APPROVING THE REVISED MANAGEMENT COMPENSATION PLAN AND JULY 1, 2020 – JUNE 30, 2021 CLASSIFICATION PAY PLAN

RECITALS:

1. Chapter 2.48 of the Central Point Code authorizes and directs the City Council to approve rules relating to personnel matters.
2. Policy #3.06.2 of the Personnel Policies and Procedures provides that the Council shall, by resolution, adjust the salaries and rates of compensation and benefits for all City officers and employees. The City Council deems it to be in the best interest of the City to make revisions thereto.

The City of Central Point resolves as follows:

The Management Compensation Plan and Classification Pay Plan for bargaining unit and management employees, as attached, is hereby ratified and approve.

Passed by the Council and signed by me in authentication of its passage this ____ day of January, 2021.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: 2021-1 Management Compensation and Classification Pay Plan Resolution (1364 : Revised Management Compensation Plan and



City of Central Point

Management Compensation Plan

Chris Clayton, City Manager

ADOPTED BY COUNCIL December 9, 2010

REVISED January 14, 2021

EFFECTIVE January 1, 2021

Attachment: MCP 2021 Final (1364 : Revised Management Compensation Plan and Classification Pay Plan)

Contents

Introduction..... 1

Section 1 – The Management Team 4

Section 2 – Management Compensation Plan 5

Section 3 – Salary Ranges 7

Section 4 – Performance Evaluation..... 11

Section 5 – Total Compensation Package..... 15

Section 6 – Comparable Market Defined 22

Section 7 – Conclusion 23

Appendix A – Salary Schedule 24

Attachment: MCP 2021 Final (1364 : Revised Management Compensation Plan and Classification Pay Plan)

**This compensation plan is NOT A CONTRACT or bargained agreement.
This plan and the salary and benefits outlined herein may be changed
at any time with approval of the City Council.**

INTRODUCTION

Our City

Central Point is a small town, with a population of just over 17,700, in beautiful southern Oregon. It borders a city of approximately 82,000 and smaller communities with populations of less than 8,000. Central Point is bisected by both a major interstate highway and a rail line. An international airport is within 2 miles. Local medical and educational facilities are excellent, including several hospitals, clinics, a community college and state university. The area enjoys warm summers and mild winters and, although it is 200 or more miles in any direction to a larger metropolitan area, Central Point has wonderful theater, musical, and indoor and outdoor recreational opportunities within minutes of driving time.

The City of Central Point is a full-service municipal organization with a council-manager form of government. Although the town has been incorporated for over 125 years, as recently as 15 years ago the population was less than half the current figure and, as the city grows, so grows the organization. It is currently in the growth phase of its organizational life cycle. In 2007, the City Council adopted the following mission as part of the City's strategic plan update. In 2017, the City Manager adopted the following vision, values, and expectations for our employees.

Our Mission

It is the Mission of the City of Central Point to build and maintain a highly livable community by working in harmony and being a catalyst for partnership with all the members of the community, public and private.

Vision Statement

A better experience for those living in, working in, or doing business with, the City of Central Point.

Statement of Values:

1. **Be Owners** – We own the work that is produced at the City of Central Point. To that end, we only allow quality products, documents and services to be delivered from our organization. Furthermore, when we fail to meet expectations, we accept responsibility, apply what we have learned, and move forward in a positive direction.
2. **Be Real** – Simply stated, be authentic/genuine in your communications with the public and with your colleagues.
3. **Be Bold** – Take appropriate risk and make compelling/constructive arguments; don't take unnecessary risks or be argumentative.

4. **Be Better** - Know your strengths and weaknesses and constantly seek ways to improve self, perspective, and performance. To “Be Better” requires being self-aware which promotes pluralism, allows us to be open to new ideas/solutions, and find long-term positive outcomes via our short-term failures.

Expectations:

1. **Embrace the concept and ideals of “public service.”** The City of Central Point was incorporated in 1889 in order to serve the community and citizens. It is essential that those employed by, or volunteering for, the City of Central Point never lose sight of the fact that we exist to serve the Central Point community. The concept of commitment to the principles of civic duty should be at the heart of everything the City of Central Point does each and every day.
2. **Place an emphasis on excellent customer service.** It is essential that we serve the public in a courteous and professional manner. It is also important for the Central Point staff to be perceived as fair and equitable. Of course, as an organization we will not be able to say “yes” to every request or inquiry. However, in those instances when we must say “no,” it is important to deliver this message in a professional manner and to constantly seek alternate solutions for the public.
3. **Maintain the highest ethical standards.** It is essential that the City of Central Point staff earn and maintain the trust and respect of the organization and community. Consequently, it is essential that the City of Central Point establish and maintain a positive culture that is based on honesty and integrity. Each and every member of the city organization should always lead by example. We do the right thing, for the right reason, regardless of circumstance.
4. **Value cooperation, teamwork coordination, and partnership.** It remains essential that the City’s various departments and divisions work together to improve our community. The City of Central Point is an organization increasing in size and complexity. A primary component of our success depends on the willingness of every employee and volunteer to work in concert and have a unified organization mind-set.

It is also essential for the Central Point management team to work with various stakeholders in the community and the community itself to solve the challenges and problems that face Central Point. The City of Central Point has earned the reputation as a “partner” to business, development and citizens, and we must do all we can to foster this well-deserved reputation.

5. **Hold ourselves accountable to the community for our actions.** It is appropriate to tout organizational accomplishments; however, it is also just as important to take responsibility for our failures and shortcomings, and work as a group to solve

problems and minimize our shortcomings. This approach will help the entire organization earn the trust and respect of the community.

6. **Be innovative and results-oriented.** Each and every member of the Central Point staff should continuously seek out new strategies, ideas and solutions to improve the organization. The organization should continually strive for excellence and consistently question the “status quo.”
7. **Genuinely listen and treat each other with respect.** The quality of our employees dictates how well the City of Central Point is able to serve the community. Therefore, it is essential that we value each other and provide support needed in order to be successful. In addition, it is important to empower each other via communication so our decisions are well informed. Finally, the City’s management team and City’s labor organizations must work well together and embrace common goals and objectives. If differences arise, we must solve them in a professional and productive manner.
8. **Maintain a strong financial position.** It is imperative Central Point staff manage fiscal resources in a responsible and conservative manner. The City of Central Point’s taxpayer and ratepayers deserve nothing less than this level of care. Likewise, it is necessary for all employees to ensure that the City operates in an efficient and economical manner.
9. **Communicate very well, both within the organization and with the community.** It is essential that staff communicate in an honest and straightforward manner with each other and with the community as a whole. The City of Central Point should be candid and forthright, regardless if the news is positive or negative. It is also essential to maintain good lines of communication within the organization. We should actively listen to employees and follow up on ideas and suggestions. Finally, staff should always be open to new ideas, approaches, and solutions.
10. **Maintain a strong work ethic.** Regardless of circumstance, we should always do our best.

In summary, the City’s mission is to create, maintain, and sustain livability of the community. As a City, we recognize that to provide the best service to our clients, the citizens of Central Point, we must seek to have a management team that shares the mission, vision, values, and expectations of the City. To that end, an aligned management compensation plan has been created to encourage current and future managers of the City of Central Point to work as a team to create a government organization that puts the needs and desires of the citizens of Central Point above their own preferences, and strive to provide the necessary services in the most efficient and effective manner possible.

Section 1. The Management Team

1.1 Management Team

The City's Management Team is comprised of the Executive Management Team and First and Second Tier Managers and confidential employees. The Management Team's job duties include: governmental accounting; budget; records management; city governance; public safety and law enforcement; public works including street construction, water distribution, storm water and flood hazard management; land use and urban planning; parks maintenance and recreation programming; human resources management; risk management; information technology; and facilities management.

The City's Management Team is composed of professional employees who have years of experience working in their profession or in local government. At a minimum, most positions in the management team require a college degree or equivalent experience, training, and certification.

The jobs covered by this plan are professional-level positions that require specialized training, certification and/or extensive experience. These are professional people in key positions of responsibility; it is important for the City to recognize this and compensate them at a fair, professional level.

1.2 Executive Management Team members report directly to the City Manager and include the Finance Director, Planning Director, Parks and Public Works Director, Human Resources Director, Police Chief, Information Technology Director, and City Recorder.

1.3 First Tier Managers report to a department director and include Police Captain, Parks and Recreation Manager, Public Works Operations Manager, Building Division Manager, Principal Planner, and Accountant/Finance Supervisor.

1.4 Second Tier Managers report to a first tier manager and include the Police Office Manager, Police Lieutenants, and Park/Public Works Supervisor.

1.5 Confidential Employee is an employee classified as a confidential employee under ORS 243.650 including the Human Resources Assistant and Accountant.

1.6 Non-Covered Positions This Plan shall not cover anyone in a temporary position, in a position covered by a collective bargaining agreement, or anyone with an individual employment agreement.

Section 2. Management Compensation Plan

2.1 Previous Strategy

At the time this plan was originally adopted in 2010, the management compensation strategy had not been reviewed in at least five years. It was basically an extension of the negotiated compensation for the two bargaining units, taking into consideration what other cities in the region were paying for management-level positions. There was no written pay strategy. When a position became vacant, the pay was reviewed at that time. The City prefers to promote current employees when possible and there is a written policy to this effect, but there was no established plan to address pay changes for promotional situations.

2.2 Management Compensation Plan – Strategic Purpose

The purpose of having a written management compensation plan is to develop a compensation strategy that is tied to the mission, vision, values, and expectations of the City of Central Point and the 2020 Strategic Plan. The compensation plan must be fair, legal, consistent, and understood by all. Having a written plan should eliminate, or at least reduce, the likelihood of inconsistencies, misunderstandings, and real or perceived discrimination.

2.3 Compensation Philosophy

This management compensation program is designed to provide adequate pay for all management employees. The goal of our total management compensation program is to foster and reward performance and dedication, while at the same time attracting suitable candidates, when needed, to fill vacancies.

2.3.1 Principles

- Management pay ranges will be determined, by using the market average for the appropriate labor market as a target and an internal pay equity analysis of comparable work. Placement in the pay range will be determined by a pay equity analysis, and increases within the range will be merit-based and performance-driven.
- Benefits will include adequate health insurance at a reasonable cost to employees, and other benefits that promote a comfortable, secure workforce and encourage dedication to the City.
- Additional perquisites will include deferred compensation, health reimbursement arrangements, paid time off, and other consideration as specified in this plan.
- Incentives may be offered as part of the performance-driven pay structure codified in this plan, provided the parameters of the plan are adhered to.

2.3.2 Strategies

- Because the City of Central Point's success is dependent on capable and dedicated leaders, our compensation goals will strive to attract and retain individuals who share the mission and vision of the City.
- Our total compensation will be industry competitive and appeal to the type of professional employees we wish to attract and retain.
- We will adequately compensate all managers but we will reward those who go above and beyond in the furtherance of our mission.
- We will hold managers accountable for the duties and responsibilities of their positions. Regular and meaningful evaluations will be conducted to gauge accomplishments and assess deficiencies.
- We will endeavor to provide benefits that offer the most value to, and are appreciated by, our employees.
- We will promote dedication by providing growth and development opportunities to employees at all levels.
- We will strive to cultivate and promote future managers from within the organization whenever it is practical to do so.
- We will embrace an organizational culture that rewards excellent service to the citizens of Central Point.

This compensation plan is NOT A CONTRACT or bargained agreement. This plan and the salary and benefits outlined herein may be changed at any time with approval of the City Council.

Section 3. Salary Ranges

3.1 Establishing Ranges

Each manager's pay will be established on a scale that includes a minimum and maximum range. Ranges will be proposed by the City Manager, with average salaries for comparable positions in comparable cities (as determined by a wage study of the appropriate labor market) being considered a "target" point. The market will be surveyed not less than every three years. Factors to be considered in determining the range for each position or position class should include:

- **Market Survey:** average minimum and maximum pay for comparable positions in comparable cities and cost of living changes
- **Scope of the position (Comparable Character):** duties and responsibilities, authority, liability, number of employees supervised, size and complexity of budget administered
- **Total compensation value:** takes into consideration the comparability of total compensation and benefits

Pay bands will be established by grouping similar positions and pay ranges.

3.1.1 Changes to Salary Ranges

To attract and retain high quality professional employees, it is important to maintain a competitive compensation plan that incorporates current economic conditions. Beginning January 1, 2018, the minimum and maximum salary for each band will increase based on the U.S. City Average CPI-U July – July; not to exceed 2.5%. Changes to the salary schedule do not change a manager's salary unless the manager's salary is less than the minimum for the band; in such case, the manager's salary would increase to the minimum salary.

The salary range for each pay band may be adjusted by the City Manager not more than once in any 12-month period and, generally, any change in either the minimum or maximum of the range shall not be more than 10%. Any changes to the pay bands shall be brought to the City Council for approval in the form of a resolution setting forth the employee compensation plan.

3.2 Assigning Positions to Pay Bands

3.2.1 New Positions

Any new management position shall be approved in accordance with City policy. New positions shall be assigned a pay band based on the recommendation of the Human Resources Director as supported by a market study described in Section 6 of this Plan and comparable character and similarity with existing management positions. New management positions covered under this Plan shall be incorporated into the first revision of the Plan following approval of the position.

3.2.2 Revised Positions/Job Changes

When a current management position covered under this Plan substantive changes in job duties, requirements or responsibilities, as delineated in an approved, written position description, the revised position shall be assessed. A market study of the revised position will be conducted and the position will be placed in the appropriate pay band and placement of the incumbent within the pay band's salary range will be done in accordance with 3.3 Individual Placement within Salary Ranges. A change in job title or job duties will not necessarily result in a change in pay band.

3.3 Individual Placement within Salary Ranges

Each manager's pay will be set within the approved salary range of the pay band for their position according to their qualifications, competencies, and the relative value of those qualifications and competencies to the position and to the City of Central Point, as determined by the City Manager. Work of comparable character factors to be considered in determining individual pay within the established range include, but are not limited to:

- **Competency:** demonstrated level of relevant knowledge, skills and abilities and training
- **Credentials:** formal education degrees and certifications
- **Experience:** job performance and relevant work history in comparable position(s)
- **Responsibility:** authority, liability, or other responsibility not already considered in establishing the range for the position
- **Performance:** performance of the duties and responsibilities of the position as documented in an annual performance evaluation
- Any **other relevant factor(s)** that warrant consideration

Placement on the salary range shall be at the discretion of the City Manager, except that such decision shall not be arbitrary or discriminatory.

3.3.1 Initial Placement upon Promotion

In the event an employee is promoted from a non-management position to a management position, the employee shall be placed on the salary range for the management position in accordance with this plan. Incentive pay received by a bargaining unit employee prior to promotion shall be considered in respect to competency, credentials, and experience, but shall not be continued as incentive pay, except as specifically allowed for under this plan.

