

AGENDA

City of Brookings Common Council Meeting

Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415

Monday, April 13, 2009, 7:00 p.m.

Council will meet at 6:00pm, in the City Manager's Office for an **Executive Session** under authority of ORS 192.660(2)(f), to consider information or records that are exempt by law and under ORS 192.660(2)(h), to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Ceremonies/Appointments/Announcements

- A. 25 year anniversary - Michael Batty, Public Works Utility Services Technician. [pg. 5]
- B. Brookings Harbor High School Basketball Team - Outstanding Achievement Awards.
- C. Proclamations
 - 1. Alcohol Awareness Month. [pg. 6]
 - 2. Early Childhood Awareness Month. [pg. 7]

V. Oral Requests and Communications from Audience: Public Comments – limit to **5 minutes per person**. Turn in completed **public comment form** before start of meeting or to the City Manager's office during regular business hours. Obtain forms at City Hall or at www.brookings.or.us.

VI. Regular Agenda

- A. Authorization to perform work on Kidtown Revitalization project. *City Manager [pg. 9]*
- B. Increase in Curry Transfer and Recycling Rate. *City Manager [pg. 15]*
- C. Increase in Swimming Pool Fees. *City Manager [pg. 23]*
- D. Modifications to Administrative Services Director Job Description. *City Manager [pg. 25]*
- E. Revisions to Personnel Policy Handbook. *City Manager [pg. 33]*
- F. Reinstatement of Yard of the Month Program. *City Manager [pg. 97]*
- G. Authorization to submit Water System funding application. *City Manager [pg. 99]*
- H. Confirmation of Wastewater Plant Moisture Remediation contract. *City Manager [pg. 101]*

VII. Consent Calendar

- A. Approval of Council Minutes for March 9, and March 23, 2009. [pg. 135]
- B. Acceptance of Planning Commission Minutes for December 2, January 6, February 10, & March 3, 2009. [pg. 139]
- C. Acceptance of Parks and Recreation Commission Minutes for February 26, 2009. [pg. 149]
- D. Approval of Vouchers for March, 2009 in the amount of \$319,861.23. [pg. 151]
- E. Approve postponement of the Annual Ethics Review. [pg. 155]
- F. Approve rescheduling of May 25th City Council meeting to Tuesday, May 26th due to conflict with Memorial Day holiday.
- G. Receive February Financial Report. [pg. 157]

VIII. Remarks from Mayor and Councilors

- A. Mayor**
- B. Councilors**

IX. Adjournment

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 469-1102 if you have any questions regarding this notice.

April 2009

April 2009							May 2009						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
5	6	7	1	2	3	4	3	4	5	6	7	1	2
12	13	14	8	9	10	11	10	11	12	13	14	8	9
19	20	21	15	16	17	18	17	18	19	20	21	22	23
26	27	28	22	23	24	25	24	25	26	27	28	29	30
			29	30			31						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		April 1	2	3	4
		8:00am CC - SR/Staff 10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 1:00pm CC - LDC Meeting 5:00pm CC - Police Reserve 8:00pm FH-PoliceReserves	9:00am CC - Staff - Planning 4:00pm CC SafetyComMtg	3:30pm CC - Staff (Union)	
					5
6	7	8	9	10	11
9:00am CC- VIPS/Volunteers in Police Service 4:00pm CC - Council Workshop 7:00pm FH-FireTng/ChShrp	7:00pm CC - Planning Commission	8:00am CC-Staff/SRes 9:30am Traffic Safety 10:00am CC- Site Plan Com 10:00am FH - Fire Training 10:00am FH - Brookings Rural 12:00pm CC - Stout Park 1:00pm CC - LDC Meeting	9:00am CC-Crm Stoppers 1:00pm CC - Court 3:00pm CC Urban Renewal Advisory Committee		12
13	14	15	16	17	18
7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg	3:00pm Union - PD	10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 1:00pm CC - LDC Meeting		11:00am CC - Police Staff	19
20	21	22	23	24	25
9:00am CC-VIPS/Volunteers in Police Service 4:00pm CC - Econ Dev - CAC 7:00pm FH-FireTng/ChShrp		8:00am CC-Staff/SRes 10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 1:00pm CC - LDC Meeting	7:00pm CC-Parks & Rec		26
27	28	29	30		
7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg		10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 1:00pm CC - LDC Meeting	1:00pm CC - PERS		

May 2009

May 2009						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2009						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				May 1	2
					3
4	5	6	7	8	9
9:00am CC- VIPS/Volunteers in Police Service 4:00pm CC - Council Workshop 5:30pm CC - Budget Committee 7:00pm FH-FireTng/ChShrp	7:00pm CC - Planning Commission	8:00am CC-Staff/SRes 10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 1:00pm CC - LDC Meeting 7:00pm FH-PoliceReserves	3:00pm CC SafetyComMtg		10
11	12	13	14	15	16
5:30pm CC - Budget Committee 7:00pm FH-FireTng/ChShrp 7:00pm CC-Council Mtg		10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 10:00am FH - Brookings Rural Fire Dept 12:00pm CC - Stout Park 1:00pm CC - LDC Meeting	9:00am CC-Crm Stoppers 1:00pm CC - Court 3:00pm CC Urban Renewal Advisory Committee		17
18	19	20	21	22	23
9:00am CC-VIPS/Volunteers in Police Service 7:00pm FH-FireTng/ChShrp	7:00pm CC - Planning Comm (TENT)	8:00am CC-Staff/SRes 10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 1:00pm CC - LDC Meeting			24
25	26	27	28	29	30
MEMORIAL DAY 7:00pm FH-FireTng/ChShrp	7:00pm CC-Council Mtg	10:00am CC- Site Plan Com Mtg 10:00am FH - Fire Training 1:00pm CC - LDC Meeting	7:00pm CC-Parks & Rec		31

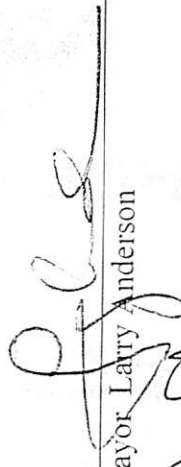
CERTIFICATE OF APPRECIATION

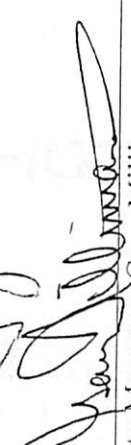
Awarded to

Michael Batty

For Twenty Five Years of Dedicated Service to the
Citizens of the City of Brookings.




Mayor Larry Anderson


City Manager, Gary Milliman

Honored this 13th day of April, 2009

PROCLAMATION

WHEREAS, each April since 1987, the National Council on Alcoholism and Drug Dependence has designated April as "Alcohol Awareness Month"; and

WHEREAS, Alcohol Awareness Month was established as a nationwide effort to provide the American public with information about the disease of alcoholism and the serious problem of alcohol abuse; and

WHEREAS, underage drinking is a growing problem with devastating consequences; by the age of 18 more than 70% of teens have consumed alcoholic beverages and 61% of Curry County 11TH graders said it would be "very easy" to acquire alcohol; and

WHEREAS, almost 13% of Curry County 11th graders said they were 8 years old or younger when they first drank alcohol and those who start drinking before the age of 15 are four times more likely to become alcoholics than those who begin at age 21; and

WHEREAS, alcohol use by young people is extremely dangerous, not only to themselves—but to society as a whole; and

WHEREAS, alcohol is the number one drug of choice for America's young people, associated with traffic fatalities, violence, unsafe sex, suicide, educational failure and other behavioral problems; and

WHEREAS, every day in the United States, 7,000 children under the age of 16 take their first drink; and

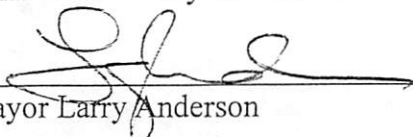
WHEREAS, 2009 Alcohol Awareness Month, with the theme "Together, We Can Stop Underage Drinking!" will serve to remind us that alcohol is a major factor in motor vehicle crashes, homicides, suicides, and unintentional injuries, which are some of the leading causes of death among youth;

NOW, THEREFORE, be it resolved by the Mayor of the City of Brookings that April is proclaimed

ALCOHOL AWARENESS MONTH

And urges all residents to support the efforts of those working to prevent underage drinking.

IN WITNESS WHEREOF, I, Mayor Larry Anderson, hereto set my hand and cause the official seal of the City of Brookings to be affixed this day of 2009.


Mayor Larry Anderson





PROCLAMATION

WHEREAS, April has been designated as the month to honor awareness events supporting young children; and

WHEREAS, the Curry County Commission on Children and Families Early Childhood Team, in conjunction with the National Association for the Education of Young Children, support Child Abuse Prevention Month, Autism Awareness Month, and April 19-25 as Early Childhood Awareness Week; and

WHEREAS, preventing child abuse and neglect is a community problem and effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

WHEREAS, autism is a severely incapacitating, lifelong developmental disability, typically appearing during the first three years of life, affecting normal development of the brain in areas that result in significant impairments of an individual's ability to reason, socially interact and communicate; and

WHEREAS, children, as the future of our community, need and deserve high quality early learning experiences and the support of public policies designed to promote these experiences is crucial to that future; and

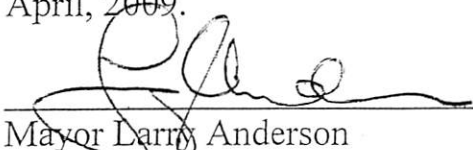
WHEREAS, it is vital for our community to promote and advocate for the safety and well being of our children;

NOW, THEREFORE, I, MAYOR of the **City of Brookings**, do hereby proclaim **April, 2009** as

EARLY CHILDHOOD AWARENESS MONTH

and encourage all Brookings citizens to join with me in this observance.

IN WITNESS WHEREOF, I, Mayor
Larry Anderson, hereto set my hand and
cause the official seal of the City of
Brookings to be affixed this 13th day of
April, 2009.



Mayor Larry Anderson

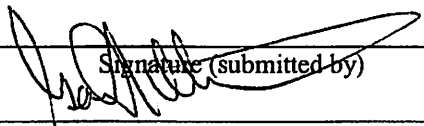


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Kidtown Revitalization

Recommended Motion: Motion to authorize Wild Rivers Coast Leadership Class of the Ford Family Foundation Leadership Institute to undertake handicapped accessibility improvement project at Kidtown.

Financial Impact: No city funds are involved in this project, although there will be some staff time associated with coordination of construction.

Background/Discussion: At its meeting of March 19, 2009, the Parks and Recreation Commission heard a proposal from the Wild Rivers Coast Leadership Class of the Ford Family Foundation Leadership Institute concerning a project to improve handicapped accessibility at Kidtown. The Commission recommended approval of the project.

The project is described in the attachment, and generally includes installation of accessible walkways and surfaces, rehabilitation of the existing engineered wood fiber ground cover, modification of the sand box and adding an accessible swing.

Policy Considerations: This grant-funded and volunteer-conducted activity will improve handicapped accessibility at a key City recreation facility.

Attachment(s): Project information provided by the Ford Family Foundation Leadership Institute.

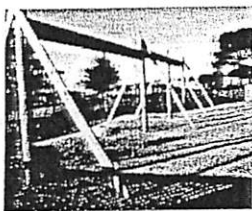
Project Kidtown

Helping Children Reach For The Sky



Project Kidtown is the community service project selected by the Wild Rivers Coast Leadership Class of the Ford Family Foundation's - Ford Leadership Institute. Our goal is to enhance the usability and access at Kidtown for mobility challenged individuals by improving Kidtown through equipment, repair, construction and barrier elimination improvements at their Curry and Del Norte County locations over the next year.

Curry Kidtown –
Will receive a gate,
rubberized pathway and
barrier elimination to
specialized equipment.



Del Norte Kidtown –
Will receive walkway
improvements,
rubberized mat
pathway to specialized
equipment and safety
upgrades.

Community members are encouraged to give generously to help complete these worthwhile and needed improvements to both parks. Donations are tax deductible with your check or money order made out to the Wild Rivers Community Foundation Project Kidtown and mailed to: 501 "H" Street, Suite, Crescent City, CA 95531 or P.O. Box 266, Brookings, OR 97415.

"Helping children reach for the sky"

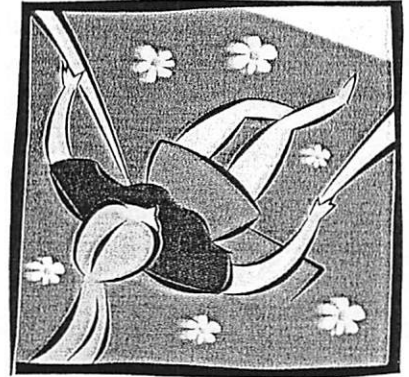
Wild Rivers Coast Leadership Class

Jodi Appel (707) 465-3013
Randy Bancroft (707) 464-3191 ext 256
Susan Bristow (541) 661-3444
Rachel Carrillo (541) 469-8009
Rob Carrillo (541) 469-8009
Jewels Cresser (541) 813-1129
Perry Devine (541) 469-2028
Moirá Fossum (541) 412-3784
Tim Hoone (707) 464-8347
Brent Hoskinson (707) 464-8760
Alycia Jacobson (541) 661-3906
Liz Lindley (541) 661-4255
Gerry Livingston (541) 469-0497
Susan Lunsford (541) 469-2588
Jody Mangum (707) 487-4444
Georgia Nowlin (541) 469-5447
Julie Payne (541) 469-5577
Karen Phillips (707) 464-5955
Ruth Rhodes (707) 465-2336
Jenesis Samai
Grant Scholes (707) 464-8688
Lisa Serrano (707) 460-0562
Pata Vang (707) 464-3191
Va Vang (707) 464-3191
Meghan Webb (707) 464-3009
Geneva Wiki (707) 482-1737
Reweti Wiki (707) 667-5999

For more information and how you can help, please contact a member of the leadership class. The class sponsored by The Ford Family Foundation as part of their five year commitment to Curry and Del Norte Counties. Project Kidtown is partly funded by the generous support of The Ford Family Foundation and the Wild Rivers Community Foundation.

Ford Family Foundation Wild Rivers Coast Project

Kidtown Revitalization Design Proposal



Brookings Kidtown Revitalization Design Proposal Overview:

1. Create an accessible walkway from the ramp to the main swing area.
2. Create an accessible surface around the main swing area, connecting it to the accessible walkway.
3. Build a new ramp for a friendlier and shorter wheeler access to the Tot Lot.
4. Create an accessible walkway from the ramp to the Tot Lot swing area.
5. Fluff and spread the existing engineered wood fiber through out the entire play area.
6. Modify the sand box area so it is easier to roll into from the Tot Lot and bring in new play sand.
7. Add an Accessible swing in the Tot Lot by removing an existing swing and replacing it with the new one.

Brookings Design Proposal:

Proposals 1-3

The wood chips used as a play surface for Kidtown restrict the movement of people in wheelchairs or using walkers, and can also be frustrating for those who walk with canes or push baby strollers.

By creating an accessible walkway from the off-ramp near the main swing area to the swings, and then covering the main swing area with an accessible foundation, access for all would be improved.

There is no accessible swing in the Tot Lot. If money lasts we would add an accessible swing in the Tot Lot.

Note: Far better would be to cover all of Kidtown with a rubberized play surface—but the cost greatly exceeds our current budget.

This project is the class project for the first Ford Family Foundation Leadership Training Class in our area. As a class we have been attending leadership training classes since fall of last year. The Ford foundation includes South Curry and Del Norte counties. This is now called the Wild Rivers Coast region. A similar project is planned for the Crescent City Kidtown. We are learning to solve regional issues as a group with expectations of graduates from this class and future classes of applying our training to effectively utilize grant money to achieve the Ford Family Foundation goal of development of rural communities. This is a purposely small project designed to help us learn how to achieve these goals with emphasis on success.

Thank you for your consideration of this project. Kidtown is worth all of our efforts.

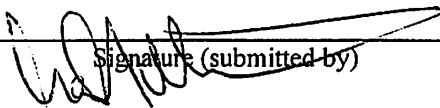
Ford Family Foundation Leadership Class

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Curry Transfer and Recycling Rate Increase

Recommended Motion:

Approve a new rate schedule to be effective July, 1, 2009 for refuse collection and recycling services provided by Curry Transfer and Recycling, such schedule reflecting a 2.9 percent increase in rates.

Financial Impact:

Nominal increase in franchise fee revenues.


ASD Review

Background/Discussion:

The ordinance establishing a franchise agreement with Curry Transfer and Recycling (CTR) provides that CTR may request a rate adjustment annually based upon cost of living and related factors. CTR has requested a rate increase of 2.9 percent to be effective July 1, 2009.

CTR has an exclusive franchise with the City to provide refuse collection, disposal and recycling collection. The term of the franchise is year-to-year; the ordinance provides a 10-year termination provision. CTR pays the City a franchise fee of one-half of one percent of the basic fee.

Policy Considerations:

None.

Attachment(s):

Letter dated March 23, 2009 and associated exhibits.

Curry Transfer & Recycling

PO Box 4008 Brookings, OR 97415

Phone: (541) 469-2425

Fax: (541) 469-1048

March 23, 2009

City of Brookings
Attn: Gary Milliman- City Manager
898 Elk Drive
Brookings, OR 97415

RE: CPI Adjustment- **2009**

Dear Mr. Milliman:

Please find enclosed proof of CPI adjustment for year **2009** (National U.S. City Average). Our regional controller calculated the adjustment from **2008** to **2009** to be **3.85 %**. As you know, our agreement calls for an annual CPI inflation adjustment by April 1, of each year. Traditionally, because of the time the CPI information is reported, we have used July 1, of each year for the effective date.

Although the CPI is **3.85 %** the rate schedule enclosed reflects **2.9% (75% of the year 2008 CPI inflation)**. Please use this notice and the other information enclosed to implement a **July 1, 2009** effective date.