3.4 Individual Pay Changes

The City Manager shall have the sole authority to approve changes in individual managers' pay, provided the change does not result in more than a 6% increase in any one calendar year, and provided the salary remains within the approved pay range. In the event the City Manager wishes to increase any managers' pay by more than 6%, the City Manager must consult with the Mayor and justify the reason(s) for the increase.

In no case shall a change cause a manager's pay to fall outside of the approved salary range for that position's pay band. For example, if a manager is paid at the top of the approved salary range, he or she may not receive a pay increase until such time as the salary range is adjusted upward, substantive changes to the position warrant a change in pay bands, or other circumstances result in the decision of the city council to approve pay outside the approved salary range.

3.4.1 Market-driven pay changes When a salary survey conducted pursuant to this plan indicates that the pay range for positions in that pay band is significantly lower or higher than comparable positions in comparable cities, the pay range may be adjusted up or down accordingly. When the salary range for any individual position(s) within a band is significantly higher or lower than comparable positions in comparable cities, and other positions in the same pay band, the City Manager may propose moving a position from one pay band to another.

3.4.2 Performance-driven pay Individual salary changes will be based on the outcome of a bi-annual performance evaluation or goal setting session. To qualify for any performance-driven pay increase, the manager's final, bi-annual performance evaluation must, at a minimum, be "fully satisfactory" or from the outcome of the goal setting session. However, receiving satisfactory ratings alone shall not be an automatic basis for a pay increase. In the event a manager's performance falls below average or "need improvement," the City Manager may reduce the manager's pay. The City Manager shall be the sole grantor of pay changes for all managers, but the recommendation of the department director shall be considered prior to the City Manager making any pay changes for first or second tier managers. All performance-driven changes in pay must be specified in writing via the Personnel Action Form (PAF).

3.4.3 Timing Prior to January 1 each year, or following the completion of performance evaluations or goal setting sessions, whichever is later, the City Manager shall determine the amount of pay change, if any, to be made for each manager for the following calendar year. If performance evaluations or goal setting sessions are not completed prior to January 1, the City Manager may, in his or her judgment, opt to make pay changes retroactive to January 1 for some or all managers.

3.5 FLSA Exemption/Overtime

Positions covered by this plan that are exempt under the Fair Labor Standards Act are not subject to, or eligible for, overtime compensation for hours worked in excess of 40 in a week or any specific amount in a given day. Exempt managers are paid on a monthly salary basis to perform the duties of their position and are not required, nor expected, to keep track of the number of hours they work except as noted in Section 5.4.5 Recordkeeping. However, it is expected that exempt managers will work sufficient hours to complete their job duties in a timely manner and that they will generally be available during working hours. Additionally, managers are expected to attend meetings, conferences and other functions appropriate to their work assignment, which may fall outside the typical "Monday through Friday, 8 to 5" schedule.

Non-exempt positions covered under this plan are eligible for overtime in accordance with the Fair Labor Standards Act and state law for hours actually worked in excess of 40 in a workweek. Non-exempt managers must submit an approved timesheet accounting for all hours worked. A non-exempt employee may elect to receive compensatory time (comp-time) in lieu of overtime pay as the

form of compensation for any approved overtime worked. Comp-time shall accrue at a rate of 1-1/2 the overtime hours actually worked with accrual balances reflecting the number of hours available to the employee. Compensatory time may be accumulated to a maximum of 80 hours. At the end of the fiscal or calendar year, comp-time balances may be paid off, at the City's option, at the employee's straight-time hourly rate.

3.6 Appealing Pay Decisions

If a manager believes that he or she is not paid fairly, he or she may challenge the City Manager's decision to increase, decrease, or make no change to the Manager's pay. Any challenge must be made, in writing, to the City Manager within 15 calendar days after notification of any decision about pay. The written challenge must contain the specific amount of pay the manager believes he or she should receive, and a clear explanation of why the manager believes the City Manager's decision is unjust. The City Manager shall review the challenge and meet with the manager regarding the appeal before making a final decision. The City Manager's decision shall be final.

If a manager believes any decision is discriminatory based on race, color, gender, age, national origin, religion, sexual orientation, or other protected class, they should notify the Human Resources Director.

Section 4. Performance Evaluation

4.1 Bi-Annual Evaluation and Goal Setting Sessions

The performance of all managers covered by this plan shall be evaluated at least bi-annually. Any performance-driven pay changes will be based on the outcome of an annual evaluation of the managers' overall job performance or based on the goal setting session. The City Manager, or department director, in the case of a first or second tier manager, will take into consideration the manager's self-evaluation as well as peer and/or staff evaluations in preparing the final performance evaluation. The results of the final evaluation must support any performance-driven pay change.

4.2 Self Evaluation

The annual self-evaluation is an opportunity for the manager to expound on his or her goals and accomplishments during the evaluation period. The evaluator (City Manager or department director) will review the self-evaluation prior to evaluating the manager. The self-evaluation is to be completed and submitted to the evaluator on or before the date set by the evaluator, except that the manager shall be afforded not less than two weeks to complete and submit the self-evaluation.

Goal Setting and Attainment: The self-evaluation will focus on goal setting and attainment, professional development, and overall contribution to the organization, and include, as an example, such information as:

- Has the manager set and attained departmental and professional development goals, and do these goals serve to further the city's' strategic plan or City Mission and Values?
- Has the manager kept up with the latest issues in their profession?
- How has the manager contributed to the overall success of the organization?
- How does the manager perceive his or her peers and subordinates to view the manager's contribution to the organization/job performance?
- A list of accomplishments for the year should be provided

4.3 Peer and Staff Evaluation

The peer and staff evaluations will be conducted bi-annually prior to the bi-annual performance evaluation and will focus on cooperation and teamwork, integrity and respect, leadership, supervision, policy application, communication, responsiveness and the manager's impact on the organization as perceived by peers, subordinates and others.

Like the self-evaluation, the peer and staff evaluation results will not be used independently in the final evaluation, but rather, will be provided to the manager for use in the self-evaluation and to the City Manager/department director for incorporation into the final evaluation.

4.4 Final Performance Evaluation

The City Manager's evaluation, or department director's evaluation with the City Manager's approval, will be the final, official performance evaluation and will be the instrument used to substantiate any performance-driven pay changes. The final evaluation will be based on the City Manager's or department director's own assessment of the manager's job performance, taking into consideration the self-evaluation and peer and/or staff evaluation. The City Manager shall consult with the department director regarding all first and second tier manager evaluations and the department director shall defend his or her assessment of the manager's performance and final evaluation rating(s) *prior* to the department director meeting with the manager about the evaluation. The City Manager's signature on a Personnel Action Form approving a performance-based pay change shall serve as evidence of the City Manager's concurrence with the department director's evaluation of a first or second tier manager.

4.5 Evaluation Factors

The evaluation factors used for the final performance evaluation will include the following, or variations thereof at the City Manager's discretion:

a. Job Knowledge and Job Performance

How well has the manager demonstrated the knowledge, skills and abilities required to accomplish the assigned tasks and goals of their job?

b. Integrity, Respect and Ethics

How dependable is this manager in respect to honesty, follow through, fairness, accountability, respecting others, ethical standards, and adhering to City policies and collective bargaining agreements?

c. Performance Management/Supervision and Administrative Duties

How well does this manager manage the personnel aspect of his or her department? Are personnel matters dealt with appropriately and in a timely manner? Are meaningful and timely performance evaluations completed? Does the department head hold supervisors accountable? Is proper documentation maintained? Are timesheets turned in on time and correctly? Does this manager adequately account for his or her time?

d. Leadership and Goals (city, department, professional)

How well has this manager furthered the mission of the city and vision, values, goals and expectations of the organization, set and attained department goals, and set and attained professional goals? How do this manager's peers and staff feel about his or her leadership ability and contribution to the organization?

e. Commitment to Organization/Teamwork

How well does this manager demonstrate a commitment to the organization and to teamwork, focusing on the whole organization as opposed to a department first focus?

f. Commitment to Safety and Limiting Liability to the City

How committed is this manager to employee and citizen safety as evidenced by training, type and frequency of injuries or incidents relative to the position/department? Do they give effort and commitment to reducing liability for the city, including following and applying policies and leading by example?

g. Communication

Does this manager effectively communicate with others? Are his or her interactions effective and appropriate? Are they responsive to staff and coworkers? Does he or she provide timely information; maintain cooperative business relationships; and is communication respectful, courteous and focused on the issue at hand?

h. Problem Solving and Judgment

How effectively and efficiently does the manager contribute to solving problems encountered by the organization as the organization works toward accomplishing its goals?

i. Attitude, Motivation and Work Ethic

How does this manager's attitude, motivation and work ethic impact their job performance and overall contribution to the success of the city?

j. Overall

Overall, how well does this manager perform, taking into consideration the performance of the various duties and responsibilities of his or her job; their attendance as it relates to availability, participation and reliability; and their general conduct with respect to honesty, integrity, accountability, dependability, trust, teamwork and respect?

4.6 Evaluation Ratings

The factors used in the determination of performance will be rated on a scale such as 3 = exceeds expectations, 2 = fully satisfactory, 1 = below average, and 0 = unacceptable. Each evaluation rating shall be supported by comments provided in the evaluation document. The final evaluation shall take into consideration the self-evaluation, peer and staff evaluation, department director's assessment for first and second tier managers, and City Manager's assessment, as well as any other source of input the City Manager deems appropriate to make the assessment. The City Manager may revise the evaluation criteria, provided that any substantive change in evaluation criteria be communicated to the managers.

Managers should have completed evaluations of their own subordinate employees prior to their own evaluation being done.

4.7 Timeline

Performance evaluations or goal setting sessions for managers are to be completed prior to December 31st.

4.8 Unsatisfactory Performance

In addition to being subject to a potential performance-driven pay decrease that year, any manager who receives a rating of below average or unacceptable in *any* factor on the final evaluation may be placed on a work plan for the purpose of improving performance. A work plan will normally be in the form of a written plan but, depending on circumstances, may be in the form of a documented verbal discussion at the time of the evaluation meeting. Except when circumstances warrant, a performance review will be scheduled not less than 45 days and not more than 180 days after receipt of the work plan, at which time the manager's performance will be re-assessed. If improvement has been made, the manager may be deemed to have satisfactory performance, or a subsequent re-evaluation may be scheduled. Every effort will be made to assist the manager in making the necessary improvement to successfully perform the job duties. However, if the manager fails to improve after being given adequate time and resources for improvement, the manager may be subject to disciplinary action, up to and including termination.

4.9 Appealing Performance Evaluations

The criterion established for performance evaluations is intentionally rigorous and designed to identify those who perform at, above, or below expectations. If a manager believes that he or she was not rated fairly in the evaluation, he or she may challenge the City Manager's decision. Any challenge must be made, in writing, to the City Manager within 15 calendar days after receipt of the performance evaluation. The written challenge must contain the specific evaluation factor(s) being challenged and a clear explanation of why the manager believes the City Manager's evaluation is unjust. The City Manager shall review the challenge and meet with the manager regarding the appeal before making a final decision. The City Manager's decision shall be final.

If a manager believes any decision is discriminatory based on race, color, gender, age, national origin, religion, sexual orientation, or other protected class, they should notify the Human Resources Director.

Section 5. Total Compensation Package

5.1 Salaries

Salaries are determined by the position, individual qualifications, performance, and market comparison. The City Manager proposes the salary range for each pay band and determines which pay band positions or position classes will be assigned. The City Council shall approve the salary ranges and pay bands as part of the classification pay plan. All managers will receive pay in the form of monthly salary, which will be within the approved minimum and maximum set for the pay band.

In addition to the pay outlined in Section 3 of this Plan, the total management compensation package will consist of other benefits as detailed below for all positions listed in Appendix A.

5.2 Additional Compensation

5.2.1 Health Reimbursement Arrangement The City has adopted the HRA VEBA standard plan offered and administered by the Voluntary Employee's Beneficiary Association Trust for Public Employees in the Northwest. The standard plan shall be integrated with the City's group medical plan and the City shall remit contributions only on behalf of eligible employees who are enrolled in or covered by the City's group medical plan. The City will contribute semi-monthly to an established HRA VEBA account for each manager covered under this compensation plan who is also enrolled in or covered by the City's group health insurance plan. Eligible employees must submit a completed and signed enrollment form to become an eligible participant and become eligible for benefits under the plan.

Contributions on behalf of each eligible manager shall be based on direct employer contributions. The amount of contribution to the HRA, until changed by way of adoption of revisions to this Plan, shall be \$72.50 each pay period worked, contributed on a semi-monthly basis on behalf of eligible full-time managers. Part-time managers are eligible for a prorated contribution based on FTE if they are an active participant in the City's group health insurance plan.

5.2.2 Retirement: PERS The City will pay both the employer's and employee's contribution to the Oregon Public Employee Retirement System.

5.2.3 Deferred Compensation Managers will be allowed to take advantage of any "457" deferred compensation program offered by the City by having any or all monetary compensation contributed to such account(s), subject to I.R.S. rules.

At the sole discretion of the City, the City may elect to implement any configuration of tax deferral, retirement, or "money purchase" plan and make contributions to such plans as an optional method of compensation. For example, in any given year, the City may elect to give pay increases in the form of a 457 or 401a contribution, or a contribution match of up to the maximum of 6%. Any option to make a contribution to such program(s) as a method of providing a pay increase will normally apply to all employees in a given group (executive team, Tier 1, Tier 2) covered under this Management Compensation Plan (not made on an individual basis). Any option to make matching

contributions will require the manager to contribute to an account. Options described in this section may be used in lieu of, or in combination with, traditional salary increases. Managers understand that any matching contributions will be contingent upon the manager contributing at least the amount of the match to their account and that the amount of total compensation received might be decreased if the manager does not contribute at least the amount of the proposed match.

5.2.4 Sign on Bonus At the sole discretion of the City Manager, a one-time sign on bonus of up to \$7,500 may be offered at the time of recruitment for any management position. The decision to offer a sign on bonus shall normally be driven by difficulty in recruiting qualified applicants for a position, and industry expectations. The amount of the sign on bonus shall be at the discretion of the City Manager, except that the Human Resources Director shall be consulted.

In the event a manager receives a sign on bonus and subsequently resigns from the position within two years of receiving the bonus, the bonus benefit amount shall be refunded to the City on a prorated basis as follows:

Less than 6 months of service	100% refunded to city
6 months to 1 year of service	75% refunded to the city
1 year to 2 years of service	50% refunded to the city

The manager will be required to sign a sign on bonus agreement stipulating to this reimbursement arrangement as a condition of employment. Under certain circumstances, the City Manager may elect to not institute the reimbursement provision of this section of the Plan.