Sincerely,

Pete Smart

Enclosure: 2009 rate schedule
2008 rate schedule (for comparison)
2008 CPI Adjustment- Department of Labor

EXHIBIT A
EFFECTIVE JULY 1, 2009
RATE SCHEDULE- CITY OF BROOKINGS

CANS/CARTS: SET OUT (CURBSIDE SERVICE)

\$19.99	per month	One thirty-two (32) gallon can each week
25.01	per month	One forty (40) gallon can each week
30.02	per month	One forty-eight (48) gallon can each week
39.99	per month	One sixty-four (64) gallon can each week
59.98	per month	One ninety-six (96) gallon can each week
62.53	per month	One one-hundred (100) gallon can each week
99.98	per month	One one-hundred sixty (160) gallon can each week
15.29	per month	Recycle only- where available
Residential Compactor		In excess of two (2) bags- 1.5 times can rate

CANS/CARTS: OTHER THAN SET OUT SERVICE

\$1.18 per trip each way for each drivable driveway, 1.18 each additional twenty-five feet.
 \$1.18 each: Gate, door, fence, hallway, stairs, unsecuring, securing, etc. - each time, each way

COMMERCIAL/RENTAL SERVICE (CONTAINER/CART/CAN)

32 gallon cart	22.80
Container service- per loose yard-per pick-up	24.52
Container service- per loose yard- Brush (roll-off)	12.23
Container service- per loose yard- Metal (roll-off)	12.23
Container service- Gate Fee- (each time)- Extra	6.48
Customer requested- Auto lock- Dumpster service- per month	3.75
Container rental- one- eight yard- per month	14.47
Customer requested- Other than weekly- each trip minimum	18.32
Customer requested- Time of pick-up- each trip	18.32
Customer service- Trip charge for special events, construction, clean up, etc.	18.32
Container service- Roll-out service- Extra	10%
Container ramp roll-out, as deemed safe by collector- Extra	20%
Customer requested- After hour, Saturday or Sunday- Extra	50%
Mechanically compacted waste- 2.75 times yard or can rate.	

RECYCLING CREDITS (COMMERCIAL WHEN SERVICE IS AVAILABLE)

Container service- Newsprint properly prepared-	of commercial rate	50%
Container service- Waste paper, office paper, cans, bottles, plastics (all properly prepared)	of commercial rate	25%

OTHER RESIDENTIAL & COMMERCIAL CHARGES

(1) Occasional extra in route pick-up- Each	\$ 5.31
(2) Customer requested special pick-up- Minimum	8.03
(3) Initial set-up, close-out, monitored inactive service- each transaction	6.48
(4) Customer Requested- Off route trip charge	11.97
(5) Rental property- Owners responsibility for sanitation charges.	
(6) Medical Waste Disposal- (\$23.85 individual 1 gal container & disposal)	
21 to 48 gal tubs – container & disposal	Per gallon rate
(7) Extra heavy roofing/demolition- 2.75 times yard rate	2.48
(8) Waste in excess of 280 lbs per yard. Subject to the approved tonnage rate.	
(9) Car tires 5.09 (mounted \$2.95 extra) Truck tires (mounted \$25 extra)	
(10) Household hazardous waste. As approved.	

EXHIBIT A
EFFECTIVE JULY 1, 2008
RATE SCHEDULE- CITY OF BROOKINGS

CANS/CARTS: SET OUT (CURBSIDE SERVICE)

\$19.43	per month	One thirty-two (32) gallon can each week
24.31	per month	One forty (40) gallon can each week
29.17	per month	One forty-eight (48) gallon can each week
38.86	per month	One sixty-four (64) gallon can each week
58.29	per month	One ninety-six (96) gallon can each week
60.77	per month	One one-hundred (100) gallon can each week
97.16	per month	One one-hundred sixty (160) gallon can each week
14.86	per month	Recycle only- where available
Residential Compactor		In excess of two (2) bags- 1.5 times can rate

CANS/CARTS: OTHER THAN SET OUT SERVICE

\$1.15 per trip each way for each drivable driveway, 1.15 each additional twenty-five feet.
 \$1.15 each: Gate, door, fence, hallway, stairs, unsecuring, securing, etc. - each time, each way

COMMERCIAL/RENTAL SERVICE (CONTAINER/CART/CAN)

32 gallon cart	22.16
Container service- per loose yard-per pick-up	23.83
Container service- per loose yard- Brush (roll-off)	11.89
Container service- per loose yard- Metal (roll-off)	11.89
Container service- Gate Fee- (each time)- Extra	6.30
Customer requested- Auto lock- Dumpster service- per month	3.64
Container rental- one- eight yard- per month	14.06
Customer requested- Other than weekly- each trip minimum	17.80
Customer requested- Time of pick-up- each trip	17.80
Customer service- Trip charge for special events, construction, clean up, etc.	17.80
Container service- Roll-out service- Extra	10%
Container ramp roll-out, as deemed safe by collector- Extra	20%
Customer requested- After hour, Saturday or Sunday- Extra	50%
Mechanically compacted waste- 2.75 times yard or can rate.	

RECYCLING CREDITS (COMMERCIAL WHEN SERVICE IS AVAILABLE)

Container service- Newsprint properly prepared-	of commercial rate	50%
Container service- Waste paper, office paper, cans, bottles, plastics (all properly prepared)	of commercial rate	25%

OTHER RESIDENTIAL & COMMERCIAL CHARGES

(1) Occasional extra in route pick-up- Each	\$ 5.16
(2) Customer requested special pick-up- Minimum	7.80
(3) Initial set-up, close-out, monitored inactive service- each transaction	6.30
(4) Customer Requested- Off route trip charge	11.63
(5) Rental property- Owners responsibility for sanitation charges.	
(6) Medical Waste Disposal- (\$23.85 individual 1 gal container & disposal)	
21 to 48 gal tubs – container & disposal	Per gallon rate
(7) Extra heavy roofing/demolition- 2.75 times yard rate	2.41
(8) Waste in excess of 280 lbs per yard. Subject to the approved tonnage rate.	
(9) Car tires 5.09 (mounted \$2.95 extra) Truck tires (mounted \$25 extra)	
(10) Household hazardous waste. As approved.	

InflationData.com

Inflation Rates for Jan 2000 - Present

Home > Inflation > Current Inflation Rates

[Ads by Google](#) [Inflation Rate](#) [Interest Rates](#) [Inflation Data](#) [CPI](#)
[InflationData.com Home](#)
[Inflation](#)
[Consumer Price Index](#)
[Articles](#)
[Quick Links](#)
[Subscribe NOW to eTrends](#)
[Financial Trend Forecaster](#)
[Your Family Finances.com](#)
[Page Summary](#)

Inflation Rates in percent for the current decade January 2000 - Present. These Inflation rates are presented in table format including the most recent data calculated to two decimal places rather than the Government's one decimal place.

Current Inflation

Are You Prepared for 2009?

Protect Yourself- Read this [Free Report](#)

INFLATION RATE IN PERCENT FOR JAN 2000-PRESENT

Our Inflation data (see table below) is calculated to two decimal places while the government only calculates to one decimal place. Therefore, while being based on the government's index our data provides a "finer" view. January and February 2005 is a perfect example, according to the government statistics both months had an inflation rate of 3%. In January however, our data shows it as 2.97% and February shows as 3.01%. Therefore instead of the inflation rate being "flat" it is actually rising slightly. In another example we see August 2003 and September with the Government saying the rates were 2.2% and 2.3% respectively. This would lead us to believe that inflation rose .1% during that period. In actuality however, it rose from 2.16% to 2.32% or a .16% increase, substantially more than .1%!

The Inflation table below is updated monthly and provides the current US Inflation Rate plus Monthly Inflation Rate data back to January 2000. The Inflation rate is calculated using the Current Consumer Price Index (CPI-U) published monthly by the Bureau of Labor Statistics. CPI Index Release Dates

Menu navigation is available on the menu bar on the left of every page.


STBERNARD
iPrisi

[InflationData.com](#)

Current Inflation Rate

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ave
2009	0.03%	0.24%	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2008	4.28%	4.03%	3.98%	3.94%	4.18%	5.02%	5.60%	5.37%	4.94%	3.66%	1.07%	0.09%	3.85%
2007	2.08%	2.42%	2.78%	2.57%	2.69%	2.69%	2.36%	1.97%	2.76%	3.54%	4.31%	4.08%	2.85%
2006	3.99%	3.60%	3.36%	3.55%	4.17%	4.32%	4.15%	3.82%	2.06%	1.31%	1.97%	2.54%	3.24%
2005	2.97%	3.01%	3.15%	3.51%	2.80%	2.53%	3.17%	3.64%	4.69%	4.35%	3.46%	3.42%	3.39%
2004	1.93%	1.69%	1.74%	2.29%	3.05%	3.27%	2.99%	2.65%	2.54%	3.19%	3.52%	3.26%	2.68%

Databases, Tables & Calculators by Subject

FONT SIZE: 

Change Output Options:

From: To: ☒ include graphs **NEW!**[More Formatting Options](#) ➔

Data extracted on: March 23, 2009 (7:02:41 PM)

Consumer Price Index - All Urban Consumers

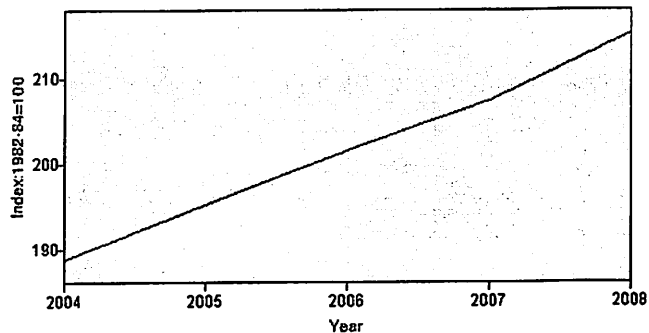
Series Id: CUSR0000SA0
 Seasonally Adjusted
 Area: U.S. city average
 Item: All items
 Base Period: 1982-84=100

Year	Annual
No Data Available for selected year(s)	

12 Months Percent Change
 Series Id: CUSR0000SA0
 Seasonally Adjusted
 Area: U.S. city average
 Item: All items
 Base Period: 1982-84=100

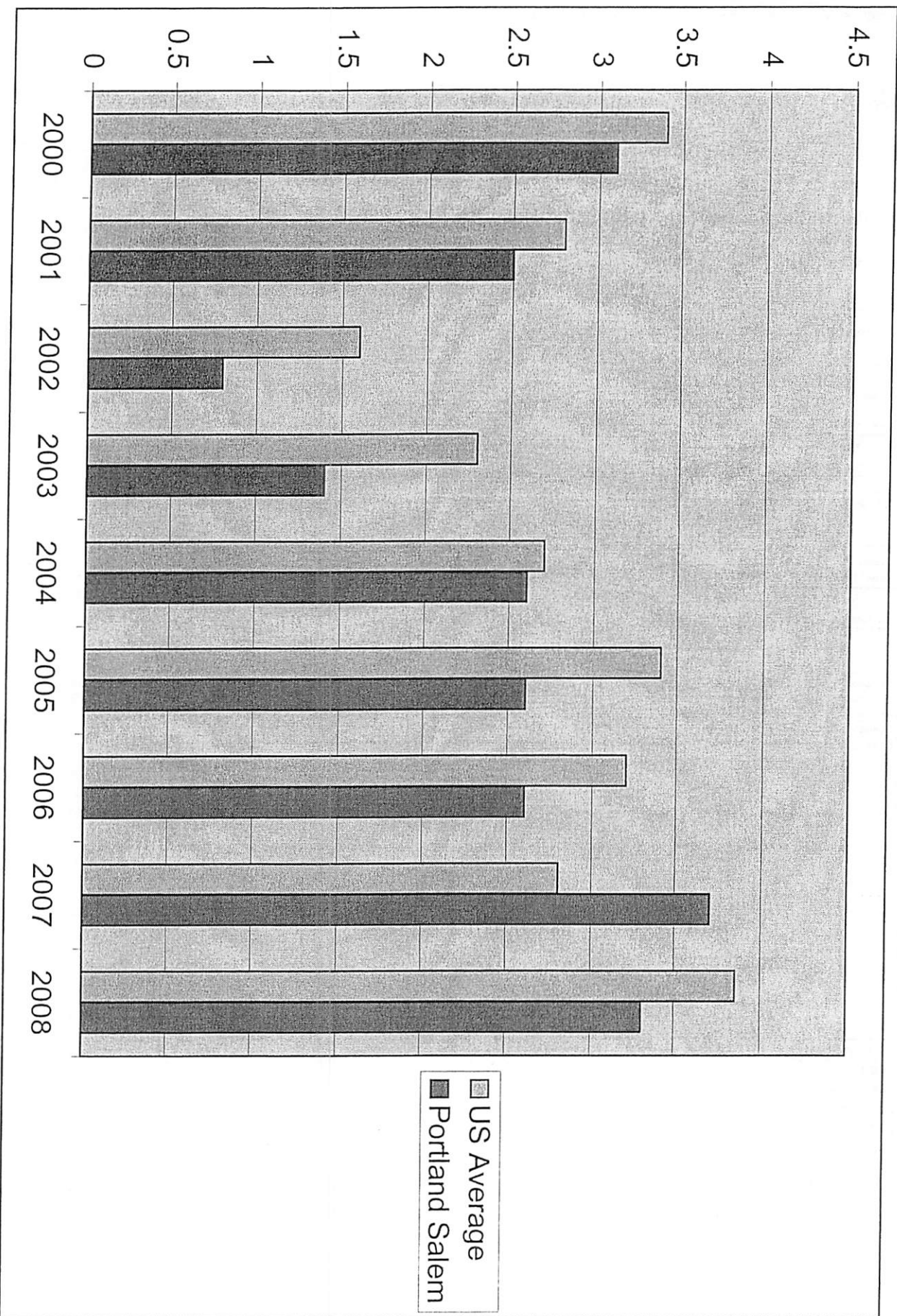
Year	Annual
No Data Available for selected year(s)	

Series Id: CUUR0000SA0, CUUS0000SA0
 Not Seasonally Adjusted
 Area: U.S. city average
 Item: All items
 Base Period: 1982-84=100



Year	Annual
2004	188.9
2005	195.3
2006	201.6
2007	207.342
2008	215.303

12 Months Percent Change
 Series Id: CUUR0000SA0, CUUS0000SA0
 Not Seasonally Adjusted
 Area: U.S. city average
 Item: All items
 Base Period: 1982-84=100

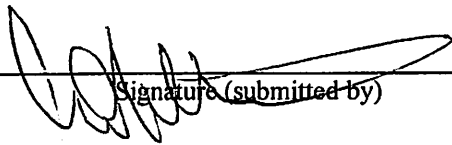


CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Swimming Pool Fees for 2009

Recommended Motion: Motion to adopt swimming pool use fees for 2009 as recommended by the Parks and Recreation Commission.

Financial Impact:

Background/Discussion: The City charges fees for use of the swimming pool, including fees for swimming lessons and group pool use rentals. The Parks and Recreation Commission reviewed the current fee schedule and a new fee schedule proposed by the Administrative Services Department at their meeting of March 19, 2009.

The Administrative Services Department reported that the cost of operating the pool exceeded fee revenues by \$66,815.07 in 2008. Additional expenses will be required to prepare the pool for safe operation this summer, including roof repair, electrical system repair, pump replacement, shower timers, floor repair and installation of federally-mandated drain covers.

A pool user group has formed to assist with various aspects of the pool. For example, one of the volunteers has offered to install the drain covers, and the group has secured a pool cover that should result in energy savings. The shower timers and variable speed pump should also result in energy savings.

The Commission recommended the following increases in basic fees:

	Resident		Non-Resident	
Day Use	Current	Proposed	Current	Proposed
Youth 7-17 & Seniors 65+	2.25	2.50	2.50	3.50
Adults	2.75	3.00	3.00	4.00
10 Swim Pass				
Youth 7-17 & Seniors 65+	18.00	20.00	20.00	22.00
Adult	22.00	24.00	24.00	26.00
Season Pass				
Youth 7-17 & Seniors 65+	60.00	65.00	65.00	75.00
Adults	80.00	85.00	90.00	100.00
Family	133.00	145.00	154.00	180.00
Swim Lessons	27.50	30.00	33.00	40.00

The Commission has scheduled further discussion at its April meeting on the topic of pool rental fees. Action on the basic fees is needed at this time to allow staff adequate time to provide public information in advance of the proposed, June 1st, opening of the pool.

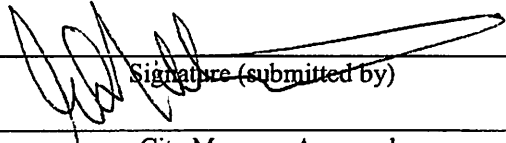
Policy Considerations: The proposed fee schedule calls for a larger differential between fees charged to residents and non-residents. The previous differential was 25-cents on the daily use. A larger differential is appropriate as non-resident taxpayers do not contribute to the pool operation and maintenance.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Position Description Modification: Administrative Services Director

Recommended Motion: Motion to approve updated position description for Administrative Services Director.

Financial Impact: None

Background/Discussion:

The Administrative Services Director position is currently vacant. While the duties of the position have included administration of the City's human resources function, management of the swimming pool and budget preparation, these are examples of duties that are not included in the current position description.

An updated position description has been prepared reflecting current duties and responsibilities.

Attachment(s): 1) Proposed position description for Administrative Services Director
2) Current position description for Administrative Services Director

CITY OF BROOKINGS
ADMINISTRATIVE SERVICES DIRECTOR

GENERAL STATEMENT OF DUTIES:

Implements policy as established by City Council. Administers plans and directs the overall budgeting and finance functions of the City; directs the functions of the Administrative Services Department in all areas including accounting, payroll, human resources, accounts payable, accounts receivable, utilities, special assessments, business and taxi-cab licensing, treasury and bonded debt. Oversees and/or performs work relating to financial management and budgeting process; functions as personnel director; provides oversight of Pool Supervisor and program; does related work as required.

DISTINGUISHING FEATURES OF THE CLASSIFICATION:

Acts as Chief Financial Officer of the City and operates under State Laws, the City Charter and Ordinances as well as direction and rulings of the City Council. Most duties of this classification involve working with the City Manager, Department Directors, and the City Council. Actions taken are on broad policy, planning, and budget issues of the City operations as directed by the City Council.

SUPERVISION RECEIVED:

Work is performed under the general supervision of the City Manager.

SUPERVISION EXERCISED:

Exercises fiscal supervision over the City budget and expense control, plus full supervision over Administrative Services Department personnel, including Accounting Clerks, the Administrative Services Assistant, and Municipal Pool Supervisor.

KEY PERFORMANCE AREAS:

Finance

1. Maintains and manages the central accounting system for the City in a manner consistent with established municipal accounting principles and practices. Responsible for the preparation of the CAFR.
2. Prepares financial statements; reconciles cash; creates adjusting journal entries; maintains/modifies the chart of accounts.
3. Prepares internal reports and revenue analysis to insure that expenditures do not exceed budgetary appropriations.
4. Oversees payroll functions and related payroll tax reports.
5. Oversees accounts payable; reviews requisitions and invoices to determine availability of funds.
6. Oversees accounts receivable and utility billing; reviews billing processes.