5.2.5 Relocation Assistance At the sole discretion of the City Manager, relocation assistance may be negotiated during the job offer phase of hiring a new manager from out of the area. Only those individuals who meet the following criteria shall be eligible to negotiate relocation assistance: 1) must be relocating from more than 50 miles away, 2) must be relocating to at least within 50 miles of Central Point, and 3) must be relocating a distance of at least 50 miles. Up to \$5,000 relocation assistance may be offered to an individual who relocates to within the city limits or Urban Growth Boundary (UGB) of Central Point. A new manager relocating to an area outside of the Central Point city limits or UGB may be offered a maximum of \$2,500. In the event a manager negotiates relocation assistance and subsequently resigns from the position or is terminated for cause within two years of receiving the assistance, the assistance benefit amount shall be refunded to the city on a prorated basis as follows:

Less than 6 months of service	100% refunded to city
6 months to 1 year of service	75% refunded to the city
1 year to 2 years of service	50% refunded to the city

Refunding of relocation assistance shall apply only in the event of a voluntary resignation or termination for cause. Additionally, if relocation assistance is provided to relocate within the Central Point city limits or UGB and, within 2 years, the manager subsequently moves from the City limits or UGB but remains in their management position, any amount of relocation assistance paid in excess of \$2,500 shall be refunded to the City using the above pro rata scale. The manager will be required

to sign a relocation assistance agreement stipulating to this reimbursement arrangement as a condition of employment. Under certain circumstances, the City Manager may elect to not institute the reimbursement provision of this section of the Plan.

5.2.6 Police Management Fitness Incentive The Police Management Fitness Incentive Program is based on the fundamental belief that an active lifestyle is likely to increase productivity, optimize health and decrease absenteeism while maintaining a higher level of readiness. The goal is to motivate sworn members of the police administrative team to prepare for and participate in an approved physical fitness assessment designed to measure both aerobic conditioning and muscular strength. Fitness testing is offered two times per year. Police Lieutenant and Police Captain who successfully complete the semi-annual fitness testing are eligible for the Fitness Incentive. The incentive is 1% of the average hourly salary for all employees in that position, times 1040 hours, and rounded to the nearest dollar. The Fitness Incentive is paid out in January and July. Employees who do not participate or do not pass are not eligible for the Fitness Incentive.

5.2.7 Gym/Weight Management membership reimbursement. The City will reimburse managers up to twenty-five dollars (\$25) per month towards membership in a recognized fitness club, weight loss program, or City of Central Point Recreation health/fitness program they are actively participating in. The City has the sole discretion in determining which clubs/programs it will reimburse. Reimbursements will be made quarterly through payroll provided itemized receipts are received within six months.

5.3 Non-Monetary Benefits

In addition to the monetary compensation outlined in this plan, eligible managers shall receive the following benefits. All benefits will be taxed in accordance with applicable Internal Revenue Service (IRS) regulations.

5.3.1 Health Insurance The City and the manager will share the cost of health insurance premiums with the City paying 90% and the full-time manager paying 10% of the premium. Managers working less than full-time meeting the eligibility requirements of the insurance plan will participate in the City's insurance plan. The part-time employee premium cost will be the lesser of 20% of the total premium or the maximum allowed to comply with the affordability provision in the Affordable Care Act or subsequent act.

Where feasible, health insurance cost savings measures will be implemented. In the event any cost savings measures result in coverage that is less than comparable to current coverage, managers will be notified as early as possible of the change and given the opportunity to propose an alternative to the cost savings measure. Proposed alternatives must be presented, in writing, within 45 calendar days of the notice. The City shall maintain the sole right to implement or reject any proposed changes.

5.3.2 \$125 Flexible Spending Account The City offers an IRS Section 125 plan for the purpose of allowing the employee contribution toward health insurance premiums to be a tax free deduction. Additionally, managers will have the opportunity to participate in a flexible spending

account to use pre-tax dollars for dependent and health care expenses pursuant to I.R.S. regulations.

5.3.3 Life Insurance The city will pay the premium on a group term life insurance policy in the amount of the annual base salary to a maximum of \$100,000 for managers meeting the eligibility requirement of the insurance carrier. The manager shall have the option of purchasing, at their own expense, additional life insurance for themselves and/or family members pursuant to the insurance policy provisions.

5.3.4 Long Term Disability The city will pay the premium on a long term disability policy with a 90 day elimination period that provides a benefit of 66-2/3% of base salary, up to a maximum of \$3,000 per month for managers meeting the eligibility requirements of the insurance carrier.

5.3.5 Cell Phone Allowance A monthly stipend may be paid to managers who are required to be available by phone while away from the office or outside of business hours, in accordance with city policy. Managers who elect to use a City-owned cell phone are not eligible for a stipend.

5.3.6 Use of Car At the sole discretion of the City Manager, the use of an assigned City vehicle may be negotiated for a manager. Any such use shall be based solely on appropriateness for the position, and subject to applicable I.R.S. rules.

5.3.7 Air Miles and Other Purchase-Related Benefits Although managers are issued purchasing cards for making authorized, work-related purchases, it is understood that, occasionally, under certain limited circumstances, the use of a personal purchasing card for making work-related purchases may be warranted. The use of personal cards for work-related purchases shall be infrequent. A manager shall be entitled to any benefits or rewards, such as air miles, hotel points or cash back, associated with work related purchases and such benefits or rewards shall be considered part of the managers' salary and compensation.

5.3.8 Use of City Resources The use of City resources on a limited and occasional basis shall be considered part of the manager's total salary and compensation. Examples of such use may include photocopiers, printers, computers, tablets, phones and other technology, provided such use does not violate the City's acceptable use policy. Additionally, except for items such as portable information technology (i.e., laptop, iPad, etc.) such use of city resources shall not include taking items off City premises (i.e., this provision does not allow for taking tools or equipment home).

5.3.9 City sponsored events The City sponsors community events such as the Wild Rogue Pro Rodeo and Red, White, and BOOM. Gifts such as event tickets, special seating, prizes, etc. that are given from the event organizer to the City may be accepted by the manager and are considered part of their official compensation package per ORS 244.040 (2) (a) and City of Central Point Resolution No. 1450.

5.3.10 Travel, Training and Education Expenses Managers are covered by city policy regarding travel, training and tuition reimbursement, and such reimbursements are taxed in accordance with IRS rules. Furthermore, it is understood that managers attending training or

conferences may receive training materials, training aids, devices, gifts, prizes, etc. Managers shall be allowed to personally keep such materials provided to, or received by, attendees at training, conferences, or courses paid for or reimbursed by the City as part of the manager’s total salary and compensation.

5.4 Paid Time Off

The City recognizes the importance of time away from work for personal lives, and believes managers should receive paid time off for certain holidays, vacations, personal time, and for when they are unable to come to work due to illness or injury. To this end, managers shall be granted time off under the following provisions.

5.4.1 Paid Holidays Except as otherwise specified in 5.4.1(a) and (b), managers shall receive the following holidays off without loss of pay.

New Year’s Day	Independence Day	The day after Thanksgiving
Martin Luther King Jr. Birthday	Labor Day	Christmas Eve
President’s Day	Veteran’s Day	Christmas Day
Memorial Day	Thanksgiving Day	Two Floating Holidays

Floating holidays are to be taken as whole days (8 hours). One floating holiday will accrue on January 1 and one will accrue on July 1. Floating holidays must be used in the calendar year in which they accrue. Unused floating holidays will be lost each year and will not “roll” from one calendar year to the next and will be forfeited.

Except for floating holidays, if the holiday falls on a Saturday, the preceding Friday will be the paid day off unless that Friday is already a paid holiday, then the following Monday will be the paid day off. If the holiday falls on a Sunday, the following Monday will be the paid day off unless that Monday is already a paid holiday, then the previous Friday will be the paid day off.

If a manager chooses to or is required to work on a holiday, no additional compensation shall be granted.

5.4.1(a) Part-time managers covered under this plan shall be eligible for holiday pay only for the days and hours they would normally be scheduled to work. Floating holidays shall be granted on a prorated basis.

5.4.1(b) Non-exempt full time police lieutenants shall receive 104 holiday bank hours in lieu of receiving the above holidays off. The holiday accrual bank shall be credited in a lump sum twice each year with 52 hours accruing on January 1 and 52 hours accruing on July 1. Holiday bank hours must be used within 12 calendar months of accrual or the hours will be forfeited. Holiday bank hours shall not accrue beyond 104 hours at any one time for any reason. If a manager’s holiday bank hours are greater than 52 hours on January 1 or July 1, the number of hours added to the bank shall be such that the total is not more than 104 hours. No payment will be made for the loss of any hours

due to failure to use them within the 12 calendar month limit. Whenever practicable, non-exempt, full time managers who accrue holiday bank hours under this provision are expected to use holiday bank hours on paid holiday dates as described in this section. The 104 hours of holiday bank is equivalent to the 11 paid holidays and 2 floating holidays provided to other full-time managers covered under this plan.

5.4.2 Paid Vacation The City encourages managers to take time off occasionally for vacations away from work. It is expected that managers will, at a minimum, take at least one week of vacation each year in a block of at least one full workweek. Executive Management Team members’ notice of the intent to take vacation shall be submitted to the City Manager as far in advance as practicable, and shall be noted on the City’s “Department Head Vacation Calendar.” First and second tier managers shall submit notice of the intent to take vacation to the department head as far in advance as practicable. Vacation accrual for full time managers shall be as follows, except that the City Manager may, at his or her sole discretion and when circumstances warrant it, place a manager on the accrual chart at any level.

1 st through 4 th year of service	10 days (80 hours)
5 th through 9 th year of service	15 days (120 hours)
10 th through 14 th year of service	20 days (160 hours)
15 th year of service and beyond	25 days (200 hours)
On the anniversary of the 20 th year of service	a one-time award of 5 additional days (40 hrs)
On the anniversary of the 25 th year of service	a one-time award of 5 additional days (40 hrs)
On the anniversary of the 30 th year of service	a one-time award of 5 additional days (40 hrs)

The maximum vacation accrual for any manager at any time shall be 25 days (200 hours) per year. Vacation shall be allowed to accrue to a maximum of two times the annual accrual rate, but in no case shall accrual be more than 400 hours. Additional awards for longevity shall be counted in the maximum accrual.

Vacation will be paid out at the time of separation. Managers will be allowed to sell back unused vacation hours in accordance with current City policy.

Employees who are promoted from within City service into a management position under this management compensation plan shall have their years of service with the City count toward their vacation accrual in the manager position. One-time longevity awards shall only be awarded for current service milestones. For example, a 23-year employee who is promoted into a position covered by this Management Compensation Plan shall be eligible for the 25 year award at 25 years of service, but would not be awarded a 20 year award retroactively.

Part-time managers covered under this plan shall accrue vacation on a prorated basis.

5.4.3 Sick Leave Full-time managers shall accrue four hours of sick leave for each pay period worked. Sick leave shall be allowed to accrue without limit. Except as provided for in a current City policy or separation agreement, unused sick leave hours shall not be compensated at

separation, but will be reported to PERS. Part-time managers covered under this plan shall accrue paid sick leave on a prorated basis.

5.4.4 **Management Leave** It is recognized that full-time, exempt managers covered by this plan are compensated on a salary basis and do not receive additional compensation for meetings, travel and work outside of the “regular work week.” However, in recognition of the additional time commitments of exempt managers, each exempt manager shall receive 56 hours of Management Leave annually on July 1. Management leave must be used within one year of being received. Any management leave remaining on June 30 will be forfeited. Management leave accrual shall be prorated for new managers.

5.4.5 **Record Keeping** FLSA non-exempt employees are required to submit a timely timesheet, signed by their supervisor, that accurately reflects their hours worked and leaves taken during each pay period. Although exempt managers are not required to keep track of their hours worked for the purpose of pay, they are required to keep track of their use of accrued or banked leaves and submit a timely leave report, signed by their supervisor, that accurately reflects leaves used during each pay period.

5.5 Changes in Benefits upon Moving to a Management Position

Managers shall only receive benefits that are afforded to management employees under this management compensation plan or approved City personnel policy(s). At any given time, an employee shall only have accrued time “on the books” that other employees in the same employee group accrue.

When an employee changes from a bargaining unit position to a management position, all accrued compensatory time and, if applicable, holiday bank time shall be paid out at the previous hourly rate at the time of the change and in accordance with the applicable bargaining agreement or policy. An employee changing to a non-exempt management position shall be allowed to accrue comp time in lieu of overtime in accordance with the provisions of this plan, but shall enter the position with a zero balance of accrued comp time. An employee changing to a non-exempt Lieutenant position shall accrue holiday bank leave in accordance with the provisions of this plan, but shall not be allowed to exceed the holiday bank hours caps described in this plan.

5.6 Application of this Plan and City Policies

Managers are covered by and expected to follow all City policies. Where City policy and the Management Compensation Plan differ, the Management Compensation Plan shall be applied except that where the Management Compensation Plan is silent on a benefit that is provided for in a current City policy, the policy shall apply. An example might be the Sick Leave Donation Bank. The Management Compensation Plan does not specifically address the Sick Leave Donation Bank but City Policy states that employees are eligible except as otherwise provided for in a collective bargaining agreement or management compensation plan. Since the Management Compensation Plan does not preclude participation, the policy shall govern.

Section 6. Comparable Market Defined

The cities selected for the market comparison shall be determined at the time any market survey is done based on criteria set forth in this document. The “comps” may vary from year to year as a city may meet the criteria one year but not the next, or a city that did not meet the criteria one year may meet it the next.

6.1 Defining the Market

The criteria for market comparables will be:

- a. Oregon cities with a population of between 9,300 and 29,000, based on the most recent Portland State University population estimate (this criterion is based on current Central Point population of 17,855 as of July 1, 2020 and would be adjusted for population changes);
- b. Located within a metropolitan area of at least 100,000;
- c. Median housing prices within 25% of Central Point’s median housing prices at the time of the survey.
- d. If in any year an inordinately large or insufficient number of cities meet these criteria the median housing range may be reasonably adjusted up or down.

6.2 Additional Considerations

Additionally, to the extent practical, the total compensation package, including monetary compensation and monetary and non-monetary benefits such as PERS contributions, health insurance premium sharing and out of pocket expense, HRA contributions, and paid leaves, should be considered in determining the relative comparability of the cities meeting the market comparables criteria.

Within the cities that meet the above criteria, only those positions that are legitimately analogous will be compared. Criteria to determine the comparability of positions will include, but not necessarily be limited to, the following:

- a. Reporting structure (both up and down)
- b. Scope of position as set forth in the position description
- c. Department budget

The City will make every effort to obtain compensation information from comparable cities. However, it is understood that obtaining such information is dependent upon the cooperation of the surveyed cities. Where survey information is not provided, the City will attempt to gather the information from other sources in an effort to fairly determine appropriate salary ranges for City of Central Point management positions.

Section 7. Conclusion

The goal of this management compensation plan is to fulfill the various functions for which it was created:

- To align management compensation for the City of Central Point with the mission and goals of the City.
- To incentivize exceptional performance of managers.
- To move toward meeting the wishes of the City Council and the needs of the managers, who have indicated a preference for a performance-based pay plan to that of an entitlement-based plan.
- To lay the foundation for incorporating pay for performance organization-wide.