7. Oversees the receipt, posting and reconciliation of special assessments.
8. Oversees purchasing processes.
9. Oversees business and taxi-cab licensing processes.
10. Prepares all revenue estimates and compiles preliminary City budget for City Manager's review.
11. Directs the investment of City funds.
12. Responsible for servicing of bonded debt.
13. Provides staff support to the Budget Committee, prepares the annual Budget Meeting Calendar, provides public notice of pending meetings and is responsible for preparing a written record of Budget Committee meetings.

Human Resources

1. Manages human resource functions for the City, including those functions described in the City's Personnel Handbook.
2. Manages employee benefit programs.
3. Performs human resource related studies, including salary and benefit analysis.
4. Assists in labor relations; manages union agreements.
5. Prepares and maintains employee personnel records and procedures.

General Management

1. Provides oversight of pool program and supervision of Pool Supervisor and Administrative Services Department employees, including oversight and final authority for assigning and reviewing work and evaluating performance.
2. Prepares and delivers presentations to various groups.
3. May serve as Acting City Manager during the City Manager's absence.

ESSENTIAL FUNCTIONS:

Thorough knowledge of principles and methods used in finance, office management, accounting, spread sheet data entry, budgeting, and banking in a municipal setting. Familiar with all office equipment, including ten-key calculators, copiers; fluent with computer programs, such as Excel and Word. Must be able to maintain accurate accounts receivable, data base, and payroll records including all applicable taxes, benefits and other deductions, and accounts payable. Direct supervision is a major responsibility of this position.

EMPLOYMENT STANDARDS:

KNOWLEDGE OF: Thorough knowledge of the principles, methods and practices of municipal finance, accounting and budgeting; state, federal and local laws and regulations pertaining to areas

CITY OF BROOKINGS
ADMINISTRATIVE SERVICES DIRECTOR

of responsibility; principles and practices of personnel administration. Extensive knowledge of office practices, accounting procedures and methods, and reporting; personnel management, assigning and supervising the work of others.

Thorough knowledge of municipal government organization, powers, functions and relationships with other governmental jurisdictions, and the legal requirements and procedures involved in conducting elections.

ABILITY TO: Organize, direct, and administer administrative services department activities; establish and maintain effective working relationships with financial professionals, elected officials, subordinates, peers; deal tactfully with the public; plan, schedule and set priorities for a variety of competing projects; analyze data and problems; work independently; develop ideas and effectively express them orally or in writing; prepare effective, complete correspondence and administrative reports. Direct supervision is a major responsibility of the job.

SKILL IN: Considerable skill in establishing and maintaining cooperative and harmonious working relationships with the City, legislative/administrative officials and employees, representatives of business and governmental organizations, and the general public, including formal communications; operation of computer; application of accounting and finance principles; investments and money management.

EDUCATIONAL REQUIREMENTS:

A Bachelor's degree in accounting, finance or public/business administration is required.

EXPERIENCE:

Four years progressively responsible experience in public municipal finance and accounting including supervisory responsibilities, affording a knowledge of local, state, and federal laws. Demonstrated ability to perform essential functions. Any satisfactory combination of experience and training which demonstrates the knowledge, skills and ability to perform the above described duties, may be substituted.

PRE-EMPLOYMENT REQUIREMENTS:

Drug screen, health screen physical, bond ability, educational and experience verification.

COMPENSATION

COMPENSATION TYPE: Salary
EXEMPTION STATUS: Exempt
JOB GRADE: 20A/20B, entry level through Step 7

POSITION FUNCTIONAL REQUIREMENTS

Division/Dept: Administrative Services Department
 Job Title: Administrative Services Director
 Reports To: City Manager

The functions and abilities for successful performance in this position include, but may not be limited to:

Physical Job Functions

Designated Function	Reach (Inches)	Distance (Feet)	Weight (Pounds)	Time (%)
COLLATING		3		2
DIALING	18			5
FILING	18			2
KNEELING				2
LIFTING		3	5	5
REACHING		3		5
SITTING				80
SORTING	18			10
STOOPING				3
STANDING				10
TYPING	12			5
WALKING				10
WORD PROCESSING	18			10

Note: Percentages of time usually exceed 100% because many functions actually occur simultaneously.

Mental Aptitudes Table

CITY OF BROOKINGS
ADMINISTRATIVE SERVICES DIRECTOR

<u>Designated Function</u>	<u>% Time</u>	<u>Aptitude Level</u>
WRITING	10	2
READING	20	1
REASONING	50	1
MATHEMATICS	25	2
VERBAL	20	2

NOTE: Percentages may exceed 100% because functions may occur simultaneously.

Basic Acuities

<u>Designated Function</u>	<u>Acuity Level</u>
VISION	1
HEARING	1
TOUCH	2
TASTE	3
SMELL	1

Note: Acuities levels are: High = 1, Medium = 2, Low = 3

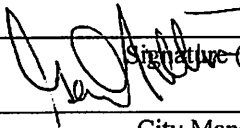
Acuity levels are set after reasonable accommodations are provided.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Personnel Policy Handbook

Recommended Motion: Motion to approve Personnel Policy Handbook

Financial Impact: Some additional cost will occur if performance-based management compensation provisions are implemented, not exceeding five per cent of management payroll in any one year.



ASD Review

Background/Discussion:

Submitted for Council consideration is a new Personnel Policy Handbook. This document was reviewed at the April 6, 2009, City Council workshop.

The City's 2001 Employee Handbook (which doubles as the City's Personnel Rules and Regulations) is out of date, internally inconsistent, fails to address a number of human resources related matters and contains out-of-compliance (with state/federal law) procedures.

The City's personnel rules and regulations actually consists of four separate documents:

1. The Personnel Policy Handbook (formerly the Employee Handbook).
2. The Union Agreement with Miscellaneous Employees.
3. The Union Agreement with Police Employees.
4. The Police Department Policy Manual which contains a number of General Orders unique to police employees (such as use of deadly force). The City contracts with Lexipol, a service specializing in law enforcement personnel management, to periodically update this Policy Manual as state and federal law affecting police employee's changes.

While it would be nice to have all of the human resource related documents in a single document, this is not likely to occur. Thus, the Personnel Policy Handbook establishes policies and procedures generic to all employees, but refers to the negotiated union contracts and the Police Department Manual as superseding documents related to employees working in those employee units. Benefit provisions included in the Employee Handbook are applicable to management and non-represented exempt City employees.

The attached proposed Personnel Policy Handbook is a composite taken from the Handbook of the above three cities that have adopted new and very similar personnel policy documents in 2008-09 with some modifications dealing with issues unique to Brookings. Staff has also conferred with the Local Government Personnel Institute in preparing this Handbook.

Among the new features in the Personnel Policy Handbook are provisions dealing with the use of cellular telephones and other electronic data devices, more detailed internet use guidelines, travel reimbursement policies and employee disciplinary procedures. Also included are provisions for performance-based enhanced compensation for management employees and recruitment incentives.

Attachment(s): City of Brookings Personnel Policy Handbook

CITY OF BROOKINGS



PERSONNEL POLICY HANDBOOK

Approved by City Council on: _____

TABLE OF CONTENTS

	Page
I. INTRODUCTION	
SCOPE AND PURPOSE	1
II. EMPLOYMENT POLICIES	
2.1 Equal Employment Opportunity/Non-Discrimination	2
2.2 Harassment	2
2.3 Sexual Harassment Responsibilities and Training	3
2.4 Disability Accommodation	3
2.5 Immigration Law Compliance	4
III. RECRUITMENT AND HIRING	
3.1 Job Postings	4
3.2 Employment Application and Reference Checks	4
3.3 Employment Medical Examinations	5
3.4 Employment Motor Vehicle Record Checks	5
3.5 Employment of Relatives	6
3.6 Hiring Procedures	6
IV. EMPLOYEE CATEGORIES	
4.1 Employee Categories	7
4.2 Probationary Period	7
4.3 Continuous Employment	8
V. EMPLOYEE RECORDS	
5.1 Personnel Files	8
5.2 Medical Records	9
VI. PERFORMANCE REVIEWS	9
VII. STANDARDS OF CONDUCT/DISCIPLINE	
7.1 Employee Performance and Conduct	10
7.2 Disciplinary Procedures	11

VIII. TERMINATION

8.1	Resignation	14
8.2	Layoff	14
8.3	Retirement	14
8.4	Disability	14
8.5	Disciplinary Termination	14
8.6	Termination Procedure/Exit Interview	14

IX. BENEFITS

9.1	Vacation	15
9.2	Holidays	16
9.3	Sick Leave	17
9.4	Family Medical Leave	18
9.5	General Leave of Absence Without Pay	21
9.6	Military and Court Leaves	22
9.7	Bereavement Leave	23
9.8	Compensatory Time (Overtime)	23
9.9	Health Insurance	23
9.10	Life Insurance	24
9.11	Disability	24
9.12	Worker's Compensation	24
9.13	Retirement	24
9.14	Deferred Compensation	25
9.16	Leave Donation	25

X. COMPENSATION AND PAY ADMINISTRATION

10.1	Compensation Schedule	25
10.2	Pay Changes	26
10.3	Time Sheets	27
10.4	Paydays	27
10.5	Pay Deductions	27

XI. TRAINING, EDUCATION, TRAVEL, AND EXPENSES

11.1	Training and Education	27
------	------------------------	----

11.2	Professional Organizations	29
11.3	Travel and Expense Guidelines	30
XII.	MANAGEMENT COMPENSATION	
12.1	Management Employees	32
12.2	Education and Experience Enhancements	32
12.3	Performance Enhancements	33
XIII.	WORK SCHEDULE	
13.1	Hours of Work	33
13.2	Rest and Meal Periods	33
XIV.	WORK POLICIES AND PRACTICES	
14.1	Outside Employment	34
14.2	City Equipment and Supplies	34
14.3	Workplace Monitoring	34
14.4	Recycling	35
XV.	PERSONAL CONDUCT	
15.1	Code of Ethics	35
15.2	Gratuities	35
15.3	Conflict of Interest	35
15.4	Political Activity	36
15.5	Public Information	36
15.6	Personal Appearance	36
15.7	Smoking/Tobacco Products	37
XVI.	SUBSTANCE ABUSE/DRUG TESTING	
16.1	Policy and Rules	37
16.2	Discipline	38
16.3	Searches	38
16.4	Drug and Alcohol Testing	38
XVII.	RISK MANAGMENT	
17.1	Workplace Safety	39

17.2	Workplace Violence	39
17.3	Accident/Incident Reporting	40
17.4	Temporary Light Duty	41
17.5	Motor Vehicle Use Safety	41
17.6	Security Inspections	44
17.7	Emergency Closing	44
 XVIII. INFORMATION AND COMMUNICATIONS SYSTEMS		
18.1	Purpose/Scope	45
18.2	System Security/Safety	46
18.3	Department Internet Guidelines	47
18.4	Web-Site Guidelines	48
18.5	Employee's Internet and Email Guidelines	49
18.6	Employee's Cell Phone Guidelines	52
18.7	Employee's Personal Digital Assistant (PDA) Guidelines	53
18.8	Glossary	53
 XIX. GRIEVANCE PROCEDURE		54

Employee Acknowledgement Form

This employee handbook describes important information about the City and its employment policies, and I understand that I should consult my supervisor or the Administrative Services Director regarding any questions not answered in the handbook.

Because the information, policies, and benefits described in this handbook are necessarily subject to change, I acknowledge that revisions to the handbook may occur and that I am subject to whatever policy is in effect at the time an event occurs. All changes to the handbook will be communicated through official notices, and I am aware that revised information may supersede, modify, or eliminate existing policies. Only the City Council of the City has the authority to adopt any revisions to the policies in this handbook.

I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand that this handbook is not to be construed by myself, or any employee, as binding terms and conditions of employment.

Some employees of the City of Brookings are covered by collective bargaining agreements. If there is a difference between the policies in this handbook and a collective bargaining agreement clause, the collective bargaining agreement provisions govern for union represented employees.

I acknowledge that I have received a copy of this handbook, and I understand that it is my responsibility to read and comply with the policies contained in it and any revisions made to it. I further understand that this handbook supersedes any previous handbook or written policies or oral communications.

I acknowledge that I have read and understood the above paragraphs.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____ HANDBOOK DATE: _____

(Please sign and date this acknowledgement and return it to your supervisor for placement in your personnel file).

CITY OF BROOKINGS

PERSONNEL POLICY HANDBOOK

I. INTRODUCTION

SCOPE AND PURPOSE

This handbook is designed as a guide to the City's policies, procedures and practices relating to employment matters. We ask that you familiarize yourself with its contents and keep it handy as a periodic reference source. When initially presented to you, you may use time on the clock to read through this handbook.

By its nature, this handbook contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications or exceptions to the general policies and procedures of the City. The information provided in this handbook is based on the belief that common sense, good judgment, respect and consideration for the rights of others are paramount to our ability to serve the City and ourselves. If you have any questions not answered in this handbook, please consult with your supervisor or the Administrative Services Director.

All references to the Administrative Services Director are considered to be to the City Manager in the absence of a Administrative Services Director.

This handbook is neither a contract of employment nor a legal document. It is not to be construed by any employee as binding terms and conditions of employment.

This handbook covers all employees of the City. Some employees are, however, covered by a collective bargaining agreement, in which case those employees should be aware that if there is a difference between this handbook and a collective bargaining agreement provision, the collective bargaining agreement provision governs those respective union members. Covered employees should always refer to their collective bargaining agreements as well as to this handbook. The Brookings Police Department Policy Manual is hereby incorporated by reference, and provisions and procedures prescribed therein shall supersede those conflicting provisions of this handbook as to employees assigned to the Police Department. The City subscribes to the Lexipol system of periodic updates to the Police Department Policy Manual. To assure compliance with changes in state and federal law with respect to Police employees, all future updates to the Police Department Policy Manual shall be incorporated by reference as a part of this Handbook. The City Manager's terms and conditions of employment are established by contract, and only those provisions of this Handbook, referenced in said contract, shall be applicable to the City Manager.

The City reserves the right, to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole discretion. The Administrative Services Director may adopt policies and guidelines for the implementation of any of the policies in this handbook. Employees will be notified in writing of and provided with the changes as they occur. Employees are subject to whatever policy is in effect at the time an event occurs. Only the City Council has the ability to adopt any revisions to this handbook.

This handbook supersedes all prior versions and any other prior oral or written provisions, descriptions or understandings of the City's policies, rules, procedures and benefits addressed in this handbook. No oral statements or representations can change or alter the provisions of this handbook.

II. EMPLOYMENT POLICIES

2.1 EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION

The City of Brookings is committed to hiring qualified personnel without regard to sex, race, religion, age, marital status, sexual orientation, disability or any other status protected by law. All employment decisions will be based on the occupational qualifications and essential job functions of the position and the individual's demonstrated skills, knowledge, and ability to succeed in the position being filled.

The City will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, transfer, promotion, compensation, reclassification, discipline, layoff, termination, and access to benefits and training.

Any individual who feels they have experienced employment discrimination in violation of this policy should bring their complaint to the immediate attention of the Administrative Services Director in accordance with Section XIX, Grievance Procedure, herein. Complaints should be filed in writing and should include: 1) the name and address of the person filing the complaint;

2) a description of the discrimination leading to the complaint; and 3) any other pertinent information that will help in the investigation process. Following receipt of the complaint, the Administrative Services Director will institute an investigation and respond in writing as soon as practicable thereafter. A written record will be kept of the investigation and resolution.

The City prohibits retaliation against any employee for filing a complaint under this policy, or for assisting in a complaint investigation. All employees of the City are required to refrain from any conduct or practice that is in violation of this policy. If you believe there has been a violation of this policy, follow the complaint procedure outlined in this section.

2.2 HARASSMENT

The City of Brookings is committed to providing a work environment for all employees that is free from harassment. Harassment is behavior perceived by the receiver as unwelcome and includes the use of verbal or practical jokes, unwelcome touching, offensive remarks or put-downs, and displays of objects and materials that create an offensive environment or interferes with or adversely affects a person's work performance. Actions such as these are prohibited and, if repeated, will be subject to disciplinary action up to and including termination.

Sexual harassment is considered sex discrimination not only because of the sexual nature of the conduct to which the victim is subjected, but also because the harasser treats the victim differently based on the victim's sex. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- * Submission to the conduct is made either explicitly or implicitly a term or condition of employment; or
- * Submission to or rejection of the conduct by an individual is used as a basis for employment decisions affecting the individual; or
- * The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Officials, employees, volunteers or agents of the City may not engage in any conduct that violates this policy. Any retaliation at work or work-related events by an official, employee, volunteer or agent of the City is prohibited.

The City encourages anyone wishing to file a complaint for harassment to follow the complaint process outlined in this section. Employees who believe they have been subjected to harassment should take affirmative action to stop it immediately either by telling the alleged harasser to stop the offensive conduct or by filing a harassment complaint by reporting it immediately to their supervisor or the Administrative Services Director, or to any manager or supervisory employee with whom the person filing the complaint feels comfortable. No employee will suffer any adverse consequences as a result of acting in good faith to bring the harassment to the City's attention or participate in an investigation.

Harassment complaints should be filed in writing. The information provided should specifically state the incident(s) of harassment leading to the complaint and any other pertinent information that will assist in the investigative process. All investigations will be conducted in a prompt, thorough and impartial manner.

The person with whom the complaint is filed will take immediate and appropriate action. In all cases, action must include immediate notification of the Administrative Services Director who will institute the investigation. Confidentiality will be maintained to the extent practical.

A written report will be created documenting the nature of the alleged harassment and the steps taken during the investigative process. The report will be made as soon as practical. At the conclusion of the investigation the Administrative Services Director will make a decision relative to what, if any, immediate, appropriate and corrective action should be taken and the results communicated to the employee and the other parties involved. Appropriate corrective action, up to, and including termination, will be taken against any employee engaging in discrimination and/or harassment. An employee dissatisfied with the Administrative Services Director's report or decision regarding corrective action may file an appeal to the City Manager in accordance with Section XVII.

2.3 SEXUAL HARASSMENT RESPONSIBILITIES AND TRAINING

All employees are responsible for knowing the City's policy on sexual harassment and following this policy. All Department Directors and supervisors are responsible for maintaining a workplace free of any form of sexual harassment and for enforcing this policy. To ensure this policy is followed, Department Directors shall require all employees to participate in at least one sexual harassment training program each year. If a department is experiencing any issues with respect to sexual harassment, additional training programs should be added. Department Directors will be required to have each participating employee certify their attendance in writing and to place the written certification in the employee's personnel file.

2.4 DISABILITY ACCOMMODATION

The City's hiring procedures provide persons with disabilities meaningful employment opportunities. The City will afford reasonable accommodation to qualified applicants and employees with a known disability, unless to provide the accommodation creates an undue hardship on the operation of City business. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

2.5 IMMIGRATION LAW COMPLIANCE

Employees must be citizens of the United States, resident aliens or persons possessing a visa permitting them to work in the United States. The immigration status of an alien will be ascertained by the City prior to consideration for employment. Employment of a permanent nature, whether full-time or part-time, is possible only for those aliens having immigrant status as permanent resident aliens; however, employment of a temporary nature is provided for under certain non-immigrant visa classifications.

III. RECRUITMENT AND HIRING

3.1 JOB POSTINGS

Employee applicants for open positions are subject to the same review process as non-employee applicants.

All vacancies in employee positions shall be posted for a minimum of five days. The Administrative Services Director, in consultation with the Department Director, shall determine if there is a sufficient and /or qualified pool of existing employees to meet the needs of the City if an appointment is made through promotion.

All position vacancies not filled through promotion shall be advertised sufficiently to obtain a pool of qualified candidates.

3.2 EMPLOYMENT APPLICATIONS AND REFERENCE CHECKS

Employment applications received by the City become the property of the City and cannot be returned. Misrepresentations, falsifications, or material omissions in any of the information or date may result in the exclusion of the individual from further consideration for employment or, if the person is hired, termination of employment.

To ensure that individuals who join the City are well qualified and have a strong potential to be productive and successful, it is the policy of the City to check employment references of all applicants being considered for employment. The City may request a consumer report or investigative consumer report from an applicant only with the applicant's written authorization and upon providing the required disclosure of the employee's rights under the Fair Credit Reporting Act. Pursuant to the Fair Credit Reporting Act, if the City requested and obtained a consumer report or investigative consumer report regarding an applicant and decides not to extend an offer of employment to the applicant, the Administrative Services Director will provide a copy of the report to the applicant as soon as possible before formally notifying the applicant that an offer will not be extended. The formal notification must include notice to the applicant explaining how to contact the reporting agency.

Only the Administrative Services Director is authorized to respond to outside employer reference check inquiries regarding current or former employees. No one else is authorized to comment on or provide information regarding a current or former employee's employment or departure. Information regarding current employees will be given only if the employee provides a signed Reference Request Release to the Administrative Services Director. Responses to employment reference checks will be limited to dates of employment, position, title, and job location. More detailed responses addressing the employee's job performance and record will be provided only if indicated on the signed Reference Request Release.

3.3 EMPLOYMENT MEDICAL EXAMINATIONS

All prospective employees for safety sensitive positions must pass a pre-employment drug screen after receipt of a conditional offer of employment and prior to becoming an employee of the City. In addition, the Administrative Services Director may require passage of a pre-employment drug screen after receipt of a conditional offer when the Administrative Services Director has individualized suspicion regarding the prospective employee necessitating a pre-employment drug screen.

To help ensure that employees are able to perform their duties safely, medical examinations may be required for some job classifications and satisfactory completion of the examination and appropriate medical clearance will be conditions of employment. Prospective applicants will be notified of medical examination requirements. The examination will be performed by a health professional of the City's choice and at the City's expense.

Current employees may be required to take medical examinations to determine fitness for duty. These examinations will be scheduled at reasonable times and also performed at the City's expense and by a health professional of the City's choice.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained in confidentiality by the Administrative Services Director. Access to this information will be limited to those who have a legitimate need to know and in accordance with the federal Health Insurance Portability Accountability Act (HIPAA).

3.4 EMPLOYMENT MOTOR VEHICLE RECORD CHECKS

Driving is among the most hazardous tasks performed by employees and most employees are required to drive at some point while on duty, whether as part of their job duties, or to attend an education or training program, an event, or meeting. In order to ensure employee safety, the City will conduct a motor vehicle record check for all applicants for employment for positions for which driving is an essential function. Only applicants with an acceptable motor vehicle record will be eligible for employment for those positions.

Applicants for positions for which driving is an essential job function will be required to provide a five (5) year (consecutive, beginning from date not more than 30 days prior to date of application) driving history with their application. An applicant will not be offered employment if the applicant's five year record does not meet the following standards:

1. No class "A" infraction convictions during the past 36 months and no more than one (1) class "A" infraction conviction between the past 36 and 60 months.
2. No more than one (1) class "B" infraction conviction during the past 12 months and no more than two (2) class "B" infraction convictions during the past 36 months.
3. No more than two (2) class "C" infraction convictions during the past 12 months and no more than three (3) class "C" infraction convictions during the past 36 months.
4. Demonstrated ability to maintain a drivers license without suspensions for the past 60 months.
5. No felony or misdemeanor driving convictions within the past 60 months.

Also see Section 16.5 regarding the City's policies on Motor Vehicle Safety.

3.5 EMPLOYMENT OF RELATIVES

The employment of relatives or members of the same household in the same department or in any supervisory relationship may cause conflicts and problems with favoritism and employee morale. A "relative" means the spouse, domestic partner, son, daughter, mother, father, brother, brother in law, sister, sister in law, son in law, daughter in law, mother in law, father in law, aunt, uncle, niece, nephew, stepparent or stepchild of the employee or of the employee's spouse or domestic partner. A domestic partner includes an individual involved in a dating relationship with an employee. This applies to all employees without regard to gender or sexual orientation, or genetic relationship. A member of the household is any person who resides with the employee.

Relatives of a current employee may not occupy a position that will be working directly for, or supervising, the relative. Likewise, a domestic partner involved in a dating relationship with a current employee may not occupy a position that will be working directly for, or supervising, the employee. Members of a household should not occupy positions in which one member directly works for or supervises the other. When these situations occur, each situation will be individually evaluated by the Administrative Services Director.

If a relative relationship (a relative relationship includes dating) is established after employment between employees who are in a reporting situation described above, the employee in the supervisory role is responsible to disclose the existence of the relationship to the Department Director or Administrative Services Director.

With respect to a relative relationship, the employees and the City will jointly attempt to find an alternative work assignment for one of the two employees. If no alternative work assignment is available within ninety (90) days, one of the employees will be required to resign. If neither agrees to resign, the Administrative Services Director will determine which employee will need to be terminated.

With respect to a household relationship, the Administrative Services Director will evaluate the situation and determine whether the employees should remain in their positions, or whether an alternative work assignment should be found for one of the two employees. If no alternative work assignment is available within ninety (90) days, the employees may remain in their current positions until an alternative work assignment is available and if the situation does not create unfairness or favoritism or the appearance of unfairness or favoritism.

3.6 HIRING PROCEDURES

All recruitment and hiring must be through the Administrative Services Director who is responsible for establishing the appropriate recruitment and hiring procedures. The Department Director will participate in the process and, at the conclusion of the process, will provide their recommendation to the Administrative Services Director and City Manager. The City Manager makes the final decision as to hiring. After the final decision is made, either the City Manager or Administrative Services Director may extend an offer of employment. Only written offers of employment are considered valid offers.

IV. EMPLOYEE CATEGORIES

4.1 EMPLOYEE CATEGORIES

Exempt/Nonexempt.

Each employee is designated as either “Exempt” or “Nonexempt” under federal wage and hour laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. At the City of Brookings, exempt employees are also not covered by collective bargaining agreements.

All Department Directors are exempt employees and serve at the will of the City Manager. The City Manager is an exempt employee who serves at the will of the City Council.

Nonexempt employees are paid only for hours worked or for hours charged to approved and available leave. They are entitled to overtime pay under the specific provisions of federal and state laws (and in some cases, collective bargaining agreements). Most, but not all, employees who are not Department Directors or the City Manager are nonexempt employees and can only be terminated in accordance with the termination policy of this Handbook or, if subject to a collective bargaining agreement, in accordance with that agreement. The Administrative Services Director is responsible for determining an employee’s exempt status.

Regular Employees (Full Time and Part Time).

Regular employees are those who have successfully completed their probationary period.

Regular full time employees are regularly scheduled to work the City’s full time schedule. In general, a regular full time employee is eligible for the City’s benefits programs, subject to each program’s terms and conditions.

Regular part time employees are scheduled to work on a regular basis, but less than the full time schedule. A regular part time employee is eligible for some of the City’s benefits programs, subject to each program’s terms and conditions.

Temporary Employees.

Temporary employees are hired to work less than 20 hours per week and/or 6 months or less in any 12 month period, to temporarily supplement the work force or as interim replacements.

Employment beyond the 6 month period (or other initially stated period) does not convert the employee to a regular employee. Temporary employees receive all legally mandated benefits (worker’s compensation, social security, etc.) but are not eligible for the City’s benefits programs.

Probationary.

Probationary employees are employees whose performance is being evaluated to determine whether further employment is appropriate or who have not received appointment to regular status.

Probationary employees may be terminated at any time at the City’s discretion, regardless of the length of the probationary period. An employee who satisfactorily completes the probationary period changes their status to that of a regular employee.

4.2 PROBATIONARY PERIOD

The probationary period is designed to give employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and, in the case of new employees, to determine

whether the new position meets their expectations. In some cases, probation of employees represented by a collective bargaining agreement is addressed in the agreements, in which case the provisions in the agreements control.

The length of the probationary period is the first 6 continuous months of employment. Periods of temporary employment do not count towards satisfying probationary requirements. When an employee is transferred or promoted, a new 6 month probationary period is required for that new position.

Employees may be placed on disciplinary probation as an alternative to termination in a final attempt to resolve problems with employees who appear to have the ability to become valuable employees to the City. Employees on disciplinary probation may be terminated at any time at the City's discretion in the same manner as new probationary employees, regardless of the length of the disciplinary probation period.

A probationary employee may be terminated at the discretion of the City at any time for any or no reason during the probationary period. Similarly, probationary employees may resign at any time without notice. Employees serving probationary periods as a result of transfer or promotion will be allowed to return to their former position or to a comparable position for which the employee is qualified, depending on the availability of the positions and the City's need, and if the employee is not otherwise terminated. A position is not considered available if it is or has been filled.

Probationary employees are not entitled to the full set of rights and privileges available to regular employees, except if the employee is probationary solely for purposes of transfer or promotion from another regular position. Specific exclusions vary depending on the benefit program and employment category. Probationary employees do not have the right to grieve termination, apply for personal leaves of absence, or receive educational assistance.

During any probationary period, the supervisor will observe the employee's performance. Prior to the end of the period a formal performance evaluation will be conducted by the supervisor recommending one of the following actions:

- Termination/return to previous position in accordance with this subsection
- Extension of probation
- Promotion to regular status

Any extension of probationary time must be established at the time of evaluation.

4.3 CONTINUOUS EMPLOYMENT

Continuous employment shall be employment unbroken by separation from service to the City, other than military, Peace Corps, vacation or sick leave. Time spent on other types of authorized leave will not count as time of continuous employment; except that, employees, returning from such leave, or employees who are laid off, shall be entitled to credit for service prior to the leave or layoff.

V. EMPLOYEE RECORDS

5.1 PERSONNEL FILES

The Administrative Services Director maintains the personnel records for all City employees. These files are the only authorized record of an employee's status and history with the City. The file may

be kept indefinitely, even after termination of employment. Only the Administrative Services Director may remove documents or information from a personnel file.

The personnel file includes information such as application forms, resumes, transcripts, reference letters, background investigations and other employment related documents submitted to the City for original employment or subsequent position changes, training records, performance appraisals, copies of all official correspondence with the employee regarding commendations, discipline, grievances and employee comments regarding their performance or items in their file, and other employment records.

Personnel files are the property of the City and are considered and kept confidential, with a few exceptions. Only the employee (or a person designated by the employee in writing), the employee's supervisor and management personnel have a legitimate reason to review information in a personnel file and are allowed to do so. Information in a personnel file may also be disclosed in response to a lawfully issued judicial or administrative subpoena, an order of a court of competent jurisdiction, to officials of the U.S. Internal Revenue Service or the Oregon Department of Revenue when authorized by applicable federal or state law or regulation, or City auditors when required by federal rules and regulations. Finally, information in a personnel file may also be disclosed to the degree it is classified as public information by federal and state public records laws.

Materials that may be construed as derogatory toward the employee will not be placed in the personnel file without the employee's written acknowledgement. The employee's written acknowledgement only allows the material to be placed in the file and does not constitute the employee's agreement with the contents of the material. The employee may include their own written statement of explanation or rebuttal with any material placed in the file.

Right to Examine Personnel File.

An employee or former employee may request to view the employee's personnel file or may request a certified copy of the employee's personnel file at any time. The City must comply with the request within 45 days after receipt of the request. Upon termination, the City must retain the employee's personnel file for at least 60 days. The City may charge an amount to the employee or former employee to recover the actual cost of providing locating, copying, and certifying services.

5.2 MEDICAL RECORDS

All information regarding medical examinations of employees is collected and maintained in separate medical files and treated as a confidential medical record in accordance with applicable federal and state laws and regulations (including HIPAA). However, employee medical information needed by the City to carry out its obligations under federal and state laws, such as ADA and FMLA, will be placed in the employee's personnel file and is not protected under HIPAA.

VI. PERFORMANCE REVIEWS

The purposes of the City's performance review program are to enhance the motivation and productivity of each employee and provide the City with a means by which it can continuously monitor the effectiveness of its operations and the services it provides. Under the City's performance review program, all employees receive regular performance evaluations. The first performance evaluations are conducted at the completion of 6 months of service and 12 months of service, and annually thereafter on the employee's anniversary date of employment.

Performance reviews serve as one factor in decisions related to employment such as training, merit pay increases, job assignments, employee development, promotions and retention. Written reports identify specific performance levels as compared to established standards, to acknowledge the merit of above standard performance, and to prescribe the means and methods for correcting performance deficiencies to the required level of performance. Supervisors and managers are accountable for providing employee development actions designed to improve and enhance employee performance.

A copy of the evaluation signed by the employee and supervisor will become part of the employee's personnel record.

VII. STANDARDS OF CONDUCT/DISCIPLINE

7.1 EMPLOYEE PERFORMANCE AND CONDUCT

In order to attain the highest standards of performance and conduct from each employee, all employees are expected to conform to the following standards of conduct and, in accepting a position with the City, each employee accepts responsibility for conduct both on and off the job that reflects and builds a positive image for the City. The standards of conduct set out in this section serve as the basis for selection, evaluation, and discipline (including termination) of City employees but are not meant to be an exhaustive or exclusive list. There will usually be a detailed job description and there may be other types of behavior or conduct that form the basis for performance review or are cause for disciplinary action.

Performance Standards

- a. Achieves and maintains a level of knowledge, skill and ability required by the employee's job classification and assignment.
- b. Is able to carry out assignments with the level of training and supervision appropriate to the employee's job classification and assignment.
- c. Exercises appropriate judgment, decision-making and initiative, including selection of work techniques, procedures and priorities.
- d. Knows and follows all relevant City and departmental policies and procedures.
- e. Carries out work assignments in a diligent, cost effective, efficient and timely fashion.
- f. Expresses disagreements in an appropriate setting and in a manner that is constructive and not disruptive or harmful to the delivery of services.
- g. Maintains required levels of accuracy and quality.
- h. Develops and maintains satisfactory working relationships with other, including the public, as necessary to effectively carry out job responsibilities.
- i. Maintains necessary licenses and certifications.
- j. Acts within proper authority.
- k. Maintains the level of punctuality required in the employee's job assignment.
- l. Maintains an acceptable attendance record and follows required procedures for requesting and reporting absences.

Prohibited Conduct

- a. Falsification of official records or documents, including applications and pre-employment documents.
- b. Misrepresentation of qualifications for employment.
- c. Unauthorized absence from duty, including failure to return from leave, or taking of unauthorized or excessive breaks while on duty.
- d. Insubordination or refusal to obey instructions that pertain to the employee's work or City requirements issued by a supervisor.
- e. Use of force, intimidation, abusive language or mannerisms or other conduct that is inappropriate in a business setting.
- f. Violation of City rules, ordinances, and policies, including those set forth in this Handbook.
- g. Criminal violations that are related to job performance or are of such a nature that to continue an employee in their position could constitute negligence on the City's part.
- h. Discrimination or harassment based on any prohibited basis in the exercise of the employee's job responsibilities.
- i. Illegal possession, sale or use of controlled substances or intoxicants while on duty.
- j. Use of City property or equipment for personal purposes in violation of the City's policies regarding such use.
- k. Misuse or abuse of City or public funds, or theft or misappropriation of the property of others.
- l. Unauthorized disclosure of confidential or privileged information.
- m. Actions or conduct that are violations of ethical standards and/or the conflict of interest rules.
- n. Reporting for work under the influence of intoxicants or controlled substances.
- o. The use of profanity or abusive language towards superiors, peers, subordinates, and/or the general public.
- p. Making false accusations that discredit, embarrass, or abuse supervisors, peers, the governing body, or the general public.
- q. Unauthorized destruction of City property and/or equipment.

Rehire Policy

No employee discharged for prohibited conduct is eligible for rehire prior to the fifth (5th) anniversary of the termination date, unless specifically documented in the employee's exit interview conducted under Section 8.6. Employees discharged for reasons related to performance standards and for reasons other than prohibited conduct may be eligible for rehire after the third (3rd) anniversary of the termination date. Employees discharged for reasons other than those related to performance standards or prohibited conduct may be eligible for rehire immediately.

7.2 DISCIPLINARY PROCEDURES

Discipline should be considered by supervisors as a constructive means of dealing with unacceptable behavior or performance deficiencies on the part of employees. Disciplinary actions

should be appropriate to the seriousness of the infractions or performance deficiency. Department Directors are authorized to take any of the following actions and to recommend termination for cause subject to the guidelines in this section. Other supervisors are authorized only to issue warnings and reprimands. Only the City Manager has the authority to decide whether to discharge an employee. Therefore, the Administrative Services Director or a Department Director may discharge an employee only with the prior written approval of the City Manager.

The corrective action process will not always commence with a verbal warning or include a sequence of steps. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or subsequent offense. Consideration will be given to the seriousness of the offense, your intent and motivation to change the performance, and the environment in which the offense took place. There may also be circumstances that are serious enough to justify immediate suspension, or in extreme situations, immediate termination.

Also, in addition to the actions listed below, other non-disciplinary actions may be appropriate as part, or in lieu, of a corrective action program. These include performance evaluation, additional supervision or training, restructuring of job assignment(s), or other actions as deemed appropriate.