The City of Central Point, although more than 125 years old, is in the growth phase of the organizational life cycle. We are refining policies and procedures and making changes where change is needed in order to move forward as an organization. The recent economic climate placed the City in a position of having to do more with less year after year. As the economy rebounds and begins to grow again, the efficiency and exceptional performance encouraged and rewarded by this Plan will continue to contribute to the City's prosperity.

**This compensation plan is NOT A CONTRACT or bargained agreement.
This plan and the salary and benefits outlined herein may be changed
at any time with approval of the City Council.**

Appendix A

Salary Schedule for Management Positions effective January 1, 2021

Band	Tier	Position	Minimum	Maximum
I-NE	T2	Accountant (non-exempt)	\$4,774	\$6,560
I	T2	Parks & Public Works Supervisor	\$5,616	\$7,541
I	T2	Police Office Manager	\$5,616	\$7,541
I	T1	Finance Supervisor	\$5,616	\$7,541
I	T1	Parks and Recreation Manager	\$5,616	\$7,541
I	T2	Safety & Risk Manager	\$5,616	\$7,541
I	ET	City Recorder	\$5,616	\$7,541
II	T1	Building Division Manager	\$6,738	\$8,717
II	T1	Parks & Public Works Operations Manager	\$6,738	\$8,717
II	T1	Principal Planner	\$6,738	\$8,717
III	ET	Director (Information Technology, Finance, Human Resources, Parks & Public Works, Community Development, and Planning)	\$7,115	\$10,000

Police Band	Tier	Position	Minimum	Maximum
PI	T2	Police Lieutenant (non-exempt)	\$6,738	\$8,717
PII	T1	Police Captain	\$7,115	\$10,000
PIII	ET	Police Chief	\$9,030	\$11,500

Band	Tier	Position	Minimum	Maximum
C	C1	Human Resources Assistant	\$16.76/hr	\$ 24.87/hr

“T1” = Tier 1 Manager

“T2” = Tier 2 Manager

“ET” = Executive Management Team

“C1” = Confidential employee

**This compensation plan is NOT A CONTRACT or bargained agreement.
This plan and the salary and benefits outlined herein may be changed
at any time with approval of the City Council.**



Classification Pay Plan Effective July 1, 2020 - June 30, 2021

Part A: General Service Bargaining Unit Positions (hourly) (monthly)

Schedule Effective 7/1/20

Position#	Classification Title	Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step	
	Grade 2-3	GS2-3	16.76	N/A						
122	Utility Laborer		2,905							
	Grade 2-3	GS2-3	16.76	17.60	18.48	19.40	20.37	21.39	22.31	
100	Office Assistant		2,905	3,051	3,203	3,363	3,531	3,708	3,891	
	Grade 4	GS4	18.28	19.19	20.15	21.16	22.22	23.33	24.48	
101	Account Clerk: Finance/Public Works		3,169	3,326	3,493	3,668	3,851	4,044	4,244	
102	Community Development Specialist									
103	Parks Maintenance Worker									
104	Recreation Specialist									
105	Utility Worker									
	Grade 5	GS5	20.54	21.57	22.65	23.78	24.97	26.22	27.53	
106	Assistant Engineering Technician		3,560	3,739	3,926	4,122	4,328	4,545	4,772	
107	Customer Service Technician									
108	Equipment Maintenance Technician									
109	Planning Technician									
110	Recreation Programs Coordinator									
111	Senior Utility Worker									
	Grade 6	GS6	22.75	23.89	25.08	26.33	27.65	29.03	30.46	
112	Acctg/Business Services Coordinator		3,943	4,141	4,347	4,564	4,793	5,032	5,281	
113	Parks Lead									
114	Recreation Coordinator: Special Events/Mktg									
123	Stormwater/Erosion Control Tech									
	Grade 7	GS7	25.08	26.33	27.65	29.03	30.48	32.00	33.58	
115	Community Planner I		4,347	4,564	4,793	5,032	5,283	5,547	5,824	
116	Foreman: Streets, Water									
117	Park Planner									
124	Facility Management Coordinator									
	Grade 8	GS8	28.06	29.46	30.93	32.48	34.10	35.81	37.58	
118	Community Planner II		4,864	5,106	5,361	5,630	5,911	6,207	6,518	
119	Construction Management Coordinator									
120	Environmental Services/GIS Coordinator									
121	Information Technology Specialist									
	Grade 9	GS9	31.15	32.71	34.35	36.07	37.87	39.76	41.73	
	vacant		5,399	5,670	5,954	6,252	6,564	6,892	7,235	

Attachment: 2021-1 Final Pay Plan (1364 : Revised Management Compensation Plan and Classification Pay Plan)

Part B: Police Bargaining Unit Positions

Schedule Effective 7/1/20

Position#	Classification Title	Grade	Step A	Step B	Step C	Step D	Step E	Step F
200	Police Support Specialist	P110	3,490	3,665	3,848	4,040	4,242	4,454
201	Community Services Officer	P117	3,703	3,888	4,082	4,286	4,500	4,725
202	Police Officer	P145	4,747	4,984	5,233	5,495	5,770	6,059
203	Corporal	P150	5,250	5,513	5,789	6,078	6,382	6,701


Part C: Non-Bargaining Unit, Management Positions Schedule effective 1/1/21

002	Human Resources Assistant (Part-time)	C	16.76	Hourly	24.87
516	Accountant (non-exempt)	I-NE	4,774	Monthly	6,560
500	Finance Supervisor	I	5,616	Monthly	7,541
501	City Recorder	I	5,616	Monthly	7,541
502	Parks & Recreation Manager	I	5,616	Monthly	7,541
503	Parks & Public Works Supervisor	I	5,616	Monthly	7,541
507	Police Office Manager	I	5,616	Monthly	7,541
517	Safety & Risk Manager	I	5,616	Monthly	7,541
508	Police Lieutenant (non-exempt)	P-I	6,738	Monthly	8,717
504	Parks & Public Works Operations Mgr	II	6,738	Monthly	8,717
505	Building Division Manager	II	6,738	Monthly	8,717
506	Principal Planner	II	6,738	Monthly	8,717
509	Police Captain	P-II	7,115	Monthly	10,000
511-515	Department Director (CD-PLAN, FIN, HR, IT, PPW)	III	7,115	Monthly	10,000
510	Police Chief	P-III	9,030	Monthly	11,500

Approved _____ by Council, Resolution # _____



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** City Manager

FROM: Chris Clayton, City Manager

MEETING DATE: January 14, 2021

SUBJECT: Resolution No. _____, A Resolution Approving the 2021 Rules of the City Council and Code of Ethics

ACTION REQUIRED: Motion **RECOMMENDATION:** Approval

BACKGROUND INFORMATION: The City Council considered the Council Rules at the November 2017 Study Session and subsequently adopted them at the January 11, 2018 Council Meeting. At that time the rules have recommended provisions from the League of Oregon Cities, provisions regarding managing disruptions at meetings, and Council decorum.

These rules should be reviewed and approved after every General Election for the purpose of introducing newly elected council members.

There are no recommended changes to these documents from staff at this time.

FINANCIAL ANALYSIS: No financial impact to the City.

LEGAL ANALYSIS:

STAFF RECOMMENDATION: Staff recommends approval of the rules effective January, 2021.

RECOMMENDED MOTION: Move to approve Resolution No. _____, a Resolution Adopting the 2021 Rules the City Council of Central Point, Oregon.

ATTACHMENTS:

1. 2021 Council Rules Resolution
2. 2021 Council Rules

RESOLUTION NO. _____

A RESOLUTION APPROVING THE 2021 RULES OF THE CITY COUNCIL AND CODE OF ETHICS

RECITALS:

- A. The City Council is required by Section 10 of the City Charter to adopt rules governing its meetings.
- B. In January 2019, Council amended and approved its Council rules pursuant to Resolution 1563.
- C. It is established policy of the City Council of the City of Central Point, Oregon, and hereby adopts the 2021 Rules of the City Council and the Code of Ethics.

The City of Central Point resolves as follows:

Section 1. Adopting Rules of the City Council. The Rules of the City Council of Central Point are hereby adopted in their entirety to read as set forth in Exhibit 1, attached hereto.

Section 2. Conflict of Interest. Each member of the City Council shall complete a conflict of interest acknowledgment statement after each General Election giving that member the opportunity to declare any existing or potential conflict of interest.

Section 3. Severability. If any section, sentence, clause, or phrase of this Resolution or any resolution adopted or amended hereby, should be held to be invalid or unconstitutional by a court or competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phase of this Resolution.

Passed by the Council and signed by me in authentication of its passage this _____ day of January, 2021.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: 2021 Council Rules Resolution (1370 : City Council Rules Adoption)

**RULES OF THE CITY COUNCIL
CENTRAL POINT, OREGON**

CHAPTER 1 – GENERAL GOVERNANCE

I. Rules of Procedure.

A. Unless otherwise provided by charter, ordinance or these rules, the procedure for Council meetings, and any subcommittee of a City Council, shall be guided by Robert's Rules of Order, current edition.

B. Members of the Council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the Council and confuse members of the public.

C. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum. A quorum is required to conduct official City business.

A. The members of the Council are the City councilors and mayor. Fifty-percent plus one of the members of the Council shall constitute a quorum. Vacancies in office do not count towards determining a quorum.

B. In the event a quorum is not present, the members of Council present shall adjourn the meeting.

III. Presiding Officer.

A. The mayor shall preside over all meetings and have authority to preserve order, enforce the rules of Council and determine the order of business under the Rules of the Council. The mayor shall retain all rights and privileges of the office of the mayor as set out in the City charter when acting in this capacity.

B. In the mayor's absence the president of the Council shall preside over the meeting. The president of the Council shall retain all rights and privileges of the office of the mayor as set out in the City charter when acting in this capacity

C. If both the mayor and the president of the Council are absent from the meeting, the following procedure shall be utilized to determine who is the presiding officer:

1. The Presiding Officer shall call the Council to order and call the roll of the members.

2. Those members of Council present shall elect, by majority vote, a temporary presiding officer for the meeting.

3. Should either the mayor or the president of the Council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

4. The presiding officer shall retain all rights and privileges of a member of Council when acting in this capacity.

IV. **Appointed Officers & Employee Duties.**

A. City Recorder. The City recorder shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the City recorder shall keep the official minutes of the Council.

B. City Manager. The City manager or his designee is required to attend all meetings of the Council and is permitted to participate in any discussion; however, the City manager has no authority to cast a vote in any decision rendered by the Council.

C. City Attorney. The City attorney shall, unless otherwise directed by the City Manager, attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

D. The Chief of Police. Unless otherwise directed by the Council, the Chief of Police or her designee may attend each Council meeting to serve as the Sergeant-at-Arms, and shall carry out all orders or instructions upon direction of the Presiding Officer or upon any other procedure specifically provided by these rules.

V. **Agendas.** The City manager shall prepare an agenda for every regular meeting, and, if requested by the presiding officer, for every special meeting.

A. Agendas and informational material for meetings shall be distributed to the Council at least seven (7) days preceding the meeting.

B. No Council approval shall be required for an agenda of any meeting.

C. The City manager may place routine items and items referred by staff on the agenda without Council approval or action.

D. The City manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under announcements/proclamations.

E. A member of the Council who wishes to have an item placed on the agenda shall advise the City manager at least one week prior to the meeting.

F. Agenda items that are of special importance to Council may be treated as Special Orders of Business. Special Orders of Business take precedence over all other items except the Pledge of Allegiance.

G. A request to add an item for Council consideration may be presented at the Council meeting but shall require a majority concurrence of the members present to be so added. These items are limited to emergency items.

VI. Order of Business. The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by the City Manager or majority vote:

- I.** Call to Order
- II.** Pledge of Allegiance
- III.** Roll Call
- IV.** Announcements/Special Recognition (when appropriate)
- V.** Public Appearances
- VI.** Consent Agenda
- VII.** Items Removed from Consent Agenda
- VIII.** Public Hearings, Ordinances & Resolutions
- IX.** Business
- X.** Mayor's Report
- XI.** City Manager's Report
- XII.** Council Reports
- XIV.** Department Reports
- XV.** Executive Session
- XVI.** Adjournment

A. Call to Order. The presiding chair shall call all meetings of the Council to order. The call to order shall note the date, time and location of the meeting so that it may accurately be reflected in the minutes.

B. Roll Call. The City recorder shall conduct a roll call to determine which members of the Council are present and which are absent.

1. The attendance shall be properly reflected in the minutes.

2. If roll call determines that a quorum is not present, the meeting shall be adjourned.

C. Announcements/Special Recognition. Announcements are intended to be procedural in nature, such as an item being removed from the agenda. Special Recognitions are awards or recognition of individuals by the Council.

D. Public Comment

1. Policy. The Council recognizes that public input into the governmental process is an invaluable aid to informed decision making. Therefore, it is the policy of the Council that all citizens shall have the right to speak before the Council on matters of public concern, but each citizen shall be responsible for abuse of such right. Consequently, to ensure that the greater public interest is fostered, each citizen or group of citizens who desires to speak before the Council shall have the duty to exercise this right in a manner which furthers the greater public interest.

2. Public Comment Generally. Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public comments during each regular session of the Council. The Council, in its sole discretion, may extend this time, or may request further information be presented to the Council on such date and in such manner as it deems appropriate. Public comment is limited to items not on the agenda, or items on the agenda which are not public hearings.

If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.

Speakers are limited to three (3) minutes, for individuals and five (5) minutes for persons representing a group of two or more. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. The presiding officer may allow additional persons to speak if they have not signed the speaker's roster and sufficient time is left.

Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.

Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize City-provided audio or visual equipment located in the Council chambers as a part of their comment, but must provide the materials in a readable format to City staff prior to the meeting so that it may be installed on the City's equipment to avoid a delay or disruption of the meeting.

E. Consent Agenda. In order to expedite the Council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
2. Any item on the consent agenda may be removed for separate consideration by any member of the Council.
3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of Council must declare a conflict of interest.
4. Examples of items for Consent Agendas include Council Committee Minutes, OLCC requests, temporary street closures, annual proclamations and routine housekeeping items.

F. Ordinances and Resolutions – See Chapter 3

G. Public Hearings Generally

1. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
2. Persons wishing to speak shall sign the Sign-In Roster with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
4. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the City, and may give their address. All remarks shall be addressed to the Council as a body and not to any member thereof.
5. Council shall set the time limits for the applicant, appellant, or other interested persons. Except as otherwise provided an applicant or appellant shall be provided fifteen minutes. Other interested persons shall be given three minutes for individuals and five minutes for a group of two or more.
6. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed

his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The presiding officer may intervene if a councilor is violating the spirit of this guideline.

7. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City councilors should be to provide clarification or additional information on testimony provided.

8. The presiding officer may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the City recorder to note the numbers in the minutes.

9. At the end of public testimony and questions of staff, the Council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing.

10. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the City recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.

11. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address,

including email address, and telephone number from disclosure must submit a written request for nondisclosure to the City recorder pursuant to ORS 192.455(1).

H. Conduct of Hearings on Land Use Matters – See Chapter 4

I. Written Communications to Council.

1. Unsolicited communications to the mayor and/or Council concerning matters on the agenda shall be forwarded to the Council in the agenda packet, if received at least 7 days prior to the meeting, but shall not be individually itemized on the agenda. If received less than 7 days prior to the meeting, such communications will be provided to Council at the meeting.
2. Unsolicited communications to the mayor and/or Council concerning matters that are not on an agenda shall be forwarded to the mayor and/or Council but shall not be included in the agenda packet.
3. The City manager may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.

J. Anonymous Communications. Anonymous and unsigned communications shall not be introduced at Council meetings.

CHAPTER 2 – MEETING TIME, LOCATION AND FREQUENCY

I. Regular meetings. The Council shall meet the second and fourth Thursday of each month except in those cases where the Council finds it necessary to designate another date due to conflicts and with the exception of designated holidays and/or Council recesses.

A. Meetings shall begin at 7:00 p.m.

B. Meetings shall adjourn at 10:00 p.m., but may be extended upon a majority vote of the Council. In no event shall meetings extend beyond 11:00 p.m.

II. Special meetings. Special meetings may be called by the presiding officer, by request of three members of the Council, or by the City manager and must be approved by a majority of the Council.

A. Notice of the special meeting shall be given to each member of the Council, the City manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.

B. Notice of the special meeting shall be given to all members of the Council and the City manager via telephone and email.

C. Special meetings shall be noticed in accordance with Oregon's public meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.

III. Emergency meetings. Emergency meetings may be called by the presiding officer, by the request of three members of Council, or by the City manager.

A. Notice of the emergency meeting shall be given to each member of the Council, the City manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.

B. Notice of the emergency meeting shall be given to all members of Council and the City manager via telephone and email.

C. Emergency meetings are those meetings called with less than 24 hours' notice and the Council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.

D. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

IV. Executive Sessions. Executive sessions may be called by the presiding officer, by the request of three members of Council, by the City manager or by the City attorney.

A. Only members of the Council, the City manager and persons specifically invited by the City manager or the Council shall be allowed to attend executive sessions.

B. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.

V. Study Sessions. Study sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.

A. All study sessions are subject to Oregon's public meetings law and must be noticed accordingly.

B. Study sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a study session.

C. Study sessions are to be scheduled by the City manager.

D. The City manager is to invite any relevant staff to study sessions so that the sessions are as productive as possible.

VI. Holidays. In the event a regular meeting falls on a holiday recognized by the City, the regular meeting for that week shall be cancelled.

VII. Location. Council meetings shall be held at city hall.

A. In the event City hall is not available for a meeting, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the City.

B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.

C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.

VIII. Notice. The City recorder shall provide notice of all meetings in accordance with Oregon's public meeting law.

IX. Attendance. Members of the Council shall advise the City manager if they will be unable to attend any meetings. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.

CHAPTER 3 – ORDINANCES AND RESOLUTIONS

I. Ordinances. All ordinances considered by and voted upon by the Council shall adhere to the rules outlined herein.

A. Preparation and Introduction.

1. All ordinances shall, before presentation to the Council, have been approved by the City manager, or the City attorney.
2. No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.

B. Calendar of Ordinance.

1. An ordinance is introduced for consideration by the Council for presentation for first reading. After introduction, the Council may direct that:
 - a. A public hearing on the ordinance be held;
 - b. Refer the ordinance to committee for review and recommendation;
 - c. Refer the ordinance to the City manager or staff for further revision;
 - d. Pass the ordinance to a second reading; or
 - e. Reject the ordinance in whole or in part.
2. All ordinances when introduced for first reading shall be identified by title and number on a calendar of first reading and may be passed to a second reading as a group without further reference.
3. Except as otherwise provided by this section, on second reading all ordinances shall be placed by title and number on the agenda for second reading, and may be passed as a group, provided that such ordinances are placed by title and number on a calendar of second reading, and the vote for the passage of the calendar is unanimous. Should any member of the Council object to any ordinance at the time of second reading, that ordinance shall be removed from the calendar of second reading, and considered separately. Ordinances to be considered separately shall be read by title only.
4. When a calendar of second reading of an ordinance which is to be considered separately is placed before the Council for final passage, the City recorder shall call the roll and enter the ayes, nays and abstentions in the record.
5. All proposed amendments to an ordinance shall be in writing, and may be made by interlineation upon the ordinance.
6. The Council may adopt an ordinance at a single meeting by the approval of a majority of the Council, provided the proposed ordinance is available in writing to the public at least one week before the meeting.

7. An affirmative vote of at least a majority of the quorum shall be necessary to pass an ordinance.

II. Resolutions. All resolutions considered by and voted upon by the Council shall adhere to the rules outlined herein.

A. Preparation and Introduction. All resolutions shall, before presentation to the Council, have been approved by the City manager or the City attorney.

B. Calendar of Resolution.

1. A resolution is introduced for consideration by the Council at a single meeting. After introduction, the Council may direct that:
 - a. The resolution be approved;
 - b. A public hearing on the resolution be held; or
 - c. Reject the resolution in whole or in part.
2. All resolutions when introduced for first reading shall be identified by title and number on a calendar.
3. All proposed amendments to a resolution must be read aloud or made available in writing to the public at the meeting before the Council adopts the resolution.
4. An affirmative vote of a majority of the quorum shall be necessary to pass a resolution.

CHAPTER 4 – LAND USE HEARINGS

I. General Conduct of Hearings.

- A. Any party may speak in person, through an attorney or agent.
- B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the City recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City recorder, it shall not be included in the record for the proceeding.
- C. No person may speak more than once without obtaining permission from the presiding officer.

D. Upon being recognized by the presiding officer, any member of the Council, the City Manager, community development director or the City attorney may question any person who testifies.

E. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the Council.

F. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the City recorder shall note the numbers of such persons for the record in the minutes.

II. Quasi-Judicial Land Use Matters.

A. Conflicts of Interest.

1. A member of the Council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

- a.** The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter.
- b.** The member was not present during the public hearing; provided, however, members may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

2. Members of the Council shall reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. If such contact impairs the member's impartiality, the member shall state this fact and abstain from participation in the matter.

C. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the Council shall be based on the applicable standards and criteria as set forth in the City's municipal code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.

2. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

D. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The presiding officer shall read the land use hearing disclosure statement, which shall include:

- a.** A list of the applicable criteria;
- b.** A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
- c.** A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
- d.** If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. Call for ex parte contacts. The presiding officer shall inquire whether any member of the Council has had ex parte contacts. Any member of the Council announcing an ex parte contact shall state for the record the nature and content of the contact.

3. Call for abstentions. The presiding officer shall inquire whether any member of the Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of the Council announcing a conflict of interest or bias shall state the nature of the conflict or bias, and shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

4. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

5. Presentation of the Case.

- a.** Proponent's case. Twenty minutes total.
- b.** Persons in favor. Five minutes per person.
- c.** Persons opposed. Five minutes per person.
- d.** Other interested persons. Five minutes per person.
- e.** Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

6. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such

questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

7. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

8. Findings and Order. The Council may approve or reject the proposal.

- a. The Council shall adopt findings to support its decision.
- b. The Council may incorporate findings proposed by the proponent, the opponent or staff in its decision.

E. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

III. Legislative Land Use Matters.

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

1. Call for abstentions. Inquire whether any member of the Council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

3. Presentation of the Case.

- a. Proponent's case. Twenty minutes total.
- b. Persons in favor. Five minutes per person.
- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.

4. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.

5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

6. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to

receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – MOTIONS, DEBATE, PUBLIC COMMENT AND VOTING

I. Motions. All motions shall be distinctly worded.

A. The following rules shall apply to motions:

1. If a motion does not receive a second, it dies.
2. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
3. Any motion shall be reduced to writing if requested by a member of the Council.
4. A motion to amend can be made to a motion that is on the floor and has been seconded.
5. No motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
6. A motion may be withdrawn by the mover at any time without the consent of the Council.
7. Amendments are voted on first, then the main motion if voted on as amended.
8. A member of the Council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question fails without a majority vote.
 - b. Debate on the main subject resumes if the motion fails.

10. A motion that receives a tie vote fails.
11. The presiding officer shall repeat the motion prior to a vote.
12. A motion to adjourn cannot be amended.

B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

1. No motion shall be made more than once.
2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the Council.

II. Debate. The following rules shall govern the debate of any item being discussed by the Council:

A. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, refrain from impugning the motives of any member's argument or vote, and at all times act and speak in a respectful manner. No member shall address the presiding officer or demand the floor while a vote is being taken.

B. Members shall limit their remarks to five minutes unless granted additional time by the majority of the Council. No Council Member shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon has spoken.

C. A member, once recognized, shall not be interrupted when speaking unless called to order by the Mayor or Presiding Officer, or unless a point of order is raised by any Council Member while he or she is speaking, in which case said member shall cease speaking immediately until the point is determined. If ruled to be in order, said member shall be permitted to proceed; if ruled to be out of order, said member shall remain silent or shall alter his/her remarks to comply with the ruling.

D. The member of the Council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.

III. Public Comment. The public shall be entitled to comment on all matters before the Council that require a vote.

A. Public comment shall occur either during the public comment portion of the meeting, or at Council's election, after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.

B. Each member of the public is entitled to comment on the matter before the Council for three minutes.

C. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the Council or City staff.

D. Each person desiring to give public comments shall provide the Council with his or her name and address prior to giving comment. This information shall be used to ensure the minutes of the meeting properly reflect those persons who provided public comment.

IV. Voting. The following rules shall apply to voting on matters before the Council, unless amended in the manner outlined in Chapter 4 of these Rules.

A. The following require a majority of the quorum to pass.

i. Reports. (No vote is required if the report is only for informational purposes).

ii. Consent Agenda.

iii. Resolutions.

iv. An Ordinance Involving a Fee or Fine.

v. An Ordinance Not Involving a Fee.

vi. Emergency Ordinance.

vii. Budget.

viii. Franchise.

B. Suspension of Rules. A unanimous vote of all members of the Council present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules in this chapter which also appear in the City's charter shall not be suspended or rescinded.

C. Votes must be Recorded. All votes shall be recorded in the minutes.

D. Ties. Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower City body or commission, a tie shall render the lower body's decision approved.

E. Effective date.

1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

2. Emergency ordinances shall take effect immediately upon their passage:

3. All other ordinances shall take effect thirty days after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date.

4. The filing of a referendum petition shall suspend the effective date of an ordinance.

CHAPTER 6 – MINUTES

I. Generally.

A. All minutes shall be in written form, with an electronic copy of the meeting maintained by the City recorder in accordance with the appropriate record retention schedule.

B. The minutes shall contain the following information:

1. The date, time and place of the meeting;
2. The members present;
3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
4. The results of all votes and the vote of each member by name;
5. The substance of any discussion on any matter; and
6. A reference to any document discussed at the meeting.

II. Approval. The Council shall approve all minutes of any Council meeting.

A. All minutes shall be approved within ninety days of the meeting having occurred.

B. The draft minutes shall be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.

C. Any member of the Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

D. Grammatical changes that do not alter the substance of the minutes may be submitted directly to the city recorder and do not require a motion to amend.

CHAPTER 7 – APPOINTMENTS

I. Appointments of City Staff. The Council appoints and can remove the City manager and municipal judge as per the City's charter. All appointments require a majority vote of the entire Council.

A. Reviews. Any person appointed by the Council may be subject to an annual review by the Council.

B. Removals. All appointed persons may be removed by a majority vote of the entire Council.

C. Interference. If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointment of Members to Commissions, Committees and Ad Hoc Committees.

A. City Commissions, Committees and Ad Hoc Committees. Unless otherwise provided by statute, ordinance or resolution, the following shall be the procedure for the creation of and appointments to all City Commissions, Committees and Ad Hoc Committees:

1. Creation and Dissolution. At any time, the Council may, by ordinance or resolution, establish any City Commissions, Committees and Ad Hoc Committees deemed necessary and in the best interests of the City, other than the Planning Commission. Unless otherwise provided, all Commissions, Committees and Ad Hoc Committees so created shall sunset at the end of their mission, but in all events shall be reviewed yearly from the date of initial creation, and at such time shall either be preauthorized or dissolved.

2. Qualifications. All appointees to City Boards, Commissions, and Lay Committees shall be registered electors and shall reside in the City of Central Point for a period of one year. No appointee may serve on more than two City Boards, Commissions, and/or Lay Committees at any one time.

3. Term. The term of all appointments shall be for one year or less, unless otherwise stated, beginning with the first Council meeting in January. Appointments may be renewed for any number of terms.

4. Vacancies. Any qualified citizen may submit a letter of interest for any open position on a City Board, Commission, or Lay Committee. Vacancies shall be advertised in the local media and letters of interest shall be received only during the time set forth in the advertisement.

5. Nomination and Confirmation. Except as otherwise provided by Code or the Charter, nominations for positions on City Boards, Commissions, and Lay Committees may be made by the Mayor or by any two Council Members, and shall be subject to confirmation by the Council.

6. Notification of Expiration of Terms. The City Manager shall give written notice to the Council of the expiration of the term of office of all members of City Boards, Commissions, and Lay Committees at least thirty (30) days prior to expiration date of any appointee's term of office.

7. Removal. All lay members of City Boards, Commissions, and Lay Committees serve at the pleasure of the Council and may be removed at any time for any reason whatsoever upon motion and vote by a majority of the Council.

All Council Member seats on the City Boards, Commissions, and Lay Committees are reserved for sitting Council Members and upon expiration of any Council Members term, or upon resignation, removal, or death, the Council Member's seat on any City Boards, Commissions, and Lay Committees occupied by that person shall be immediately declared vacant, and a sitting Council Member appointed as a replacement.

B. Council Committees.

1. Creation and Dissolution. Council Committees may be created at any time by resolution or motion. All Council Committees shall have a Chairperson and Secretary, who may be either appointed by the Mayor, or by a majority vote of the members of the committee in the absence of such appointment. Such committee shall report to the Council without unnecessary delay upon matters referred to them. All Council Committees, so created, shall sunset at the end of their mission, but in all events shall be reviewed at the first Council meeting of January each year for preauthorization, and at such time shall either be preauthorized or dissolved.

2. Membership. Membership on such Council Committees shall include only sitting Council Members, who shall be appointed by the Mayor or Presiding Officer, subject to confirmation by the Council. Council Committee appointments shall be for a term of one year, unless otherwise stated, and Councilors may be reappointed for an indefinite number of terms.