All disciplinary actions except warnings must include a completed Disciplinary Action Form that is provided to the employee and Administrative Services Director, and that includes: 1) the purpose of the action; 2) the specific nature of performance or conduct problems with supporting facts; 3) the corrective action required; 4) the fact that more corrective action will be taken (including termination) if the employee does not correct or improve the performance or conduct problems; and 5) the employee's right to appeal the action by filing a grievance under Section XVII. The Disciplinary Action Form will be included in the employee's personnel file. Warnings do require documentation, but the documentation does not become part of the personnel file.

Some disciplinary actions may be preceded by an investigatory interview with the employee. Represented employees should refer to their collective bargaining agreements regarding these interviews.

Warnings

A warning, whether oral or written, is an official communication to the employee that performance or conduct improvements need to be made. Supervisors or Department Directors may issue warnings. A written warning should be used when a verbal warning has not produced the necessary corrective action and where the possibility of disciplinary action exists if the improvements are not made. Both types of warnings should indicate to the employee the specific problem, what action is required for correction and that disciplinary action will follow if the employee does not satisfactorily correct the problem. A warning is not subject to the grievance procedure because no punitive action is taken. A written record of a verbal warning and copies of written warnings are kept by the supervisor but do not go into the employees personnel file. The Disciplinary Action Form does not need to be completed when issuing a warning.

Suspension With Pay

The City Manager may suspend employees with pay while investigating allegations made by the employee or about the employee. The employee will suffer no loss of benefits or accruals during this period of suspension. Upon completion of the investigation, disciplinary action may be taken, or the employee may be reinstated. If no further disciplinary action is taken, no record of the suspension need be made in the employee's personnel file.

Written Reprimand

Supervisors or Department Directors may issue written reprimands. A written reprimand is given when oral or written warnings have not lead to the desired conduct or performance improvements. A copy of a written reprimand is placed in the employee's personnel file.

Suspension Without Pay

Department Directors may suspend employees without pay with the prior approval of the Administrative Services Director. Suspension without pay is involuntary leave without pay coupled with formal notice of unsatisfactory performance or conduct. The period of suspension may not exceed 20 working days. At the conclusion of the suspension period, the employee will be reinstated or subject to further disciplinary action, such as demotion, disciplinary probation, or termination.

Demotion

Department Directors may demote employees, with the prior approval of the Administrative Services Director. Demotion is the reassignment of an employee to a lower level classification, with a reduction in pay and title, based on performance or conduct problems unique to the requirements of the higher classification.

Disciplinary Probation

An employee may be placed on disciplinary probation by their Department Director with the prior approval of the Administrative Services Director as a final attempt to improve performance or conduct. The probationary period and the consequences for failure to successfully complete the probationary period must be specified in writing. As noted above in Section 4.2, employees on disciplinary probation may be terminated at any time in the City's discretion during the probationary period if termination is a consequence of unsatisfactory performance.

"Last Chance Agreement"

At any point in the discipline process a Department Director, with the prior approval of the Administrative Services Director, may draw up a "Last Chance Agreement" which will list all of the conditions that must be met, now, and in the future, for the employee to continue working for the City. If the employee signs the agreement and meets all of the conditions, the employee will be allowed to continue employment as long as conditions of the agreement are met. If the employee does not meet the conditions of the agreement, the employee will be discharged.

Discharge

Discharge is the involuntary termination of employment based on unsatisfactory performance or conduct. Department Directors may only recommend discharge and generally should not do so unless one other form of disciplinary action has been taken. However, as noted above, there may also be circumstances that are serious enough or extreme situations warranting immediate termination.

Only the City Manager has the authority to decide whether to discharge an employee. Therefore, the Administrative Services Director or a Department Director may discharge an employee only with the prior written approval of the City Manager. In some cases, the employee may be offered the option of resigning in lieu of discharge. If the employee chooses to resign, the employee will be required to sign a statement indicating that the resignation was voluntary.

An exit interview will be conducted with all discharged employees. (Refer to Section 8.6).

VIII. TERMINATION

8.1 RESIGNATION

Resignation is a voluntary act by the employee to terminate employment with the City. The City requests that all employees provide at least two weeks' written notice specifying the employee's anticipated final day of employment. Employees absent from work without reporting for a period of three days or more or who fail to return to work following a leave of absence are considered to have resigned voluntarily. The employee's last day of work will be considered the termination date.

Resigning employees will be asked their reasons for resignation at the exit interview.

8.2 LAYOFF

A layoff is the termination of an employee due to the elimination of a position. A position may be eliminated as part of a reorganization, elimination or contracting out of a program or service, lack of work or funds, or other reasons. Layoff is not an alternative to a disciplinary termination or demotion of an employee (see Section VII above).

8.3 RETIREMENT

An employee is considered to have voluntarily terminated employment when they are eligible for and receive a monthly benefit from a qualified retirement plan offered by the City.

8.4 DISABILITY

Loss of ability to perform job requirements through illness or injury may result in termination for disability.

8.5 DISCIPLINARY TERMINATION

Disciplinary termination (or discharge) is the termination of an employee for cause as described in Section VII above. Only the City Manager or Administrative Services Director may discharge an employee.

When disciplinary termination is recommended by a Department Director, the Department Director should provide their written recommendation to the Administrative Services Director and attach all supporting documentation. The final decision to discharge is made by the City Manager.

Pre-Termination Hearing.

Pre-termination hearings are not required, but are always recommended. A pre-termination hearing may be required by a collective bargaining agreement. Pre-termination hearings should always be documented in writing by the supervisors in attendance.

8.6 TERMINATION PROCEDURE/EXIT INTERVIEW

An exit interview must be conducted with all terminating employees prior to or at the time of resignation or termination. The purposes of the interview are to secure forwarding addresses, review final hours accrued and due at termination, complete all retirement and insurance forms, and explain the final check due the employee. In some cases the purposes will also include an explanation of reasons for termination in the case of discharge and resignation. The City Manager or Department Director, and the Administrative Services Director shall conduct the exit interview.

Except as provided through COBRA, all pay and benefits shall cease as of the date an employee terminates. The final check will include all accrued leaves that are payable at termination.

Upon termination, the Department Director is responsible for ensuring that the terminated employee has turned in all keys, tools, uniforms, and/or other City property used by them or in their possession. Documentation that all City property has been returned shall be placed in the employee's personnel file.

Employees will be asked to sign a Reference Request Release pursuant to which the City will release only the information specified on the form to persons seeking information regarding the employee's employment with the City. If the employee requests that the City Manager, Department Director, a supervisor or other employee serve as a reference for the employee, the employee must make the request on the Reference Request Release.

IX. BENEFITS

9.1 VACATION

All regular employees are eligible for vacation based on the schedule below. All accruals begin from the date of employment. However, vacation time is not earned until after completion of six (6) months' probation. No vacation time will be authorized during the probationary period, unless specific arrangements have been made at the time of hire.

The purpose of vacation time is to allow employees to enjoy periods of time away from work and have time available for personal use. Vacation time is intended to provide time away from work for rest and recreation. Vacation pay may not be taken in lieu of time off.

Accrual Rates.

Employee(s) will accrue vacation at the following rate:

Completed Years of Continuous Service	Vacation Earned
1 - 4	96 hours
5 - 9	120 hours
10 - 14	144 hours
15 - 19	168 hours
20 +	200 hours

Employees shall advance to the next bracketed vacation accrual rate at the completion of the specified number of years of service, i.e. an employee hired on March 1, 2004 would start accruing vacation at the 120 hour rate beginning March 1, 2009. However, no employee shall be eligible to take vacation leave or pay therefore prior to completion of twelve (12) months of service. Part-time employees shall be credited with prorata vacation credits based on the accrual of a full-time employee.

Pay Rate.

Earned vacation shall be paid at current salary rate.

Continuous Service.

Continuous service shall be determined as defined under Section 4.3, Continuous Employment, of this Handbook.

Death or Termination.

Upon termination of a regular employee, said employee shall be paid for all earned but unused vacation time. In case of death, compensation for accrued vacation leave shall be paid in the same manner that any salary due the decedent is paid.

Accrual.

Employees shall be permitted and encouraged to take a portion of, or all of their vacation time depending upon service requirements as determined by the City, but no more than forty (40) hours more than can be earned in a one year period may be accrued at any time without prior approval of the Department Director and City Manager.

Vacation time cannot be banked and then never used; therefore, annual accrual cannot exceed a maximum of 300 hours at the end of any fiscal year. Vacation benefits will not stop accruing once the maximum has been reached, but at the end of any fiscal year, hours in excess of 300 hours will be forfeited. When this total is reduced below the maximum allowable, the benefit will begin accruing again. No vacation shall be accrued while the employee is on a leave of absence without pay.

Vacation may not be taken prior to being earned, however, exceptions may be made on a case by case basis by the Department Director and the Administrative Services Director in extenuating circumstances (i.e. Planned vacations during probationary period). There will be no pay in lieu of vacation time not taken except at termination at which time any remaining accrued earned vacation hours will be paid in full.

When a paid holiday falls within an employee's vacation, the holiday will not be deducted from the vacation balance.

Vacations must be taken at a time mutually agreed upon by the Department Director and employee.

Vacations may be taken only with the advance approval of the employee's immediate supervisor and Department Director.

9.2 HOLIDAYS

The City grants paid holiday time off to all regular and probationary full time employees on the holidays listed below. Probationary employees must have been employed and due compensation by the City for at least the day prior to the holiday to receive the holiday as a paid holiday:

New Year's Day (January 1)	Veterans Day (November 11)
President's Day (3 rd Monday in February)	Thanksgiving Day (4 th Thursday in November)
Memorial Day (3 rd Monday in May)	Day after Thanksgiving
Independence Day (July 4)	Christmas Day (December 25)
Labor Day (1 st Monday in September)	Martin Luther King Birthday (3 rd Monday in January)

A holiday listed above that falls on a Saturday will be observed on the preceding Friday; and a holiday that falls on a Sunday will be observed on the following Monday. City Administration will be closed on holidays.

In addition to the holidays listed above, each year all regular full time employees are allowed to select two additional days as floating holidays.

9.3 SICK LEAVE

Accrual.

Full-time employees will earn eight (8) hours of sick leave with pay for each full month worked from date of hire. Part-time employees shall accrue sick leave on a pro-rata basis. A total of 960 hours of sick leave may be accrued by each employee. Upon termination of employment with the City, one-half of the employee's unused accrued sick leave will be converted to the Public Employees Retirement System (PERS) in accordance with PERS rules or its successor as determined by the State of Oregon. In addition, employees with at least twenty (20) years of continuous service with the City and who separate from City employment shall be compensated for one-quarter of their unused accrued sick leave at their base rate of pay at separation.

Utilization.

Sick leave with pay is intended to be utilized when employees are unable to work due to illness or off the job injury and to obtain dental, medical or vision care not covered by worker's compensation. Employees shall notify their supervisor of absence due to illness or injury as early as possible prior to the time they would otherwise report to work.

The City may require proof of the reason for utilization of sick leave, and may require a physician's verification after more than three (3) consecutive days.

Family Illness.

Sick leave of one day per occurrence may be used in the event of serious illness or injury to a member of the employee's immediate family living in the employee's household which requires the employee's presence to either care for or arrange for the care of said family member. The employee may request additional time providing the Department Director with a written request prior to taking said leave.

Immediate Family.

For purpose of this Article, the employee's immediate family shall include the employee's spouse, domestic partner, children, parents, mother-in-law, father-in-law, brothers, sisters, grandparents or other dependents living in the employee's household.

Integration With Worker's Compensation.

When an employee must take time off from work as a result of an on the job injury or illness he shall receive compensation as scheduled by the City's worker's compensation benefit provider, and may supplement it with sick leave or vacation pay to equal regular take home pay. Such supplemental pay shall be deducted from the sick or vacation pay entitlement of the employee at the employee's choice. Employees must submit a copy of their worker's compensation pay stub to receive integration of compensation.

Sick Leave Without Pay.

Any full-time employee in need of an extended amount of time off due to illness or injury may apply for leave without pay for up to ninety (90) calendar days once all other accrued leave with pay has been depleted.

Transfer of Sick Leave.

Employees who have exhausted all accrued leave benefits may obtain sick leave from other City employees (with their written consent) if they require extended time off for an illness or injury. Only employees with more than 480 hours of accumulated sick leave may make contributions, and no

employee may contribute more than 40 hours per year to any other employee. No employee can receive more than 240 hours of contributed sick leave in any one calendar year. Employees receiving leave transfers from other employees must provide written documentation from an attending physician that such leave is required.

9.4 FAMILY MEDICAL LEAVE

Family medical leave is unpaid leave for certain family or medical reasons. It is generally a leave of absence for up to 12 weeks provided by both the Oregon Family Leave Act (OFLA) and the federal Family and Medical Leave Act (FMLA), or up to 26 weeks provided by FMLA for care of a covered service member. The following provisions are subject to modification by state and/or federal laws.

Eligibility.

OFLA eligible employees are those who have been employed by the City for at least 180 calendar days immediately preceding the day on which the leave begins and have worked an average of 25 hours per week during the 180 day period. If the leave is to care for a newborn child or newly placed adoptive or foster child, the 25 hour per week requirement does not apply. FMLA eligible employees are those who have been employed by the City for at least 12 months (which need not be consecutive) and worked at least 1,250 hours during the 12 month period immediately preceding the leave. The City uses a "rolling forward calendar" for the administration of FMLA

Purposes for Family Medical Leave.

Employees eligible for family medical leave are entitled to leave in the following circumstances:

- a. Employee's own serious health condition, including pregnancy related conditions;
- b. Serious health condition of employee's family member: spouse; parent; parent-in-law; biological, adopted or foster child (of any age); same sex domestic partner; grandparent; grandchild;
- c. Newborn, or newly adopted or newly placed foster child ("parental leave");
- d. Non-serious health condition of a child requiring home care ("sick child leave");
- e. Qualifying exigency under FMLA when a spouse, son, daughter or parent is on active duty or has been notified of an impending call to active duty;
- f. Care for a covered service member by a spouse, son, daughter, parent or next of kin.

Parental leave is available to both male and female employees. Parental leave must be used within 12 months of the birth or a newborn or placement of an adopted or foster child.

A serious health condition is an illness, injury, impairment or physical or mental condition that involves:

- a. Conditions requiring constant or continuing care;
- b. Inpatient care;
- c. Critical illness or injuries diagnosed as terminal or that pose an imminent danger of death;
- d. Permanent or long-term incapacity due to a condition for which treatment may not be effective, such as Alzheimer's disease, a severe stroke, or terminal stages of a disease;
- e. Period of incapacity, which is incapacity for more than three consecutive calendar days involving 1) two or more treatments by a health care provider, or 2) one treatment followed by regimen of continuing treatment;

- f. Absences for pregnancy related disability;
- g. Absences for prenatal care;
- h. Absences for chronic conditions;
- i. Multiple treatments for conditions that if not treated would likely result in incapacity of more than three days.

Serious health conditions are usually not common colds, flu, ear aches, upset stomach, routine headaches, sore throat, or routine medical or dental visits. Periods of employee disability resulting from occupational injury or illness will qualify as family medical leave under this policy if the injury or illness is a serious health condition.

An FMLA qualifying exigency is defined by U.S. Department of Labor regulations. The number of weeks available under FMLA to care for a service member is 26 weeks. The 26 weeks must be used in a single 12-month period.

Amount of Leave Available.

Generally, an employee may take a total of 12 weeks of leave per year for any combination of qualifying purposes. For instance, an employee could use 4 weeks of leave for her own serious health condition, 2 weeks for sick child leave, and 6 weeks for the serious health condition of her father. More than 12 weeks is available under OFLA in two circumstances: a) a female employee who takes leave for a pregnancy related disability may take up to an additional 12 weeks for any other OFLA qualifying purpose; and b) any employee who uses a full 12 weeks of parental leave may use up to 12 additional weeks in the same leave year for sick child leave.

Because OFLA has more qualifying circumstances than FMLA, where an eligible employee takes up to 12 weeks leave of OFLA leave for an OFLA purpose not covered by FMLA, the employee may still have 12 weeks of FMLA leave available. Otherwise, OFLA requires that family leave be taken concurrently with any leave taken under FMLA.

In addition, as noted above, 26 weeks of leave are available under FMLA to care for a covered service member. However, the total FMLA leave time available during any 12-month period is 26 weeks.

Except for holidays, all other available paid leave will run concurrently and must be used during family medical leave. Worker's compensation leave will also run concurrently with family medical leave, unless the employee is unable to work because of a compensable disabling injury. However, OFLA leave will automatically begin when the employee refuses a bona fide offer of light duty or modified work.

The per year calculation period during which leave is available is measured backward from the date the employee first uses any family medical leave. The leave may be taken in full, intermittent, or reduced time increments. Prior written approval from the employee's Department Director is required for leave taken in intermittent or reduced time increments. Requests for this option are reviewed on a case-by-case basis and granted in the Department Director's discretion.

Leave Notice.

Employees must give the City at least 30 days' written notice of the need for leave when it is foreseeable. If 30 days notice is not possible, employees should give as much notice as practical. In unanticipated or emergency situations, employees must give verbal or written notice as soon as possible, but in no event within one or two business days. Another person on the employee's behalf

may provide verbal notice. The City may designate absences as FMLA after the employee's return to work.

Written notice should be provided on the City's form and should be delivered to the employee's Department Director or the Administrative Services Director. Whether or not written or provided on the City's form, the notice must describe the situation they believe qualifies for family medical leave. Failure to provide notice required under this policy may result in a reduction or delay of leave, and may be cause for disciplinary action.

The employee must make a reasonable effort to schedule treatment for serious health conditions in a manner that does not unduly disrupt the City's daily operations.

The City is not required to grant a leave request for sick child leave during the period of time in which another family member is willing and able to care for the sick child. The City is also not required to grant a leave request to care for a family member with a serious health condition unless:

- a. The family member with the serious health condition is unable to transport their self to a health care provider;
- b. The family member with the serious health condition is unable to care for their own basic medical, hygienic, or nutritional needs or safety;
- c. When the employee is needed to make arrangements for changes in care, such as transfer to a nursing home;
- d. When the employee is providing psychological comfort and reassurance that would be beneficial to the family member with a serious health condition who is receiving inpatient or home care;

Following receipt of the employee's notice and prior to the commencement of leave, unless it is unanticipated or an emergency, the Administrative Services Director will provide the employee with notice regarding the designation of OFLA and FMLA qualifying leave, the use of paid leave during family medical leave, and of the employee's rights and responsibilities.

The Department Director or Administrative Services Director may require the employee to provide periodic reports during leave regarding the employee's status and intent to return to work.

Reporting: Medical Certification.

Employees may be required to provide a medical certification from a health care provider in support of a family medical leave request. The certification must be provided prior to the leave if the leave is anticipated or not an emergency, and within 15 days of the request for certification if the leave was not anticipated or is an emergency. In some cases, the Administrative Services Director may require a second or third opinion, at the City's expense. Medical certification is not required for parental leave, although an employee may be required to provide documentation of birth, adoption, or foster placement. Medical certification may also be required if sick child leave is requested after three occurrences in a year, although second opinions may not be required in these instances.

If the employee's medical leave is for their own condition, the Administrative Services Director may require a fitness for duty certification, at the City's expense, prior to returning to work at their former position.

During family medical leave of one month or longer, the employee should call to report their status to their supervisor or the Administrative Services Director every 30 days. During shorter family medical leave, the employee should call to report their status on a weekly basis. Employees are

expected to immediately report to their supervisor or the Administrative Services Director any change in their need for leave or their intention to return to work.

Benefits During Family Medical Leave.

During the time that family medical leave runs concurrently with other paid leave, all benefits, including vacation, will continue to accrue (except for those portions used). During the time that family medical leave runs concurrently with any unpaid leave, no benefits will accrue. With respect to group health insurance benefits (medical and dental), the City will continue to pay its share of the employee's insurance premiums during the first 12 weeks of family medical leave and during any period thereafter that constitutes FMLA leave, unless the employee declines coverage. During the paid portion of family medical leave, the employee's portion will be deducted from the employee's paycheck; during the unpaid portion of family medical leave, the employee must pay their portion by the first of each calendar month.

The City is not required to maintain group health insurance coverage during unpaid OFLA leave. The employee should contact the Administrative Services Director regarding the employee's rights and responsibilities to continue coverage.

If an employee returns directly from family medical leave, group health insurance benefits will be reinstated immediately but other benefits will be reinstated at the first of the following month. If the leave exceeds the limit, the employee will be required to meet the eligibility guidelines before coverage is reinstated and pre-existing condition limitations may apply on some of the plans.

Reinstatement.

Reinstatement following family medical leave is to the employee's former position, unless the position has been eliminated, in which case the employee may be entitled to reinstatement to an available equivalent job. An employee who gives notice of intent not to return to work will not have reinstatement rights. An employee who fails to return to work at the conclusion of approved family medical leave may be deemed to have voluntarily terminated employment, particularly if the employee's continued absence does not qualify as OFLA leave.

9.5 GENERAL LEAVE OF ABSENCE WITHOUT PAY

A general leave of absence without pay is available to regular full time employees. A general leave of absence is a temporary suspension of employment for a period of not more than 12 months. Only the City Manager may grant general leaves of absence.

Written Request.

A request for a leave of absence must be made in writing to the Department Director (or in the case of a Department Director requesting leave, to the City Manager), who will provide a recommendation to the City Manager. The written request must state the purpose, and beginning and ending dates of the proposed leave.

Benefits.

Employees granted a general leave of absence do not receive any pay while on leave. All benefits will cease to accrue during this period of leave including time earned toward seniority. However, an employees may continue to receive insurance coverage if the employee pays the insurance premiums. See Section 9.9. Arrangements must be made with the Administrative Services Director prior to beginning any leave in order for insurance to continue.

Reinstatement.

Reinstatement following a general leave of absence is not guaranteed. When taking a general leave of absence, the employee should thoroughly understand that their former position may not be available. The vacated position may be filled or operating conditions may change during the period of leave to such an extent as to make reinstatement impracticable. An employee must notify their Department Director of their intention to return to work fifteen days prior to the anticipated date of return. Failure of the employee to return to work on the day following the expiration of the approved general leave will be considered a voluntary termination of employment.

9.6 MILITARY AND COURT LEAVES

Military Leave.

Military leave will be granted to an employee who is absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Act (USERRA) and the Oregon Military Leave and Reemployment Rights Act. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

An employee requesting military leave may use any available and appropriate paid time off for the absence. If you wish to use your accrued paid time off for military leave, you must make a request to do so in writing to the Administrative Services Director.

All employees who are members of the Oregon National Guard or any reserve component of the armed forces of the United States are entitled to a paid leave of absence for up to 15 consecutive work days in any federal fiscal year (October 1 to September 30) for training, provided the employee has been employed by the City at least six months prior to the leave. This provision does not apply to weekend duty.

Continuation of health and dental insurance benefits is available as required by USERRA based on the length of leave and subject to terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

An employee on military leave for up to 30 days is required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA.

An employee returning from military leave that did not exceed 90 days will be placed in their former position. If the military leave exceeded 90 days, the employee will be returned to a position they would have attained had they remained continuously employed in a comparable position depending on the length of military service in accordance with USERRA. The employee will be treated as though they were continuously employed for purposes of determining benefits based on length of service. Employees who have not completed their probationary period prior to the time the military leave commences must complete the remainder of the probationary period upon return.

Court Leave.

The City encourages employees to fulfill their civic responsibilities by serving on jury duty and witness duty when required by subpoena or other order of a court.

When requesting court leave, an employee must provide their Department Director with a copy of the summons documents. All payments to the employee by the court, except mileage, must be turned over the City if the court leave was paid leave. An employee is expected to report to work

whenever the court schedule permits or when they are released from service for the remainder of a scheduled work day.

- a. Jury Duty. Regular employees may be granted a leave of absence with pay when required to serve as a juror in Federal, State, County or Municipal Court. When requesting leave, the employee must provide the Department Director with a copy of the summons documents. In order to receive pay for the time served, the employee must submit an attendance slip from the court verifying the dates and time of service and compensation received.

Either the City or the employee may request a postponement of jury duty if, in the City's judgment, the employee's absence would create serious operational difficulties.

Temporary employees are not eligible for paid time off when serving jury duty.

- b. Witness Duty. Regular employees will be granted court leave with pay to appear as a witness in a proceeding only if the summons is required for a City-related matter or as a result of employment with the City. Witness duty does not qualify as on duty time, or for overtime, unless the employee's appearance has been requested by the City. All other appearances are without pay, but the employee may use any accrued paid leave.

Temporary employees are not eligible for paid time off when serving witness duty.

9.7 BEREAVEMENT LEAVE

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately. Immediate family member is defined as spouse, eligible domestic partner, child, parent, spouse's or domestic partner's parent, sister, brother, grandchild or grandparent for the purpose of bereavement leave. Up to three (3) days of paid bereavement leave will be provided to employees working in regular, full-time, and part-time positions, and who have successfully completed their initial probation period. Bereavement leave is calculated on the base pay rate at the time of leave, and will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with supervisory approval, use any available paid leave for additional time off as necessary.

9.8 COMPENSATORY TIME (Overtime)

Nonexempt employees not covered by a collective bargaining agreement are compensated for all hours worked over 40 in a work week. Compensatory time is paid at the rate of time and one-half. It may be accumulated or received as a cash payment. Compensatory time that has been accumulated may not be converted to cash without prior approval of the Department Director, and then only in those instances where there are sufficient funds to cover the additional cost. An employee may not accumulate more than 120 hours of compensatory time. All accumulated time in excess of 120 hours will be paid to the employee in the paycheck for that pay period. Regular breaks that are not taken cannot be used to accumulate compensatory time.

Compensatory time off must be arranged by mutual agreement between the employee and the Department Director.

9.9 HEALTH INSURANCE

The City's health insurance plan provides employees and their dependents access to medical, dental and vision care insurance benefits. All regular and probationary employees are eligible to participate in the health insurance plan after a waiting period. Regular part-time employees participate on a pro-rated basis based on their regularly scheduled work hours.

All health insurance become effective on first of the month following the first full month of employment.

A change in employment status that would result in loss of eligibility to participate in the health insurance plan may qualify an employee or dependent for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Other common events qualifying for COBRA are death of an employee, an employee's divorce or legal separation, or dependent children no longer meeting eligibility requirements. Because COBRA applies to events and dependents not related to the employee's employment, it is the employee's responsibility to notify the Administrative Services Director of any qualifying events.

Questions regarding COBRA and any other questions regarding the health insurance plans and eligibility should be directed to appropriate Administrative Services Department personnel.

9.10 LIFE INSURANCE

The City pays the premium for \$10,000.00 of life and AD & D (Accidental Death and Dismemberment) at no cost to the employee with no option for dependents. Coverage begins on the first day of the month following hire date. Part-time employees are not eligible for life insurance coverage.

Eligible employees may participate in the life insurance and AD&D plans subject to all terms and conditions of the agreement between the City and the insurance carrier.

9.11 DISABILITY

The City does not provide disability insurance. However, disability insurance is available for purchase by the employee through the City's carrier.

9.12 WORKER'S COMPENSATION

All employees of the City are covered from their initial date of hire by Worker's Compensation Insurance. Premiums for this protection are paid by the City.

Worker's compensation benefits are paid while an employee is disabled from an injury suffered while on the job from the 3rd day of disability. If disability continues beyond the 14th day, benefits are paid from the date of the disability.

Employees must follow specific procedures in the event of job related accidents resulting in injury to employees. Information and forms to initiate the claims process can be obtained from individual departments or appropriate Administrative Services Department personnel. Failure of an employee to report an accident or injury may result in delay or denial of coverage.

The City will continue to make contributions toward health insurance on behalf of an employee receiving worker's compensation benefits for a work related injury to the extent permitted by the City's health insurance administrator guidelines, after which the employee may be required to obtain COBRA coverage in order to continue to receive benefits. Leave benefits do not continue to accrue beyond 30 days of disability.

When the injured employee receives payment for worker's compensation, the employee will be required to sign over the check to the City to cover the advance. The difference between the amount advanced to the employee and payment from worker's compensation signed over to the City will be reconciled on the employee's next pay check.

9.13 RETIREMENT

The City participates in the retirement system provided through the State of Oregon, known as PERS and OPSRP, which currently provides that employees who have worked more than 6 months

in a position requiring 600 hours or more of work a year are eligible to participate in the program. Eligibility for future employees is subject to modification by the Oregon Legislature.

Employees will become fully vested upon meeting the requirements of the plan that applies to their service. Employees who separate from service before vesting forfeit all accrued benefits except for amounts contributed to their member or individual accounts, as provided by the applicable plan.

The City makes contributions toward the employee's retirement benefit in accordance with state law.

Normal retirement age for employees depends on the classification and term of service of the employee, as well as the terms of the retirement plan or tier to which each employee belongs.

For more details, please refer to the PERS Handbook, the PERS website at www.oregon.gov/pers or other official sources of information.

9.14 DEFERRED COMPENSATION

Employees may elect to enroll in a 457 deferred compensation plan through ICMA-RC. For detailed information regarding this plan, contact the Administrative Services Department.

9.15 LEAVE DONATION

Sick leave may be donated in accordance with Section 9.3, Sick Leave: Transfer of Sick Leave.

X. COMPENSATION AND PAY ADMINISTRATION

10.1 COMPENSATION SCHEDULE

The City compensates employees by providing certain benefits and paying a salary. In addition to salary, employees may receive additional compensation that is not part of the employee's pay and benefit package. Additional compensation may take the form of (1) occasional business-related meals and entertainment of employees and their guests; (2) the ability to take vacation days in conjunction with a conference or meeting requiring out of area travel, provided that no cost accrues to the City; (3) the ability to include a non-City employee as a guest in conjunction with a conference or meeting requiring out of area travel, provided that no costs accrue to the City. It is the employee's responsibility to recognize when the employee receives additional compensation. Additional compensation is not taxed by the City. Employees receiving these forms of compensation are liable for any tax consequences of this compensation.

Classifications are placed in salary ranges based on several factors, including job analysis and evaluation. Each range consists of 7 steps. All new or newly promoted employees generally begin at the base level. However, upon the recommendation of the Department Director and with the approval of the City Manager or the Administrative Services Director, an employee may be hired up to any level of the range. The City Manager may make an initial appointment of a Department Director at any step of Grade 20A or Grade 20B. Whether an employee qualifies for a higher level will depend on the employee's education and experience, market factors, and budget. Employees hired at advanced levels in the range due to their education and experience receive increases at the interval appropriate to that level.

It is the City's policy to grant regular employees, who are performing satisfactorily, level increases according to the schedule in their classification. Performance appraisals must be completed prior to receiving a level increase. Review dates for eligibility for level increases will be adjusted by any unpaid leave of absence of more than one full pay period.

Salary is administered within the budgetary constraints of the City. If, in the discretion of the City Council, insufficient funds exist, compensation practices may be altered or suspended.

10.2 PAY CHANGES

Promotion.

Employees are eligible for advancement to the next step in their salary range upon completion of one year of employment and/or successful completion of the probationary period, whichever occurs first. Salary reviews occur annually on the anniversary of the first date of employment.

Transfer.

An employee who is transferred to a classification in the same salary range as their current classification will remain at the same level in the salary range. Salary review dates will not be changed as a result of a transfer. Employees who are transferred to a classification in a different salary range will serve a probationary period in accordance with the policy on probation, and salary review dates will change as a result.

Reclassification and Reallocation.

Reclassification and reallocation occur as a result of a change or re-evaluation of duties, responsibilities and/or knowledge, skill, and ability requirements of a position. Reclassification or reallocation may occur as a result of reorganization, reduction in force, or voluntary reassignment.

The increase and salary review date of an employee holding a position that is reclassified or reallocated to a classification in a higher salary level is handled in the same manner as a promoted employee.

If an employee is in a position that is reclassified or reallocated to a lower salary level, the employee's pay rate will be the highest level in the lower salary range that is less than or equal to the employee's former pay rate. The employee's eligibility for a level increase will be based on the time served in the previous level plus the time served at the new level.

Demotion.

Demotion is a disciplinary action resulting in the employee being reclassified to a lower salary range. A demoted employee will be placed on the level in the lower salary range that is closest to, but not lower than, the employee's current pay rate. The first salary review date will be on the successful completion of the probationary period and successive salary review dates will be on the anniversary of the first date of employment in the reclassified position, with annualization thereafter to January 1 of each year.

Training, Seminars and Conferences.

Outside training required by the City will be paid for by the City and time spent in required training will be considered time worked. Similarly, the City will pay for training and/or testing associated with certifications and professional licenses that must be maintained or upgraded solely as a continuing requirement for an employee's current position. With Department Director approval, paid time off may be granted in lieu of considering the time spent in required training or participating in examinations for the required certification as time worked.

Travel Time Pay.

Employees are not entitled to pay for travel between their home, or other off duty location, and work for the regular shift, for overtime, or for extra duty assignments.

Employees are entitled to receive pay while engaged in business travel for the purpose of carrying out City business, in accordance with the Fair Labor Standards Act. If more than one employee is engaged in business travel where the use of a single motor vehicle is involved, only the driver of the vehicle is entitled to receive pay

10.3 TIME SHEETS

All employees are responsible for accurately recording time worked and leave used. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Timesheets will be provided by the Administrative Services Department following each payday. Timesheets are to be completed by the employee, signed, and then turned in to the immediate supervisor for verification and signature. Employee timesheets are due by 10:00am on the Monday before each payday. When a holiday falls on a Monday, timesheets will due by 10:00am on the Tuesday before the payday.

10.4 PAYDAYS

Employees will be issued a paycheck on a bi-weekly basis, 26 times per year, on the Friday following receipt of their timesheets. When a payday falls on a holiday, paychecks will be issued the day prior to the holiday.

Employees may choose to receive a standard paper paycheck or have their wages electronically deposited. Employees who choose to have their wages deposited electronically will receive a check stub on payday showing their earnings, deductions, accruals and net pay.

Each paycheck will include earnings for all work performed and reported through the end of the previous payroll period. If time sheets are not provided on time, the employee's pay check will reflect base salary only. Adjustments to base salary will appear on a subsequent pay check for which time sheets were timely received.

Electronic Payroll Deposit

Participation in electronic payroll deposit is voluntary. Employees must complete an authorization form in order to have their payroll funds electronically deposited. Funds deposited electronically are available to the employee on payday. Electronic payroll deposit Authorization forms will be available from the Administrative Services Department.

10.5 PAY DEDUCTIONS

The City makes certain pay deductions from an employee's earnings in accordance with state and federal law, such as income taxes, social security taxes, and worker's benefit fund assessments. Additional deductions may be authorized by an employee in writing to cover costs of participation in City provided programs, such as insurance.

Court ordered wage withholding or garnishments on an employee's wages will be processed in accordance with applicable law and Section 10.4.

XI. TRAINING, EDUCATION, TRAVEL AND EXPENSES

11.1 TRAINING AND EDUCATION

The City encourages employees to further their training and education in pursuit of improving job skills and enhancing their contribution to the City.

The term “training” as used in this section includes conferences, seminars, workshops, one day courses at an educational facility or on-line, or other professional development programs of a similar nature. The term “college courses” is used to describe coursework taken through or on-line from an accredited college, university, and/or business or technical school.

The policy outlined in this section applies only to training or education programs that:

- Enhance the employee’s job performance;
- Serve as a beneficial retention tool in keeping high quality employees; or
- Are required for certification or licensing.

Training and Education Plan.

Funding for any training or education programs will only be provided if the Department Director has prepared a written departmental Training and Education Plan as part of their annual budget submittal. The Training and Education Plan must include an explanation of the following:

- The requested funding for training and education for the department, by employee.
- A clear justification for each requested amount. The Department Director should consider whether the proposed training is the best way to acquire the information for the City or to achieve a Training and Education Plan goal. Training programs may be mandatory or voluntary.
- An explanation of how these expenditures relate to an employee’s performance goals.
- A prioritization of these requested expenditures in the event not all requests are approved.

Training and Education Plans are submitted to the Administrative Services Director for review and approval. Only training and education consistent with the Training and Education Plan will be approved for funding and expense reimbursement.

Supervisors should discuss training and education goals with the employee in their regular performance evaluation session and these goals should be specifically detailed in the written evaluation form.

Training Classes and Programs.

The City will pay for all registration fees for training classes and programs included in the employee’s Training and Education Plan. Employees should consult the Travel and Expense Guidelines below to determine what expenses related to travel, meals, and lodging in conjunction with training are reimbursable. In some cases, you will be required to obtain an advance for some expenses in lieu of reimbursement. Travel and attendance time for training classes and programs required by the City will be considered time work, as allowed by state or federal law.

When appropriate, employees may be asked to share/present information they have received from their training to others in the department.

All arrangements for training must be made in the most cost and time efficient manner as possible.

Only expenses for the employee will be paid for. All books and materials paid for by the City will become the property of the city.