3. Meetings. Council Committee meetings may be called by the Chairman, or by any two members. A majority of the members of a Committee shall constitute a quorum to do business.

C. Meetings Subject to Oregon Open Meetings Law. All meetings of any City Boards, Commissions, and Lay Committees or Council Committees shall be subject to and comply with the Oregon Public Meetings Law, ORS 192.610-192.710.

D. Quorums. A majority of the sitting members of any City Boards, Commissions, and Lay Committees or Council Committees shall constitute a quorum to do business.

E. Registry. The City Recorder shall prepare, keep current, and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, and Lay Committees, the date of their appointment, the length of their unexpired term, and their addresses and phone numbers. All Council Members shall be given a copy of this list at least once yearly or upon any substantial change in membership of any City Board, Commission, and Lay Committee.

CHAPTER 8 – ETHICS, DECORUM, OUTSIDE STATEMENTS

I. Ethics. All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

- A. Disclosing confidential information.
- B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
- C. Expressing an opinion contrary to the official position of the Council without so saying.
- D. Conducting themselves in a manner so as to bring discredit upon the government of the City.

II. Decorum.

- A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the Council.
- B. Members of the Council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
- C. Members of the City staff and all other persons attending meetings shall observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.

III. Rules of Conduct at City Council Meetings, Ejection and Exclusion.

- A. To preserve order and decorum, the presiding officer or designee may direct that any person who disrupts any Council meeting, or any person who engages in dangerous or threatening behavior, after first having been warned to cease and desist from such disruption or dangerous or threatening behavior, be ejected or excluded from Council Chambers or such other place as the Council may be in session.

B. For purposes of this Section, an ejection is an order made by the presiding officer to immediately leave the meeting, and an exclusion is an order made by a majority of the Council prohibiting a person from entering or remaining at future meetings for a specified period of time.

C. Ejection or exclusion shall be issued in the following manner:

1. The presiding officer or designee will give a warning to the person engaging in disruptive, dangerous or threatening behavior. If the person engaging in disruptive, dangerous or threatening behavior does not cease that behavior following the warning, the presiding officer or designee will issue an ejection. An ejection shall be for the remainder of the session at which the disruptive, dangerous or threatening behavior has occurred.

2. For purposes of this Section, a person disrupts a meeting of the Council if the person engages in any conduct that obstructs or impedes the orderly carrying on of the business of the meeting. Such conduct includes, but is not limited to: any conduct that substantially prevents any other person from hearing, viewing or meaningfully participating in the meeting including booing or speaking out from anywhere other than the designated podium; carrying or displaying signs; any conduct that substantially interferes with ingress or egress to or free movement within the Council Chambers; shouting over, or otherwise disrupting, any person who is recognized by the presiding officer; any conduct that substantially interferes with City business conducted by City staff present at the session; or failure to obey any reasonable direction of the presiding officer.

3. A direction of the presiding officer is reasonable if it is reasonably related to maintaining order and decorum. A direction of the presiding officer is not reasonable if it is directed to speech or conduct the right to engage in which is, under the circumstances, protected by the federal or Oregon constitution.

4. For purposes of this Section, behavior is dangerous or threatening if a reasonable person, exposed to or experiencing such behavior, could believe that the person was in imminent danger of physical harm from the behavior. Notwithstanding the provisions of this Section, if the presiding officer reasonably believes that a person's dangerous or threatening conduct constitutes an emergency, the presiding officer is not required to give the person a warning before ordering the person ejected.

D. If a person has previously been ejected for dangerous or threatening behavior before the Council within 1 year before the date of the present ejection, or for disruptive behavior on three or more separate occasions within 1 year before the date of the present ejection, the person shall be excluded from Council meetings for 30 days. Written notice of such exclusion shall be given as provided in the Central Point Municipal Code.

IV. Statements to the Media and Other Organizations

A. Representing City. If a member of the Council, to include the mayor, appears as a representative of the City before another governmental agency, any City board or commission, the Council, the media or an organization to give a statement on an issue, the member may only state the official position of the City, as approved by a majority of the Council.

B. Personal Opinions. If a member of the Council, to include the mayor, appears in their personal capacity before another governmental agency, City board or commission, the Council, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the City before giving their statement.

CHAPTER 9 – INTERACTIONS WITH STAFF & CITY ATTORNEY

I. Staff. All members of the Council shall respect the separation between the Council's role and the City's manager's responsibility by:

A. Not interfering with the day-to-day administration of City business, which is the responsibility of the City manager.

B. Refraining from actions that would undermine the authority of the City manager or a department head.

C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City manager.

1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.

2. Members of the Council shall normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of the Council acting in their individual capacities rather than as members of the Council, nor to questions regarding conflict of interest or similar issues particular to a member of the Council.

II. City Attorney. In general, Council questions for the City Attorney should be directed to the City Manager, unless the City Manager authorizes the Council to proceed directly to the City Attorney.

CHAPTER 10 – CENSURE [AND REMOVAL]

- I.** The Council may enforce these rules and ensure compliance with City ordinances, charter and state laws applicable to governing bodies. If a member of Council violates these rules, City ordinances, the City charter or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the city charter.
- II.** The Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – AMENDMENT AND REPEAL

I. Amendment. These rules of procedure are subject to amendment by the Council in accordance with the rules noted herein.

- A.** Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
- B.** All amendments to these rules require a majority vote of the entire Council and shall be adopted by resolution.
- C.** Amended rules shall not go into effect until the meeting after the rule was approved.

II. Repeal. These rules of procedure are subject to repeal and replacement by the Council in accordance with the rules noted herein.

- A.** Any proposed repeal of these rules shall be accompanied by a proposed replacement.
- B.** Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
- C.** Any repeal and replacement of these rules requires a majority vote of the entire Council.
- D.** Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.

Approve Resolution granting a non-exclusive franchise to Qwest Corporation d/b/a Century Link QC.

RECOMMENDED MOTION:

I move to approve Resolution No. _____ of the City of Central Point, Oregon granting a non-exclusive franchise to Qwest Corporation d/b/a Century Link QC.

ATTACHMENTS:

1. RESO CenturyLink Franchise Agreement
2. Revised Franchise Agt CenturyLink - Central Point 1-5-2021

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CENTRAL POINT, OREGON GRANTING A NON-EXCLUSIVE FRANCHISE TO QWEST CORPORATION D/B/A CENTURY LINK QC

RECITALS:

1. The City of Central Point holds rights-of-way in trust for the public and has the responsibility and home-rule authority to manage and conserve the capacity of such rights-of-ways.
2. The City of Central Point is authorized by Chapter 221 of the Oregon Revised Statutes, the City of Central Point Charter and the Central Point Municipal Code to regulate, and receive compensation from, utilities occupying right-of-way within the City.
3. CenturyLink provides telecommunications services and infrastructure, and pursuant to applicable federal and state law has requested the City enter into a 10-year franchise agreement for Telecommunications Infrastructure in the City.
4. The City Council finds the proposed franchise agreement meets the conditions of federal and state law, and is in compliance with Central Point Municipal Code 12.40.

The City of Central Point resolves:

Section 1. Franchise Agreement Adopted by City Council: The Franchise Agreement attached hereto between the City of Central Point and CenturyLink is hereby adopted by the City Council and approved for signature by the City Manager.

Passed by the Council and signed by me in authentication of its passage this _____ day of January, 2021.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: RESO CenturyLink Franchise Agreement (1365 : CenturyLink Franchise Agreement)

TELECOMMUNICATIONS FRANCHISE AGREEMENT
CENTURY LINK – CITY OF CENTRAL POINT

This Franchise Agreement authorized pursuant to Central Point Municipal Code Chapter 12.40, is entered into between the City of Central Point (City) and Grantee (defined below) effective January 14, 2020.

Section 1. As used in this Agreement, the following words and phrases shall mean:

City: The City of Central Point, Oregon.

City Manager: The City Manager or his or her designee.

Facilities: All pipelines, conduits and associated structures owned by Grantee for use by Grantee in providing telecommunications services to the inhabitants and City of Central Point.

Grantee: Qwest Corporation, d/b/a CenturyLink QC, its successors and assigns.

Public way: Any highway, street, road, alley, public right-of-way or utility easement for public use under control of the City within the corporate limits of the City now existing and as annexed during the term of this Franchise.

Gross revenues: As defined in ORS §§221.515 and 403.105.

Section 2. A reliable source for telecommunications services is in the public interest of the City and its inhabitants. Therefore, subject to the provisions and restrictions of this Agreement and the Code of Central Point, the City grants to Grantee the non-exclusive privilege to locate, construct, operate and maintain its facilities in the public way.

Section 3. Except as provided in this section, Grantee's facilities shall be installed underground except along those routes existing at the time of enactment of this Agreement or where infeasible, as mutually agreed upon by both parties. Subject to the City Manager's authority and pursuant to City's police powers to prescribe which public ways will be used and the location within the public way, it shall be lawful for Grantee to make all necessary excavations in any public way for the purpose of locating, constructing, operating and maintaining its facilities. Grantee's use of the public way and all construction by Grantee shall comply with the applicable standard specifications and special provisions of the City Code and all other applicable Federal, State and local laws and regulations, and Grantee and the City shall comply with the requirements of the Oregon Utility Notification Law, ORS Chapter 757 (2013), and the related rules and administrative regulations promulgated thereunder in OAR Chapter 952. No work affecting the public way shall be done by the Grantee without first obtaining the permits required by the City, which may include plan submittal and approval before work begins. During the approval process, Grantee shall bear the burden of proof regarding the infeasibility of installing facilities underground along new routes when requesting customary above-ground facilities; under such circumstances, the City and Grantee will work together in good faith to reach a mutually agreeable solution consistent with this Section 3.

Section 4. New plans will be furnished promptly for any additions or modifications

Section 5. Nothing in this Agreement shall be construed in any way to prevent the City from constructing and maintaining any public improvement in any public way. In its construction and maintenance of public improvements, the City shall endeavor not to obstruct or prevent the free use by Grantee of its facilities; however, the City's rights shall be paramount, subject to its police powers and applicable state and federal law.

Section 6. The City shall have the right to require Grantee to change the location of any facility within the public way when the City determines that the public convenience requires such change, and the expense thereof shall be paid by Grantee, provided the City's request is (a) not unreasonable or discriminatory in nature, (b) is consistent with a lawful exercise of the City's police power, and (c) subject to applicable state and federal law. If the City has funding for the relocation, City will allow Grantee to participate and seek funding from the original source as a reimbursable party. Further, the Grantee shall not be required to relocate for any third party unless the third party agrees to fund the Grantee for such relocation and such request does not harm the Grantee, as provided in Section 7 below.

If the City requires Grantee to relocate its facilities located within the City, the City will make a reasonable effort to provide Grantee with an alternate location for its facilities within the public way. City shall give Grantee written notice to relocate its facilities at least 180 days prior to the date established by the City as the deadline for relocation or as reasonably agreed to by the parties due to the scope of the relocation. Within 60 days following receipt of such notice, Grantee shall do any necessary field investigation and furnish the City with a plan showing the exact location of all of Grantee's facilities in the construction area and showing necessary adjustments and reasonable time requirements. Thereafter, the City will furnish Grantee with final improvement plans and a schedule which allows Grantee a reasonable time to complete the relocation of its facilities.

Should Grantee, due to its gross negligence, fail to relocate any such facilities by the date established by the above-referenced final improvement plans and schedule, the City may effect such relocation at its own risk. The work shall be done by a qualified contractor and not cause any outage to the Grantee's system. The reasonable, direct and verifiable expense thereof shall be paid by Grantee. Grantee shall pay the City's charges for such work within 60 days after receipt of City's statement of charges, subject to Grantee's rights to pursue legal and equitable remedies.

Section 7. Should it ever become necessary to permanently or temporarily rearrange, or permanently or temporarily relocate Grantee's facilities at the request of a private person or business to the City, Grantee shall perform such rearrangement or relocation as expeditiously as possible upon receipt of reasonable written notice from the person or business desiring the temporary change of the facilities if such notice meets all of the following requirements:

- (a) approved by the City Manager in writing,
- (b) provides all necessary information about the project,
- (c) provides that the costs incurred by Grantee in making the change be borne by the person or business giving said notice,
- (d) provides that the person or business giving notice shall indemnify and hold harmless the Grantee and City of and from any and all damages or

of whatsoever kind or nature caused directly or indirectly from such change of Grantee's facilities, and

(e) full payment has been made by the person or business requesting the relocation to Grantee, unless Grantee provides written confirmation that it waives such requirement.

Section 8. Grantee shall at all times maintain all of its facilities in a good state of repair. Any damage to the public way caused by Grantee shall be promptly repaired by Grantee at no cost to the City. Grantee shall have a local representative available at all times through the local utility coordinating notification center, whether it be the Rogue Basin Utilities Coordinating Council, the Oregon Utility Notification Center, or any such successor authority, to locate Grantee's facilities for persons who need to excavate in the public way. Should Grantee fail to maintain or repair any such facilities by the date established by the City, the City may affect such repair at its own risk, and the reasonable and verifiable expense thereof shall be paid by Grantee. Procedures and costs shall be as in Section 6 above.

Section 9. Grantee shall indemnify and hold harmless the City from any and all damages of any kind or character to the extent caused by the location, installation, operation and maintenance of the Grantee's facilities in the City by Grantee or its contractors, except to the extent caused by the City's or a third party's negligence, recklessness or willful misconduct. Grantee or City shall promptly advise the other in writing of any known claim or demand against Grantee or the City related to or arising out of Grantee's activities in the Public right-of-way.

Section 10. In consideration of the privileges and franchise granted, Grantee shall pay as compensation for the use of the public way seven percent (7%) of the gross revenue collected by Grantee from its customers for local access telecommunications services provided within the corporate limits of the City.

Said franchise fee shall not be in addition to any other special license, occupation, franchise or excise taxes or charges which might otherwise be levied or collected by the City from Grantee with respect to Grantee's telecommunications business or the exercise of this franchise within the corporate limits of the City, and the amount due to the City under any other special license, occupation, franchise or excise taxes or other charges for corresponding periods shall be reduced by deducting therefore the amount of said franchise fee paid hereunder. A deductible "special" tax or charge is one that is levied only on Grantee or only on utility companies.

Grantee shall not deduct any general business taxes or general sales taxes levied or collected by the City. Grantee shall not deduct charges and penalties imposed by the City for noncompliance with charter provisions, ordinances, resolutions or permit conditions from the franchise fee payment required by this section. Nothing contained herein shall relieve the Grantee from the requirement to pay a system development charge properly imposed by the city in the appropriate cases consistent with applicable law, and such system development charges shall not reduce the franchise fee. Except as required by the City's moratorium on pavement cuts, Grantee shall not be required to pay any permit fees or similar charges for street opening, installations, construction and the like.