Education Classes and Programs (College Courses).

The City will pay for tuition, books and related materials for education classes and programs included in the employee’s Training and Education Program. Books and related materials will

become the property of the City. Employees should consult the Training and Expense Guidelines below to determine what expenses related to travel, meals, and lodging in conjunction with education are reimbursable. In some cases, you will be required to obtain an advance for some expenses in lieu of reimbursement. Travel and attendance time for education classes and programs required by the City will be considered time work, as allowed by state or federal law.

Reimbursement for education is made only if the employee receives a grade of "C" or better for undergraduate course work or a grade of "B" or better for graduate course work. Non-graded courses will require a written statement for the instructor indicating the employee successfully completed or passed the course.

The City will provide tuition reimbursement for college coursework not to exceed the tuition level established by the State of Oregon Higher Education Department for State colleges/universities. Department Directors should explore less costly college courses available at other institutions before approving and finalizing a Training and Education Plan.

Prior to participating in a reimbursable education class or program, employees must sign a written authorization to have any costs reimbursed by the City deducted from their final paycheck, should they fail to comply with the following reimbursement guidelines:

The following reimbursement guidelines apply when an employee's employment with the City terminates for any reason:

- If termination is within one year of the completion date of the class, 100% of the amount of reimbursement for the education class or program will be deducted from the employee's final paycheck.
- If termination is within one and two years after the completion date of the class, 50% of the amount of the reimbursement will be deducted from the employee's final paycheck.
- If termination occurs after two (2) years from the completion date of the class, no amount will be deducted.

If the reimbursement amount owed is more than the final paycheck, the employee must pay off the remaining amount. Failure to re-pay the amount owed to the City will result in the outstanding amount being turned over to a collection agency.

11.2 PROFESSIONAL ORGANIZATIONS

The City may authorize membership in professional organizations where the membership is of benefit to the City in terms of keeping the employee abreast of current developments in their field or profession. Additionally, the City recognizes the value of community service through applicable organizations and in membership in those programs. In all cases, membership fees must be approved by the Department Director in advance of payment.

The City encourages attendance at related meetings and the employee's supervisor may approve periodic absences to attend these meetings. If participation in the organization is not part of the employee's Training and Education Plan, the employee must use accrued leave for these purposes.

Miscellaneous expenses associated with the programs conducted by professional organizations (luncheons and seminars) may be reimbursed in accordance with the Travel and Expense Guidelines if there has been prior approval from the Department Director in accordance with this section.

11.3 TRAVEL AND EXPENSE GUIDELINES

Overview

The City will reimburse an employee for reasonable business travel expenses incurred while on assignments away from the normal work location, but only for expenses that are deemed non-taxable by the IRS. The paid and reimbursed amounts will be determined by IRS guidelines when applicable, in accordance with the following guidelines.

Employees are expected to limit expenses to reasonable and economical amounts and to utilize providers (i.e., airlines and hotels) that result in the lowest cost to the City. Room service is not a reasonable or economic expense and will not be reimbursed. The City retains the right to determine the mode of transportation most appropriate to the type of travel involved.

With prior approval, a family member or friend may accompany employees on business travel when not traveling in a City owned vehicle and when their presence will not interfere with the successful completion of business objectives. Generally, the employee is also permitted to combine personal travel with business travel, so long as time away from work is approved and, once again, a City vehicle is not being used. Additional expenses arising from non-business travel or incurred by the friend or family member are the responsibility of the employee and will not be reimbursed.

Payment Options

Cash advances to cover meal expenses are required and will be provided based on standard federal CONUS destination per diem rates as provided on the Travel Request Form. Other travel related expenses should be put on the City credit card issued to the employee, or to the employee's Department Director. The employee may request a check payment be made directly to the provider by Accounts Payable.

General Guidelines

The following guidelines are designed to assist employees through the City's travel processes. If you have any questions regarding the following information please contact the Administrative Services Department.

1. Submit a completed Travel Request Form to Department Director for pre-approval. Employees must submit lodging costs with the Travel Request Form at least one (1) week prior to travel. A check for the lodging expense will be made in the name of the hotel/motel.
2. Register for the training or education program and provide confirmation to the Accounts Payable Clerk with the Travel Request Form.
3. Hotel: If overnight lodging is required, the employee books his/her hotel room.

Employees must book rooms at the lowest available government, or discount rate at the location of the training/meeting, or nearby motel/hotel. The federal per diem rate for lodging will be used as a guideline. Approved lodging expenses are paid at actual cost. Employees may receive lodging per diem of \$35.00 for securing alternative lodging (i.e., with a friend or relative).

4. Air Travel

If air travel is required, the employee books the flight. The lowest cost flight that will meet the employee's needs should be selected. In some cases it is important to consider the best use of the employee's time, or the employee's effectiveness upon arrival when selecting travel arrangements. In some cases, the employee can take advantage of the lowest fare only by

leaving earlier or returning later than usual for the trip. In such situations, expenses for additional meals and lodging will be reimbursed. These added costs must be considered by both the employee and the employee's Department Director in determining the most economical travel arrangements.

5. Rental Car

If a rental car is required, the employee reserves the rental car. The lowest cost rate that will meet the employee's needs should be selected. The City provides excess liability coverage to supplement the coverage automatically provided by car rental companies. However, the Oregon Tort Claims Act does not apply outside of Oregon. For that reason, drivers shall purchase the offered insurance through the rental company. Excess liability coverage, collision coverage deductibles, and other charges not covered by the car rental company insurance will not be paid by the City if an accident occurs when the vehicle is used outside the scope of City business, (e.g., on an out-of-state trip where a rental vehicle is used for a non job-related side trip).

6. Personal Vehicle Travel (Mileage)

If approved by the Employee's Department Director, the City will reimburse for actual miles driven during business related travel. Mileage will be calculated at the actual mileage traveled multiplied by the federal mileage rate. Mileage will not be paid in advance in any situation.

To receive reimbursement, the Employee should submit a completed Expense Claim Form to the Department Director. If a City vehicle is available and the employee chooses to use personal vehicle, reimbursement shall be at fifty percent (50%) of the federal mileage rate.

7. Carpool

Employees are to carpool whenever possible.

8. Meals

The City uses a per diem basis for employee meals during travel. Employees will receive a federal standard CONUS destination per diem rate, in advance, of travel. Meals are not allowed to be put on a credit card during travel. The only exception is for emergency travel, in which case the employee will be reimbursed for meals at the standard per diem rate upon the employee's return and submittal of a Travel Request Form.

Per diem requests should be submitted no later than one week in advance of the travel.

Accounts Payable will prepare the per diem check based upon this information and deliver it to the employee.

Receipts are not required for per diem expenses.

9. Upon return, complete an Expense Claim Form for any out of pocket expenses and submit it to Accounts Payable.

10. Travel and expenses paid by City issued credit card are treated the same as other credit card purchases for purposes of completing necessary account coding and descriptions for purchases made via City issued credit cards. The travel and expense receipts must be treated like every other City issued credit card receipt and forwarded to the Administrative Services Department at the end of the month.

11. Final Travel Request Forms and Expense Claims are kept on file in the Administrative Services Department.

XII. MANAGEMENT COMPENSATION

The City recognizes the value of an experienced and well trained management team. To enhance the City's ability to recruit and retain well qualified and high performing managers, the following compensation program is provided:

12.1 MANAGEMENT EMPLOYEES

For the purposes of this section Management Employee include those persons in the following classifications. Management employees include Department Directors and Mid-Management employees.

Director

Administrative Services Director
Chief of Police
Fire Chief
Planning Director
Public Works Director

Middle Management

Assistant Fire Chief
Chief Treatment Plants Operator
City Recorder
Police Lieutenant
Public Works Superintendent

Benefit accruals based upon seniority may be increased and/or an initial "benefit bank" (i.e., an initial balance of vacation leave) may be provided by the City Manager as a recruitment enhancement as needed.

12.2 EDUCATION AND EXPERIENCE ENHANCEMENTS

A. Management employees may receive additional compensation of 2.5 percent for each training, education and experience enhancement listed below, not to exceed 10 percent of base salary:

- Wastewater Treatment Certificate Grade IV
- Wastewater Collection Certificate Grade IV
- Water Treatment Certificate Grade III
- Water Distribution Certificate Grade III
- Backflow Specialist Certificate
- Licensed Land Surveyor
- Oregon Municipal Auditors License

B. Management employees may receive additional compensation of 5 percent for each training, education and experience enhancement listed below, not to exceed 15 percent of base salary:

- Masters degree from an accredited college or university in public administration, business administration, or field appropriate to job assignment and development.
- Certified Municipal Clerk
- Certified Public Accountant
- Registered Civil Engineer
- American Institute of Certified Planners Certificate
- Executive Management Certificate issued by Oregon Department of Public Safety Standards and Training.

- Fire Protective Executive Certificate issued by the Oregon Department of Public Safety Standards and Training.

In no event shall a combination of additional compensation under A and B above exceed 15 per cent of base salary.

12.3 PERFORMANCE RECOGNITION

Management employees who achieve the top step in salary grade and have been compensated in said grade for at least 24 months, shall be eligible for a performance recognition payment. A performance recognition payment is a lump sum payment of up to five percent (5.0%) of base salary. To qualify for a performance recognition payment the City Manager shall consider factors including exceeding annual performance goals, completing major projects under budget, development of new techniques that result in greater efficiency and quality of service, keeping overall department annual expenditures to less than the budgeted amount, securing additional revenues through grants and other sources, and/or other special achievements. Performance recognition payments are subject to an annual budget appropriation by the City Council for this program.

XIII. WORK SCHEDULE

13.1 HOURS OF WORK

The standard City work week is a 40-hour week, beginning and ending Saturday at midnight. Most employees work five 8-hour days, but Department Directors may authorize alternative work schedules (AWS). AWS is a schedule that varies from the standard work week, but is not adjustable by the employee on a daily or weekly basis. The City may terminate or alter AWS at any time with reasonable notice.

Employee work schedules vary throughout the City's departments. Supervisors will advise each employee of their individual work schedule. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled in each day and week.

13.2 REST AND MEAL PERIODS

Supervisors will advise employees of the regular rest and meal period length and schedule. To the extent possible, a rest period of 15 minutes will be provided in the approximate midpoint of each work period of four hours or longer. This time is counted and paid as time worked. Meal periods may be either one half hour or one hour in length and will be granted during shifts of five hours or longer. This time is not counted or paid as time worked and employees are relieved of all active responsibilities during meal periods.

An employee may not shorten the workday or receive overtime by foregoing a break or meal period. It is important for employees and supervisors to understand that under State law, and unless otherwise provided in a collective bargaining agreement, employees must take all required rest and meal breaks and the breaks cannot be deducted from the beginning or end of the work period. Supervisors will be expected to make sure employees do not skip breaks and to discipline employees who refuse to take required breaks.

Nursing Mothers Accommodation.

The City will provide unpaid rest periods of up to 30 minutes for an employee to express milk for her child if no undue hardship to the City is caused. The employee and City may agree on periods of less than 30 minutes. The employee shall provide reasonable notice to the City of her intent to express milk upon her return to work. The employee shall use other provided rest and meal periods if feasible. The City may allow the employee to temporarily change job duties if the employee's regular duties do not allow her to express milk regularly.

XIV. WORK POLICIES AND PRACTICES

14.1 OUTSIDE EMPLOYMENT

An employee may hold an outside job as long as they meet the performance standards of their job with the City, and so long as the outside employment does not constitute a conflict of interest. Outside employment for purposes of this provision includes volunteer work. If the City determines that outside employment interferes with performance or ability to meet the requirements of the City, the employee may be asked to terminate the outside employment if they wish to remain employed by the City.

An employee's private business may not be conducted during work hours. An employee may not receive any outside income or material gain for materials produced or services rendered while on the job.

14.2 CITY EQUIPMENT AND SUPPLIES

The City provides any supplies, uniforms, equipment, including vehicles, and materials necessary for employees to perform their jobs. These items are intended to be used for City business purposes. Each employee is expected to exercise care in the use of City equipment and property and use City equipment and property only for authorized purposes. Loss, damages, or theft should be reported right away to a supervisor.

City equipment and property may not be used for non-business or personal purposes, unless in an emergency and/or with the permission of the supervisor. Any personal or non-business use that is not permitted will be charged to employees at the same rate they are charged to the public. Any non-business or personal use that results in a charge to the City must be reimbursed.

When City-owned vehicles are provided and are available for an employee's City-related use, the employee should use the City-owned vehicle. The City will not reimburse mileage for use of the personal vehicle when a City-owned vehicle is available. The City's insurance coverage may not extend to the employee's vehicle in all cases.

14.3 WORKPLACE MONITORING

Workplace monitoring may be conducted by the City to ensure quality control, employee safety, security, and customer satisfaction.

An employee who regularly communicates with customers may have telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training.

Computers furnished to an employee are the property of the City. As such, computer usage and files may be monitored or accessed. Refer to Section XVIII for detailed information regarding this policy.

14.4 RECYCLING

The City encourages recycling and waste prevention in its business practices and operating procedures. Employees are requested to use the recycling bins that are provided to promote the separation and collection of recyclable materials:

Employees are encouraged to also reduce and, when possible, eliminate the use of disposable products. Source reduction decreases costs and the consumption of valuable resources.

XV. PERSONAL CONDUCT

15.1 CODE OF ETHICS

The successful operation and reputation of the City of Brookings is based on the ethical conduct of the City's employees. The City's reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, regard for the highest standards of conduct and personal integrity, and fairness.

All City employees are considered public officials and are subject to the State of Oregon's Government Standards and Practices (ethics) laws. The City will comply with these and all applicable laws and regulations and expects all employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, use of good judgment based on high ethical principles will guide you with respect to lines of acceptable conduct. If a situation occurs where it is difficult to determine the proper course of action, the matter should be discussed with your supervisor and, if necessary, Department Director, for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every City employee. If you believe anyone has violated this code of ethics, you should report it to a supervisor immediately.

15.2 GRATUITIES

The giving and receipt of gifts (favors or gratuities) for an employee's personal benefit or gain is disfavored because of the appearance of impropriety it creates. Therefore, employees of the City may not accept any gift from any person (person includes individuals and entities, such as corporations or other governmental bodies) that is engaged in or attempting to engage in business transactions with the City, or any agency of the State or any local government that might affect or give the appearance of affecting the employee's judgment in the impartial performance of his/her duties.

However, unsolicited gifts such as flowers and candy are considered "de minimus" and may be accepted so long as the gift does not provide the employee with any personal gain. If you are offered a gift and are not sure whether to accept or deny it, you should contact your supervisor or Department Director for guidance.

15.3 CONFLICT OF INTEREST

Employees must conduct the City's business in such a way that prevents actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision, or gains information that is not available to the public that may result in a personal gain for that employee, or for a relative, as a result of the City's business dealings. For the

purpose of this Section, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

The mere existence of a relationship with an outside firm or member of the public seeking a City service does not necessarily create a conflict of interest. However, if an employee has influence on transactions or a decision making process, disclosure of the relationship must be made immediately to the employee's supervisor or Department Director so that safeguards can be established if necessary to protect all parties.

15.4. POLITICAL ACTIVITY

Employee involvement in certain political activities is protected under the First Amendment. However, under state and federal law there are some restrictions that employees must observe.

State law (ORS 260.432(2)) requires that:

No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.

Under federal law (Hatch Act), an employee whose principal job responsibilities are financed all or in part from federal loans or grants may not use official influence to interfere with or affect the result of an election or a nomination for office. An employee covered by the Hatch Act may not, directly or indirectly, coerce or advise another employee to contribute anything of value in any form to any person or entity for political purposes.

Therefore, employees may express their own personal views while on the job by wearing T-shirts, buttons, etc., and solicit for charitable or service organizations, to the extent that these activities do not interfere with the performance of the employee's duties or other employee's duties. Employees may not otherwise actively solicit or promote political positions or candidates while on the job, which includes activities such as fundraising, soliciting volunteer help on political campaigns, or disseminating partisan election material.

15.5 PUBLIC INFORMATION

Media inquiries or other similar inquiries should always be referred to a Department Director and the City Manager before responding. If an employee has received permission to communicate to others, such as the media, on behalf of the City in the course of their work duties, the employee should remember that they are representing the City and should ensure that any comments made reflect the City's position on the issue being discussed.

The City has an obligation to keep citizens informed about issues of public interest. Citizens will be provided information through a variety of sources such as newsletters, website, press releases, etc. Citizen request for written information are subject to the Oregon public records law. All public records requests should be processed through the City Recorder.

15.6 PERSONAL APPEARANCE

The City respects an employee's individuality, and the use of common sense in choosing appropriate clothing to be worn during business hours. Each employee should recognize the importance of personal appearance to the professional image of the City and dress and groom

according to the requirements of the position. This is particularly true if the job involves dealing with members of the public.

Generally, neat and casual businesslike or professional apparel is appropriate. Jeans, shorts and T-shirts, are not, although jeans are acceptable if permitted by your Department Director. Employees performing labor or fieldwork may have additional guidelines and may be given a clothing allowance. In some cases, such as fire and police employees, uniforms are required, in which case it will be provide it at the City's expense.

If a supervisor feels that an employee's personal appearance is inappropriate, the supervisor may ask the employee to leave the workplace until the employee is properly dressed and groomed. Under these circumstances, the employee will not be compensated for time away from work.

15.7 SMOKING/TOBACCO PRODUCTS

The City seeks to provide a healthy and safe environment. Accordingly, the use of tobacco products is prohibited in all City buildings, vehicles and equipment, except in designated employee areas. Department Directors are responsible for determining appropriate designated employee areas. An employee may utilize the rest and meal periods for the use of tobacco.

XVI. SUBSTANCE ABUSE/DRUG TESTING

16.1 POLICY AND RULES

The City is committed to its employees to provide a safe work environment and to promote high standards of employee health and performance. Using or being under the influence of or impaired by drugs or alcohol on the job may pose serious safety and health risks. The policy and rules in this Section cover all City applicants and employees, except those in the Police and Fire Departments when covered by separate drug and alcohol rules.

The City recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. An employee who seeks assistance with a drug or alcohol problem may contact the Administrative Services Director for assistance in identifying any City benefits and benefit programs that may be available to help deal with the problem. Employees can be assured that the contact will remain confidential to the extent legally possible. The City will provide reasonable accommodation of an employee's job circumstances as necessary and practical to allow treatment to take place.