Grantee's payment shall be paid quarterly on or before April 30, July 31, October 31 and January 31 computed on the gross revenues accruing during the previous quarter or portion thereof immediately preceding these dates. Grantee shall pay a pro rata fee for the last annual payment the date of termination in addition to any other sums due the City and shall make such payment within 30 days of termination.

With each franchise fee payment, the Grantee shall furnish a statement setting forth the amount and calculation of the payment. The statement shall detail the revenues received by the Grantee from its operations within the City and shall specify the nature and amount of all exclusions and deductions from such revenues claimed by the Grantee in calculating the franchise fee.

Section 11. Payment not received within thirty (30) days from the due date shall be assessed interest at the rate of one percent (1%) compounded monthly from the due date. Except as otherwise required or allowed by law or rule, no portion of this franchise fee shall be noted separately on any bill to any customer or user of services or commodities furnished by Grantee. The look-back period for overages and underages shall be thirty-six (36) months from the due date of the payment. Subject to the thirty-six (36) month look-back period, no acceptance of any payment shall be construed as an accord that the amount paid is in fact the correct amount, nor shall any acceptance of payments be construed as a release of any claim the City may have for further or additional sums payable. Subject to the thirty-six (36) month look-back period, all amounts paid shall be subject to confirmation and re-computation by the City provided that such audit and computation is completed within thirty- six months of the date any audited and recomputed payment is due. If no such audit or financial review is conducted within the look-back period, then any claim that the City might have had for additional compensation shall be forever waived and relinquished.

Grantee agrees to reimburse the City for:

- a) The reasonable costs of such confirmation if the City's re-computation discloses that Grantee has paid 95% or less of the franchise fees owing for the period at issue upon receipt of an invoice from the City showing such costs were actually incurred and directly related to the audit; or
- b) One-half of the reasonable costs of such confirmation if the City's re-computation discloses that Grantee had paid more than 95% but less than 98% of the franchise fees owing for the period at issue.
- c) The City's costs which may be reimbursed under this section shall not exceed \$5,000.00 per audit or financial review.
- d) If the City determines that Grantee made any underpayment, and that the underpayment exceeded five (5%) percent of the amount due, Grantee shall pay interest compounded at the rate of one (1%) percent over the existing prime rate as set by the bank with which the City contracts for its banking services, compounded monthly. Interest shall be due on the entire underpayment from the date on which payment was due until the date on which full payment is received unless Grantee disputes the City's findings as provided for in subsection (f).
- e) If the City determines that Grantee has made any overpayment, it

immediately refund such overpayment to Grantee.

- f) If Grantee disputes the City's determination of underpayment, Grantee shall notify City of such a dispute within fifteen (15) days of City's written notification to Grantee of its determination of underpayment.
- g) All Grantee's books, maps, and records directly concerning its gross revenues under this franchise and its calculation of franchise fee payments to the City shall be open for inspection by the proper officers or agents of the City at Grantee's office, upon no less than fifteen (15) days prior written notice, during normal business hours to determine the amount of compensation due the City under this franchise, and shall be kept so as to accurately show the same until final resolution.

Section 12. Payment of this franchise fee shall not exempt Grantee from the payment of any other license fee, tax or charge on the business, occupation, property or income of Grantees that may be imposed by the City, except as may otherwise be provided in the ordinance or ordinances imposing such other license fee, tax or charge, and subject to applicable state and federal law.

Section 13. Grantee shall secure and maintain the following liability insurance policies insuring both Grantee and City, its elected and appointed officers, officials, agents and employees as coinsured during the term of this agreement:

Bodily Injury/Death	\$3,000,000
Property Damage	\$4,000,000
Automobile Liability	\$1,000,000
Workers' Compensation	\$1,000,000
Explosion/Collapse/ Product Hazard	\$3,000,000

Grantee's memorandum of insurance can be viewed at www.centurylink.com/moi.

Section 14.

14.1 This Franchise shall continue and be in force for a term of ten (10) years from the effective date and shall renew automatically for one additional term of ten (10) years unless written notice is given by either party 12-months prior to the end of the original term of its intent to terminate the franchise, or unless terminated as provided below.

14.2 In the event that the City believes that Grantee has not materially complied with the terms of the Franchise, the City shall informally discuss the matter with Grantee. If these discussions do not lead to resolution of the problem, the City shall notify Grantee in writing of the exact nature of the alleged noncompliance.

14.3 Grantee shall have thirty (30) days from receipt of the written notice described in subsection 14.2 to either respond to the City, contesting the assertion of noncompliance, or otherwise initiate reasonable steps to remedy the asserted noncompliance issue, notifying the City of the steps being taken and the projected date that they will be completed.

14.4 In the event that Grantee does not comply with subsection 14.3, above, unless the parties agree to an extension of the time provided in subsection 14.3, above, the City shall schedule a public hearing to address the asserted noncompliance issue. The City shall provide Grantee at least twenty (20) days' prior written notice of, and the opportunity to be heard, at the hearing.

14.5 Subject to applicable federal and state law, in the event the City, after the hearing set forth in subsection 14.4, determines that Grantee is noncompliant with this Agreement, the City may:

- A. Seek specific performance of any provision which reasonably lends itself to such remedy, as an alternative to damages; or
- B. Commence an action at law for monetary damages or other equitable relief; or
- C. In the case of substantial noncompliance with a material provision of the Agreement, seek to revoke the Franchise in accordance with subsection 14.6.

14.6 Should the City seek to revoke the Franchise after following the procedures set forth above, the City shall give written notice to Grantee including a statement of all reasons for such revocation. Grantee shall have ninety (90) days from receipt of such notice to object in writing and state its reason(s) for such objection. Thereafter, the City may seek revocation of the Franchise at a public hearing. The City shall cause to be served upon Grantee, at least thirty (30) days prior to such public hearing, a written notice specifying the time and place of such hearing and stating its intent to revoke the Franchise. At the designated hearing, the City shall give Grantee an opportunity to state its position on the matter, after which the City shall determine whether or not the Franchise shall be revoked. Grantee may appeal the City 's determination to the Circuit Court in Jackson County, Oregon, which shall have the power to review the decision of the City *de novo*. Such appeal must be filed within sixty (60) days of the issuance of the City 's determination. The City may, at its sole discretion, take any lawful action which it deems appropriate to enforce its rights under this Agreement in lieu of revocation.

Section 15. This Franchise is not transferable. Nothing herein shall be interpreted to limit Grantee's rights to use contractors, nor its right or responsibility, as applicable, to allow other entities to use portions of its telecommunication system; in such instances, neither notice to nor consent from the City shall be required.

Notwithstanding anything to the contrary within the terms of this Franchise, Grantee shall have the right to assign its rights and interest under the Franchise to its subsidiaries, affiliates or successor legal entities or to the subsidiaries or affiliates of Grantee without notice or consent.

Section 16. The City Manager is authorized to act for the City in all matters pertaining to this Franchise. Grantee may appeal any action of the City Manager to the City Council by giving written notice thereof within twenty-one (21) days after Grantee was notified of such action. The City Council will hear the appeal and render a final decision within thirty (30) days after the notice of appeal is given.

Section 17. Whenever any notice is to be given pursuant to this Agreement, it shall be effective on the date it is sent in writing by registered or certified mail, addressed as follows:

To the City: City Manager
 City of Central Point
 140 S. Third Street
 Central Point, OR 97502

To Grantee: Qwest Corporation, dba CenturyLink QC
 ATTN: ROW/NIS Manager
 100 CenturyLink Drive
 Monroe, LA 71203

With copies of default notices to:
 ATTN: Legal Department
 931 14th Street
 Denver, CO 80202

Notice of change of address may be given in the same manner as any other notice.

Section 18. This franchise supersedes all prior franchises between City and Grantee.

Section 19. Proprietary information as identified and provided by the Grantee to the City under this Agreement is entitled to protection as trade secrets and shall be governed by confidentiality procedures pursuant to ORS 192.501, ORS 192.502 and under any other applicable State or Federal laws. At Grantee's request, the City agrees to execute Grantee's Non-Disclosure Agreement prior to the release of any information Grantee deems is of a confidential nature.

Section 20. This Agreement shall be governed by Oregon law. Nothing in this Agreement is intended to be inconsistent with the State or Federal Law. Further neither the City nor Grantee waives any rights granted under State or Federal Law by agreeing to this Agreement. If any clause, sentence, or section of this Agreement, or any portion thereof, shall be held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder, as a whole or any part thereof, other than the part declared invalid.

Section 21. This franchise does not authorize Grantee to operate a cable television system or provide video programming, as defined by 47 U.S.C.A §522 (Supp. 1997). In the event that Grantee wishes to add cable television services to the list of services, as regulated by the Federal Communications Act of 1934, as amended, Grantee agrees that it must negotiate an additional agreement with the City setting forth the terms and conditions governing such service.

Section 22. Grantee shall comply with all applicable federal and state laws. Grantee shall comply with all applicable City ordinances, CPMC 12.40, resolutions, rules and regulations adopted or established pursuant to the City's lawful authority. Grantee shall pay any charges and penalties imposed by City for noncompliance with Charter provisions, ordinances, resolutions or permit conditions.

Grantee
 Qwest Corporation, d/b/a CenturyLink QC

City of Central Point

By:
Its:

By:
Its:

Attachment: Revised Franchise Agt CenturyLink - Central Point 1-5-2021 (1365 : CenturyLink Franchise Agreement)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	City Manager
FROM:	Chris Clayton, City Manager		
MEETING DATE:	January 14, 2021		
SUBJECT:	Election of 2021 Council President		
ACTION REQUIRED:	Motion	RECOMMENDATION:	Not Applicable

BACKGROUND INFORMATION:

Chapter 3, Section 9, of the City of Central Point Charter, states the following:

Council President. At its first meeting each year, the council must elect a president from its membership. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform mayoral duties.

FINANCIAL ANALYSIS:

N/A

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

N/A

STAFF RECOMMENDATION:

Staff recommends the City Council discuss, debate, nominate and elect a City Council President for 2021.

RECOMMENDED MOTION:

I move to approve _____ as the 2021 City of Central Point Council President.



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** City Manager

FROM: Chris Clayton, City Manager

MEETING DATE: January 14, 2021

SUBJECT: Local City Council Committee and Board Assignments 2021

ACTION REQUIRED: Motion **RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

With a newly seated city council, it is time to formalize committee, commission, and board assignments for the upcoming year. This is a chance for Council Members to change their preferences regarding which organization they would like to participate in by representing the City of Central Point.

Each of these assignments represents an important opportunity for the City of Central Point to exert influence and maintain relations with regional agencies and partners.

FINANCIAL ANALYSIS:

No fiscal impact.

LEGAL ANALYSIS:

Chapter 3, Section 10, of the City of Central Point Charter states the following: Rules. The council must, by resolution, adopt rules to govern its meetings.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Proactive Government and Citizen Involvement

Goal 1- Build strong relationships between government and its citizens.

Strategies:

- a. Initiate effective communication by implementing varied methods to reach as many citizens as possible (e.g. Town Hall meetings, social gatherings, reestablish gathering places (businesses/homes), build upon existing, events, set up kiosks,

-
- local newspaper/newsletter/website, marketing/advertising, personal contact);
 - b. Collaborate with other governmental agencies, public and private enterprises, pooling resources (e.g. School District #6, RCC/SOU, Library, Theater, RVCOG, Chamber of Commerce);
 - c. Regularly survey the needs of citizens
-

STAFF RECOMMENDATION:

Review and discuss the attached Committee and Board list.

RECOMMENDED MOTION:

I move to approve the 2021 City Council Committee and Board assignments "as presented" or "as discussed and amended."

ATTACHMENTS:

1. Local Committee Representatives 2021

City Council Representatives Boards, Commissions, Committees, Foundations

1. **RVCOG Board of Directors Meetings**, Kelley Johnson
4th Weds, monthly, 11:45 a.m.
Contact: 664-6676 ext. 202
2. **Jackson County Expo Board**, Mayor Williams,
3rd Tuesday each month, 6:00 p.m. Fair Board Room
Contact: Helen Funk, 541-774-8270
3. **So. Oregon Regional Econ. Dev. Inc. (SOREDI)**, Rob Hernandez
1st Tuesday each month, 3:30 alternating between Medford and G.P
Contact: Angie 773-8946
4. **School District No. 6 Board Meeting**, Melody Thueson
2nd and 4th Tuesday of each month, 7:30 p.m. Location varies
Contact: Robin 541-494-6200
6. **Medford Water Commission**, Hank Williams, Tanea Browning, Chris Clayton
1st and 3rd Wednesday each month, 12:30 p.m. Lausman Annex.
Contact: Medford Water Commission 774-2430
7. **Transportation Advocacy Committee (TRADCO)**, Hank Williams
2nd Tuesday each month, 12:00 p.m. Jackson County
Contact: Kim Parducci 774-2100
8. **Airport Advisory Committee**, Tom Humphrey, Rob Hernandez
3rd Monday of each month, Noon at Airport Terminal
Contact: Vicki Waltner 541-776-7222
9. **Rogue Valley Area Commission on Transportation, (RVACT)** Tom Humphrey, Mike Quilty
2nd Tuesday each month, 9:00 a.m. Location varies
Contact: Stephanie Thume 423-1368
10. **Jackson County Fire District No. 3 Board**, Kelley Johnson
3rd Thursday each month, 5:15 p.m. White City Station
Contact: 541-826-7100
11. **RVTD Board Meetings**, Melody Thueson
last Wednesday of the month 5:30 p.m. at Medford Court House

12. **Visitor Information Center**, Kelley Johnson
4th Thursday each month, 12:00 p.m.
Contact: Chamber 664-5301
14. **Rogue Valley Sewer Systems**, Mike Parsons
3rd Wednesday each month, 11:30 Lunch 12:00 – 1:30 meeting.
138 W. Vilas Road
Contact: Carl Tappert 541-779-4144
16. **Central Point Citizens Advisory Committee**, Mike Parsons
6:30 p.m. 2nd Tuesday - January, April, July, October (Subject to
Change) Contact: Tom Humphrey 541-423-1025
17. **Parks and Recreation Commission**, Mike Parsons
Quarterly, Council Chambers
Contact: Dave Jacobs 541-423-1042
18. **Parks and Recreation Foundation**, Mike Parsons
Meetings vary Contact: Dave Jacobs 541-423-1042
19. **Planning Commission**, Neil Olsen
Meetings 1st Tuesday of the month,
Contact: Karin Skelton 541-664-3321 ext 292

2019 Transportation Representative Mike Quilty appointed on 1/10/2019

1. **Metropolitan Planning Organization (RVMPO) Policy Committee**,
Representative Mike Quilty, Hank Williams,
2. **Oregon Rail Leadership Group**,
3. **Oregon Metropolitan Planning Organization Consortium**
4. **Oregon Freight Advisory Group**
5. **Oregon State Transportation Improvement Program Stakeholders
Group**
6. **West Cost Corridor Coalition**
7. **Rogue Valley Area Commission on Transportation (RVACT)** as
representative of RVMPO



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:**
Administration

FROM: Chris Clayton, City Manager

MEETING DATE: January 14, 2021

SUBJECT: Citizen Advisory Committee Appointment

ACTION REQUIRED: Motion **RECOMMENDATION:**

The Citizen Advisory Committee (CAC) currently has two vacancies. The CAC is a seven-member Committee. The committee member terms are automatically renewed every year, but the Council appoints the Chair.

The City has been advertising for volunteers for several committee/commission vacancies and received three applications for appointment to the Citizen Advisory Committee.

Current Citizen Advisory Committee members are:

Chair David Painter	Michael House
Cinda Harmes	Robin Stroh

The City has received three applications for the Citizens Advisory Committee, which are attached.

John Eaton
Eden Foster
Christy Painter

Mayor Williams will make a recommendation for an appointment to the CAC for 2021.

RECOMMENDED MOTION:

I move to appoint _____ and _____ to the Citizens Advisory Committee.

ATTACHMENTS:

1. CAC App Eaton_Redacted
2. CAC App Foster_Redacted
3. CAC App Painter_Redacted

City of Central Point, Oregon
140 S 3rd Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Administration Department
Chris Clayton, City Manager
Deanna Casey, City Recorder
Elizabeth Simas, Human Resource Director

**APPLICATION FOR APPOINTMENT TO
CITY OF CENTRAL POINT COMMITTEE**

Name: John K. Eaton Date: 1/4/2021

Address: ████ South 4th Street

Home Phone: _____ Business Phone: _____ Cell Phone: ██████████

Fax: _____ E-mail: ██████████

Are you a registered voter with the State of Oregon? Yes X No _____

Are you a city resident? Yes X No _____ If Yes, How long: 8 years

Which committee(s) would you like to be appointed to: *(Please make sure the dates below work with your schedule before applying. Council and Planning Commission members are required to file an Annual Statement of Economic Interest to the State of Oregon.)*

Meeting Dates (All meeting dates are subject to change or additions, times vary for each committee):

- Budget Committee: Meetings vary in April Bi-Annually
- Citizens Advisory Committee: 2nd Tuesday of quarterly
- Planning Commission: 1st Tuesday of each month
- Parks and Recreation Committee/Foundation: Meeting dates vary

Employment, professional, and volunteer background:

Sales professional for 10+ years. Currently employed by Ricoh, USA as a major account manager for all of Southern Oregon since 2018. Previous to Ricoh, I was the national accounts manager for TerraMai in White City, and prior to that I was the location manager for the Cintas corporation in White City.

Community affiliations and activities:

I am a youth Jiu Jitsu coach at Higs Gym in Central Point.

Previous City appointments, offices, or activities:

Attachment: CAC App Eaton_Redacted (1368 : Citizen Advisory Committee Appointment)

To provide additional background for the Mayor and City Council, please answer the following questions.

1. Please explain why you are interested in the appointment and what you would offer to the community.

I have a growing passion for my community and where my family lives, and am invested in the city of Central Point as a home owner. The majority of my own personal community of friends and neighbors live in Central Point and are business owners, farmers and home owners who love the city like I do. I feel that it is important to serve and be involved in the local government if I am to have an opinion about it, and I believe that I can represent the views and concerns of my community in a way that is beneficial, helps drive the involvement of citizens and provides a reasonable voice to the city.

2. Please describe what you believe are the major concerns of the City residents and businesses that this committee should be concerned about.

I believe that protecting the ethos of the city as a "small town with a big neighbor" is vital. I also believe that there is a significant lack of housing availability that is exacerbated by the recent Alameda fires that creates potential concern. Because of COVID there is a lot of fear about how life can return back to normal, and I believe that business owners are hoping for strong support from the city to continue to leverage available Federal and State programs to provide assistance and relief. I also believe that Central Point should continue to be as welcoming and accommodating as possible to businesses that open or relocate to the city as they provide much needed growth and jobs for our residents, as well as tax revenue for services and safety.

3. Please provide any additional information or comments which you believe will assist the City Council in considering your application.

4. Do you anticipate that any conflicts of interest will arise if you are appointed; and if so, how would you handle them?

I do not anticipate any conflicts of interest, however it is important to disclose that the City of Central Point is one of my assigned customers in my portfolio of State and Local Government clients (every city in southern Oregon is). I don't believe this committee would have any influence or interest in the Software/IT services/Printer/Copier/Hardware or Data Management services I sell - I would recuse myself of any discussions or decisions that were directly or indirectly related to any business activity I have engaged with the city on.

Please feel free to use additional sheet if you have more information to help the Council make a final decision.

My signature affirms that the information in this application is true to the best of my knowledge. I understand that misrepresentation and/or omission of facts are cause for removal from any council, advisory committee, board or commission I may be appointed to. All information/documentation related to service for this position is subject to public record disclosure.

Signature:



Date:

1-4-21

Attachment: CAC App Eaton_Redacted (1368 : Citizen Advisory Committee Appointment)

City of Central Point, Oregon
140 S 3rd Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Administration Department
Chris Clayton, City Manager
Deanna Casey, City Recorder
Elizabeth Simas, Human Resource Director

**APPLICATION FOR APPOINTMENT TO
CITY OF CENTRAL POINT COMMITTEE**

Name: Eden Foster Date: 11-16-2020

Address: ██████ Shake Drive, Central Point, OR 97502

Home Phone: Business Phone: Cell Phone:

Fax: E-mail: .com

Are you a registered voter with the State of Oregon? Yes No

Are you a city resident? Yes No If Yes, How long: since 2006

Which committee(s) would you like to be appointed to: *(Please make sure the dates below work with your schedule before applying. Council and Planning Commission members are required to file an Annual Statement of Economic Interest to the State of Oregon.)*

Meeting Dates (All meeting dates are subject to change or additions, times vary for each committee):

- Budget Committee: Meetings vary in April Bi-Annually
- Citizens Advisory Committee: 2nd Tuesday of quarterly
- Planning Commission: 1st Tuesday of each month
- Parks and Recreation Committee/Foundation: Meeting dates vary

Employment, professional, and volunteer background:

Masters of Urban Affairs, (emphasis environmental planning), Boston University; BS Horticulture (English minor), Virginia Tech; Director of Public Programs, The North Carolina Arboretum (ten years); Freelance writer (seven years). Frequent volunteer in both children's schools, Parks and Rec volunteer for special events and classes, 2015-present. Volunteer service projects Guatemala, five years. Food delivery driver for fire recovery. Presently retired.

Community affiliations and activities:

Member, Board of Directors, Central Point Parks and Rec Foundation, 2018-present; Member, Board of Directors ATI (Phoenix, OR) 2007-2012; assist husband with Medford Rogue Rotary projects

Previous City appointments, offices, or activities:

Please see above

Attachment: CAC App Foster_Redacted (1368 : Citizen Advisory Committee Appointment)

Central Point Committee Application
Page 2

To provide additional background for the Mayor and City Council, please answer the following questions.

- 1. Please explain why you are interested in the appointment and what you would offer to the community.

I am interested in learning more about the City of Central Point, particularly with respect to planning and development. I learned from my Master's Degree in Urban Planning that planners, largely with the best intentions, do not always fully consider the unintended consequences of a decision, and I would like to offer my perspective. I have time and energy that I can devote to this committee, and I also look forward to meeting other concerned citizens of the town I have come to love.

- 2. Please describe what you believe are the major concerns of the City residents and businesses that this committee should be concerned about.

My primary concerns with respect to the City are affordable housing and open space development and maintenance. I believe this committee would address both.

- 3. Please provide any additional information or comments which you believe will assist the City Council in considering your application.

I have thoroughly enjoyed my experience on the Parks and Rec Foundation Board, both in addressing issues that are of fundamental interest to me and in getting to know the excellent staff members of the department. I look forward to expanding my service in the community and believe that the Citizen's Advisory Committee would be a good fit.

- 4. Do you anticipate that any conflicts of interest will arise if you are appointed; and if so, how would you handle them?

I am a retiree and do not have any investments or connections to any businesses in Central Point. I do, however, favor certain local businesses that have provided me with excellent customer services and products. Should a conflict arise regarding those businesses, I would make my preferences known, and attempt to be open and impartial regarding any issue before the Committee.

Please feel free to use additional sheet if you have more information to help the Council make a final decision.

My signature affirms that the information in this application is true to the best of my knowledge. I understand that misrepresentation and/or omission of facts are cause for removal from any council, advisory committee, board or commission I may be appointed to. All information/documentation related to service for this position is subject to public record disclosure.

Signature: _____

[Redacted Signature]

Date: _____

11-16-2020

Attachment: CAC App Foster_Redacted (1368 : Citizen Advisory Committee Appointment)

City of Central Point, Oregon
140 S 3rd Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Administration Department
Chris Clayton, City Manager
Deanna Casey, City Recorder
Elizabeth Simas, Human Resource Director

**APPLICATION FOR APPOINTMENT TO
CITY OF CENTRAL POINT COMMITTEE**

Name: Kristy Painter Date: 1/6/2021

Address: [Redacted] Mitchell way, Central Point

Home Phone: 54 [Redacted] Business Phone: --- Cell Phone: [Redacted]

Fax: --- E-mail: [Redacted]

Are you a registered voter with the State of Oregon? Yes X No ---

Are you a city resident? Yes X No --- If Yes, How long: 30+

Which committee(s) would you like to be appointed to: *(Please make sure the dates below work with your schedule before applying. Council and Planning Commission members are required to file an Annual Statement of Economic Interest to the State of Oregon.)*

Meeting Dates (All meeting dates are subject to change or additions, times vary for each committee):

- Budget Committee: Meetings vary in April Bi-Annually 2nd choice
- Citizens Advisory Committee: 2nd Tuesday of quarterly 1st choice
- Planning Commission: 1st Tuesday of each month
- Parks and Recreation Committee/Foundation: Meeting dates vary

Employment, professional, and volunteer background:

21 years with Medford Chamber, laid-off due to covid. Currently volunteering with Central Point Senior Center. Volunteers Toys & Tots Christmas 2020. Former Board member Oregon Tour & Travel Alliance.

Community affiliations and activities:

Prior to layoff, my position with Travel Medford allowed me to interact with city of Central Point & Central Point Chamber on a variety of activities

Previous City appointments, offices, or activities:

No appt. with city of Central Point. I did serve on the city of Medford Parking Commission for 6 years. Was appointed chair during two of them.

Attachment: CAC App Painter_Redacted (1368 : Citizen Advisory Committee Appointment)

Central Point Committee Application
Page 2

To provide additional background for the Mayor and City Council, please answer the following questions.

1. Please explain why you are interested in the appointment and what you would offer to the community.

After serving the City of Medford for over 20 years, I would like to focus my time on my hometown and learn more about it.

2. Please describe what you believe are the major concerns of the City residents and businesses that this committee should be concerned about.

I feel Central Point is doing an awesome job and I have no major concerns. My interest is in the new community center and the senior center.

3. Please provide any additional information or comments which you believe will assist the City Council in considering your application.

I have been a resident of Central Point for over 30 years. My children graduated from the school system here. I admire the direction it is going and feel my professional experience could be a valuable asset.

4. Do you anticipate that any conflicts of interest will arise if you are appointed; and if so, how would you handle them?

I don't anticipate conflicts of interest. My commitment would be to the commission if appointed, and any questions would be discussed openly.

Please feel free to use additional sheet if you have more information to help the Council make a final decision.

My signature affirms that the information in this application is true to the best of my knowledge. I understand that misrepresentation and/or omission of facts are cause for removal from any council, advisory committee, board or commission I may be appointed to. All information/documentation related to service for this position is subject to public record disclosure.

Signature: 

Date: 1/6/21



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Finance
FROM:	Steven Weber,		
MEETING DATE:	January 14, 2021		
SUBJECT:	Property Tax Update		
ACTION REQUIRED:	Information/Direction	RECOMMENDATION:	Not Applicable

BACKGROUND INFORMATION:

At the October 26, 2020 study session, staff discussed, among other items, the 2020-21 property tax levy and the impact it would have on the City's 2019-21 biennial budget. Although this year's levy is better than the prior year's with a 4.28% increase in assessed value compared to 3.34% in the prior year, it is still below the budgeted 4.5% increase. Lower than budgeted assessed value coupled with a lower tax collection rate during the fiscal year 2019-20 (95.85% vs. 97%) led to a shortfall of \$330,837 in property tax revenue for the 2019-20 fiscal year. During the study session, Council asked staff for an update on how property tax collections for the current fiscal were proceeding after the receipts through November had been collected. The attached schedule shows a 5-year comparison of property tax collections at December of each corresponding year and at June (the end of each fiscal year). The schedule shows that collections in the current year are slightly lower than the prior year.

FINANCIAL ANALYSIS:

For the biennium, there is a projected shortfall in General Fund property tax revenue of \$534,342. Measures have already been taken on the expenditure side in response to the financial impact of the COVID-19 pandemic, which is helping to offset this revenue reduction. Departments are on target to reduce Materials & Service spending by 10% (\$601,800), and the proceeds from the sale of the Upton Road property (\$489,300) will help with the revenue impacts during the pandemic.

LEGAL ANALYSIS:

N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

STAFF RECOMMENDATION:

Information is for discussion purposes only.

RECOMMENDED MOTION:

N/A

ATTACHMENTS:

1. Property Tax Analysis

December

Fiscal Year	Budget Amount	Tax Levy	Tax Receipts	Receipts % of Budget	Receipts % of Tax levy
2016-17	\$ 4,918,000	\$ 5,015,104	\$ 4,505,457	91.61%	89.84%
2017-18	\$ 5,169,000	\$ 5,457,980	\$ 4,729,774	91.50%	86.66%
2018-19	\$ 5,376,000	\$ 5,798,417	\$ 5,027,886	93.52%	86.71%
2019-20	\$ 5,890,000	\$ 5,976,810	\$ 5,235,126	88.88%	87.59%
2020-21	\$ 6,155,000	\$ 6,233,059	\$ 5,438,386	88.36%	87.25%

June

Fiscal Year	Budget Amount	Tax Levy	Tax Receipts	Receipts % of Budget	Receipts % of Tax levy
2016-17	\$ 4,918,000	\$ 5,015,104	\$ 4,912,032	99.88%	97.94%
2017-18	\$ 5,169,000	\$ 5,457,980	\$ 5,120,817	99.07%	93.82%
2018-19	\$ 5,376,000	\$ 5,798,417	\$ 5,434,403	101.09%	93.72%
2019-20	\$ 5,890,000	\$ 5,976,810	\$ 5,645,973	95.86%	94.46%
2020-21	\$ 6,155,000	\$ 6,233,059	\$ 5,864,685	95.28%	94.09% Projected

Attachment: Property Tax Analysis (1369 : Property Tax Update)