The possession, transfer, offering, manufacture, use or being under the influence of, or impaired by, alcohol or illegal drugs while on City premises and while conducting business related activities off the City premises is prohibited. The conduct prohibited by this rule includes use of illegal drugs and/or consumption of alcohol prior to reporting to work, during breaks or lunch periods, or on the job, and includes the presence of the odor of alcohol or drugs on the employee's breath when reporting to work. An employee whose breath or blood alcohol level is .02 or greater or whose blood contains the presence of any controlled substance is deemed "under the influence" for the purpose of this policy.

The legal use of prescribed drugs or over-the-counter medications is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. The legal use of marijuana may be permitted only if the use is while off-duty, the effects of the off-duty use do not render the employee unqualified for the job, unable to perform essential job duties, and/or unable to work

safely. In all cases, clearance from a qualified physician may be required and the City retains the right to make the final determination concerning the employee's fitness to perform work.

Employees must notify their Department Director of any felony drug arrest or conviction and of any drug conviction by the next regularly scheduled workday.

16.2 DISCIPLINE

Employees of the City who violate the provisions of this Section will be judged on a case-by-case basis. Discipline up to and including discharge may be imposed. Other corrective action may also be imposed as the City deems appropriate. If corrective action includes treatment or counseling, any part of the cost of treatment or counseling not covered by the employee's then existing health insurance policy will be the employee's responsibility.

Violations by persons who are not employed by the City will generally result in that person being barred from the job site where the violation occurred.

16.3 SEARCHES

The City reserves the right to search, without employee consent, all areas and property over which the City maintains joint or full control. All City vehicles, equipment, offices, desks and lockers are subject to search by management. Searches that are undertaken specifically to investigate violations of these rules will be conducted in the presence of the employee if practical. If the employee is not available, or if the employee requests, a reasonable time will be allowed for a representative to be present before a search is conducted of property used by only one employee.

The City also has the right to search or inspect any item (lunch box, vehicle, purse, etc.) brought onto City premises if there is reasonable suspicion that alcohol or a controlled substance will be found.

Refusal by an employee to cooperate with a properly authorized search or inspection is cause for disciplinary action.

16.4 DRUG AND ALCOHOL TESTING

Applicant Testing.

All applicants (including current employees) for employment in safety sensitive positions with the City must consent to testing for drug usage as part of the pre-employment process. As part of the application process, the applicant will be requested to sign an Applicant Consent to Drug Testing form. All offers of employment for safety sensitive positions are conditioned upon the applicant receiving a negative drug test. In addition, the Administrative Services Director may require an applicant (including a current employee) to consent to testing for drug usage if the Administrative Services Director has individualized suspicion concerning the applicant necessitating a drug screen.

In such a case, the applicant will be requested to sign an Applicant Consent to Drug Testing form and any offer of employment will be conditioned upon the applicant receiving a negative drug test.

Employee Testing.

In those instances where an employee's impaired job performance or conduct provides reasonable suspicion of drug or alcohol use, the City may require appropriate testing. An employee in a position that requires a Commercial Driver's License (CDL), will be subject to random drug and alcohol testing pursuant to the federal Department of Transportation (DOT) guidelines.

Testing Procedures.

All drug and alcohol testing and result validation will be performed by a laboratory selected by the
COB Personnel Policy; revised 4-9-09

City and in accordance with the then prevailing practices in the medical field. An employee who initially tests positive may request a second verifying test, at the employee's expense. The second test must be conducted at a DOT approved laboratory and in accordance with current federal regulations governing second tests and split samples (49 CFR, Part 40).

Laboratory test results will be retained in an employee or applicant's confidential medical file. The test results will be delivered to the Administrative Services Director and the results will be disclosed to the City Manager and appropriate Department Director and supervisor on a need-to-know basis. Disclosure of the written records without the applicant or employee's consent will be made only in accordance with law.

XVII. RISK MANAGEMENT

17.1 WORKPLACE SAFETY

The City is committed to providing its employees with a safe and healthful work environment. To accomplish this goal, everyone must diligently undertake efforts to promote safety. Safety is everybody's responsibility!

The City, through its Safety Committee, develops and implements safety rules and regulations contained in the Safety Manual. The manual resides with the Safety Committee Chair who maintains and makes the document available for viewing. This process is ongoing and requires periodic safety audits. Safety audits are undertaken to determine the necessity and feasibility of providing devices or safeguards to make the workplace safe and healthful. The City will educate employees as to hazards of the workplace and train employees as to such hazards and the proper and safe method to perform job tasks.

Employees are expected to give their full-time skill and attention to the performance of their job responsibilities utilizing the highest standard of care and good judgment. Employees are also expected to follow all safety rules and regulations at all times including the use of protective clothing and equipment, attendance at all training sessions related to their job, and to follow the directions of warning signs or signals and/or directions of supervisory personnel. Safety rules and regulations will be issued or modified from time to time and notice of these changes will be communicated in writing.

17.2 WORKPLACE VIOLENCE

In addition to providing a safe place to work, the City is committed to providing a violence-free place to work. To this end, employees, visitors, or anyone else on City premises or engaging in City-related activities are prohibited from behaving in a violent manner or threatening to behave in a violent manner. In order to prevent any workplace violence before it begins, the City reserves the right to address any behavior suggesting a propensity towards violence, even prior to the occurrence of any violent behavior.

Workplace violence includes the following:

- * Threatening words or behavior of any kind;
- * Behavior that is threatening, physically aggressive, or violent, such as intimidation or attempts to instill fear in others;
- * Belligerent speech, excessive arguing, swearing, threats of sabotage, or any other verbally violent behavior
- * Causing physical damage to property; or

- * Bringing any form of weapons or firearms onto City premises, including in vehicles on City parking lots, or while conducting City-related activity in any location (this does not apply to employees authorized to carry weapons as part of their job responsibility, such as police officers).

Any employee who believes that workplace violence has occurred should report the circumstances immediately to their supervisor, Department Director, or Administrative Services Director, or any other person in a supervisory position with whom the employee feels comfortable. No employee will suffer any adverse consequences as a result of acting in good faith to bring the violence to the City's attention or participate in an investigation.

Any report of workplace violence will be promptly investigated and prompt corrective action taken to address any workplace violence found to have taken place, including action against the party engaging in workplace violence. If an employee is found to have committed workplace violence, the employee will be subject to discipline, including termination.

17.3 ACCIDENT / INCIDENT REPORTING

Employees should always report accidents as promptly as possible because prompt reporting will help mitigate damage or processing delays after an incident. Each employee is expected to cooperate fully and assist in reporting and gathering accident information. This policy applies equally whether the employee is at work or on business or other City-related travel.

A city accident report should be completed whenever:

- An employee is involved in an accident that results in injury or damage to any person or property;
- An employee is involved in an accident that may result in injury or damage to any person or property;
- City property is lost, damaged or stolen; or
- An employee is injured on-the-job.

Medical Assistance.

Employees should render first aid consistent with their first aid/CPR training or seek medical attention as soon as possible for any injured person. Do not render first aid assistance unless you have been trained to do so, and possess a current first aid card.

Accident Reports.

Employees should report accidents to the supervisor immediately. As soon as possible after the accident, the employee and supervisor must complete a City accident report. The accident report is submitted to the Administrative Services Director with the supervisor retaining a copy for the department's records.

Accidents or Incidents Involving Private Parties.

Accidents involving private parties can and do occur. In these situations, *never* discuss who was at fault or who should pay for any costs. Doing so may prejudice the City's rights in any subsequent dispute and ability to recover from insurance companies. Always complete an accident report with as much information as possible and, if possible, take pictures to ensure complete documentation of the incident.

17.4 TEMPORARY LIGHT DUTY

Whenever possible, an employee affected by a work related illness or injury may be offered temporary light duty within the restrictions provided by the employee's treating physician. Temporary light duty may be to any department in the City and will be paid at the employee's regular rate of pay.

Employees unable to perform their regular job duties because of non-work related illness or injury may be offered temporary light duty based on the needs of the department in which the employee works. Temporary light duty is offered only at the discretion of the Department Director and Administrative Services Director. If there is no business need, the employee will be expected to use available leave time.

17.5 MOTOR VEHICLE USE SAFETY

Many employees are required to drive as part of their job description. Other employees, while not required to drive for their job, may be required to drive to attend an education or training program, an event or meeting. The safety of the City's employees while on the road is of paramount importance. Therefore, all employees must follow safe driving practices. Failure to follow safe driving practices may result in discipline, including termination.

The following guidelines apply to all City employees in order to be allowed to drive on City business:

1. Must possess a valid Oregon driver's license or provide an alternate means of transportation that is approved by the Department Director.
2. Be at least 18 years old.
3. Possess a valid Commercial Driver's License (CDL) if driving a vehicle requiring a CDL.
4. If driving a personally owned vehicle, provide proof of insurance to the Department Director evidencing liability limits no less than the State required minimum of 25,000 single occurrence/50,000 annual aggregate.

Motor Vehicle Record Checks.

The City will periodically check all employees' motor vehicle records to make sure they possess a valid driver's license for the classification of vehicles used in the performance of their duties. Motor vehicle licenses verification shall be conducted by the Chief of Police for all employees. The Chief of Police will provide written notification to the Administrative Services Director that verifications have been completed and of any findings of unlicensed drivers.

Driver Responsibilities.

The following responsibilities apply to anyone who drives any vehicle on City business:

1. Drivers and passengers are required to wear seatbelts at all times when the vehicle is in motion.
2. Drivers shall inspect vehicles at the beginning of each shift or prior to each trip to ensure that the vehicles are in safe operating condition prior to their use. This should include tires properly inflated (i.e., not visibly deflated), clean windows, mirrors properly positioned and all lights in working order.
3. Drivers shall comply with all applicable state and local driving laws, parking regulations, and all City and departmental safety policies and rules.

4. Drivers will drive according to the road conditions during inclement weather. Drivers will know how and be prepared, in advance, of bad weather/adverse weather and road conditions.
5. Drivers shall be held personally responsible and liable for any tickets received while driving a vehicle on City business. All tickets for moving violations and/or parking fines received while driving City vehicles shall be paid or otherwise resolved promptly by the driver. Drivers shall notify their supervisor within 48 hours of receiving any citation while in a City vehicle.
6. For photo radar or other citations issued against the vehicle's registration, the employee's Department Director will complete the "Affidavit of Non-Liability" or similar document issued with the citation to identify the driver. The driver is personally responsible and liable for promptly paying the fine or otherwise resolving the citation.
7. In the event of an accident on City business, drivers shall immediately contact their supervisor, and, if driving a City vehicle, follow all City instructions/procedures for reporting accidents.
8. A driver whose license has been suspended or revoked shall immediately notify their supervisor.
9. For employees who are required to drive or maintain a valid driver's license as part of their official duties, driving record convictions may be considered as grounds for disciplinary action up to and including dismissal, whether the offenses and infractions occurred during or outside work hours.
10. Drivers shall ensure that any passengers who ride with them in a City vehicle or in any vehicle while on City business, other than those defined in the "Passenger" section below, are authorized by their supervisor. Drivers shall not transport passengers unless the passengers are wearing safety belts or other restraint devices in accordance with Oregon Revised Statutes.
11. In the event of a citizen emergency that requires the use of a City vehicle, supervisors can grant prior authorization under specific circumstances they establish. If an employee on City business encounters a stranded motorist, please be aware: a) there is no obligation to stop and render assistance; b) you should consider all objective circumstances regarding your own personal safety before choosing to stop; c) the only authorized action is to help connect the motorist with appropriate roadside assistance.
12. Drivers shall not drive City vehicles or private vehicles for City business when they are required to take medication that may impair their ability to safely operate a moving vehicle. If in doubt, the employee should first obtain approval from their physician that it is safe to drive while taking the medication. If the employee comes to work but due to the medication cannot drive, the employee shall immediately inform their supervisor and ask for an alternate work assignment. If there is no work available, the employee may be assigned to another department or sent home.
13. Employees are expected to use good judgment at all times while driving on behalf of the City. In circumstances where the employee is uncertain if they should be operating or continuing to operate a vehicle (such as because of prescription or over-the-counter medication, extended or continuous shifts, end-of-day long distance travel, fatigue, poor weather or road conditions) the employee is expected contact their supervisor to assist in making the safest decision of whether to continue to drive or not.

Cell Phones.

The City encourages the safe use of cellular telephones by employee who use these tools to conduct business for the City. Employees must use common sense when using a cell phone and operating a vehicle. Concentration on driving should be the highest priority. Talking on a cell phone while driving, like adjusting the radio, eating, or writing a note, makes it difficult to concentrate on driving. If the need to make or receive a business phone call occurs while driving, the employee should make sure the vehicle is stopped and parked properly off the roadway to make or receive the call. If faced with an emergency, such as a traffic accident or car trouble, the employee may find it necessary to make a phone call while driving.

Vehicle Use.

1. City-owned/supplied vehicles

The City provides vehicles for use by qualified drivers to conduct official City business in the course and scope of their job and/or to maintain the ability to respond to City business outside the employee's normal work hours when special equipment or tools are available in or on the vehicle. City vehicles shall not be used for personal business. Use of City vehicles to commute to and from work, except as stated above, is prohibited, unless approved in advance by the Department Director.

2. Privately owned motor vehicles

The City allows use of privately owned motor vehicles to conduct official City business. A privately owned motor vehicle used for City business must be a conventional, at least four-wheel vehicle, and be in safe mechanical condition that is adequate to provide safe transport for the road and weather conditions. Vehicle equipment must conform to State of Oregon requirements. Vehicle registration and insurance must be current.

3. Insurance requirements

- a. The driver of a privately owned motor vehicle used to conduct official City business must be insured against liability (person and property) in an amount not less than the minimum requirements of the State of Oregon.

Mileage reimbursement for the use of a privately owned motor vehicle is considered full payment (including deductibles, depreciation, insurance, maintenance, fuel and operating costs) for its use.

- b. The vehicle owner is responsible for any comprehensive and collision coverage the owner may elect to carry.

4. Rental cars

- a. Drivers shall purchase the offered insurance through the rental company when renting vehicles out of state.
- b. Travelers are required to know the driving laws for any state they drive in, apply the criteria of common sense, propriety, and consider the relationship to business purpose to the use of rental vehicles and transporting passengers while on City business.

Passengers.

Only authorized passengers are allowed to ride in City vehicles and other vehicles while in use for City business. Authorized passengers are:

1. City employees conducting City business;
2. Officer and agents representing the City;
3. Volunteers acting on behalf of the City;
4. Vendors and contractors working on behalf of the City;
5. Participants in official City business, training, tours and programs;
6. Representatives of other governmental agencies working with the City; or
7. Anyone who has prior authorization from a Department Director, the City Manager, or City Councilor.

17.6 SECURITY INSPECTIONS

The City provides desks, drawers, lockers, vehicles, appliances, and other spaces to employees to use in the performance of a job or for personal use. These items remain the property of the City at all times and are subject to search, seizure, transfer, or removal by the City with or without notice at any time. Consequently, employees should have no expectation of privacy when using any property or equipment owned by the City.

The City may search any City property for any reason with or without a legal warrant. The City may retain items found during a search for use in any legal matter, disciplinary process, or for any other lawful purpose.

17.7 EMERGENCY CLOSING

Emergencies, such as severe weather, fires, etc., can disrupt City operations. In extreme circumstances this may require the closing of a City work facility. If the event occurs during nonworking hours, local radio stations will be asked to broadcast notification of the closing. The City Manager, or his designee, will contact each Department Director, who is responsible for contacting affected employees to notify them of the closure.

When the decision to close is made after the workday has begun, employees released from work will be paid for the full workday. When the decision to close is made before the workday has begun, employees released from work will be authorized to use any paid leave available, or unpaid leave if no paid leave is available. Public safety employees will follow procedures established by their departments.

In cases where extreme weather conditions make coming to work dangerous, employees may choose not to report to work. Employees who choose not to report to work must contact their supervisor as soon as possible. Nonexempt employees may either make up missed work time within the same work week or use compensatory time, paid leave, or unpaid leave if no accrued paid leave time is available. The option to make up missed work time is available only with the supervisor's approval.

Employees in essential operations may be asked to work on days when some or all City facilities are closed. In these circumstances, employees who work will receive pay in accordance with federal and state wage and hour laws.

XVIII. INFORMATION AND COMMUNICATIONS SYSTEMS

18.1 PURPOSE/SCOPE

The City owns and provides information and communications systems for the conduct of its official business. All information and communications systems tools purchased by the City are the property of the City. Employees should have no expectation of privacy in connection with the transmission, receipt or storage of information on any of these systems. Any personally owned electronic communication devices an employee uses for City business are also governed by this policy.

This chapter was created to advise all users regarding the access to and the disclosure of information created, transmitted, received and stored via the use of the Internet, City e-mail, cell phones, and other computer, communications and information systems (collectively referred to as the "City's information and communications systems" or "information systems"). A Department Director may, in some cases, authorize operations and practices that conflict with this document on a temporary basis as needed.

The City's policy regarding the use of the City's information systems is, among other things, intended to guide you in the performance of your duties as a City employee. It is also intended to place you on notice that you should not expect the Internet, e-mail, cell phone conversations and voice-mail in your possession or those that you use from time to time, and their contents, to be confidential or private. All data, including any that is stored or printed in any form is subject to audit and review.

This policy applies regardless of the location or ownership of the equipment being used: e.g, if an employee uses a private PC and modem connection at home, but accesses the Internet via a service provided by the City; or an employee accesses the Internet via service provided by the employee, but through City equipment; or an employee uses a City provided cell phone at home.

Therefore, information on personal equipment used for City business may be a public record and must not only be kept according to the City's retention schedule, but the employee's personal equipment may also be subpoenaed to verify all City information has been provided as requested.

In order to ensure this policy is complied with, the City reserves the right to monitor Internet use, cell phone use, all e-mail, and other computer transmissions, as well as any stored information, created or received by City employees with the City's information systems. The reservation of this right will also ensure that public resources are not being wasted and to ensure that the City's information systems are operating as efficiently as possible in order to protect the public interest. All computer applications, programs, work-related information created or stored by employees on City's information systems, is City property.

The use of public resources for personal gain and/or private use, such as but not limited to, outside employment or for political campaign purposes, by City employees, is prohibited and punishable by disciplinary action which may include termination and/or criminal prosecution depending on the nature and severity of the transgression. Incidental and occasional personal use may be permitted in accordance with rules established by the Ethics Commission. The term public resource as used in this policy includes not only the unauthorized use of equipment, hardware, software or other tangible articles, but also the employee time engaging in the unauthorized use while on duty.

The Public Records Law (PRL), Oregon Revised Statutes Section 192.410, *et seq* requires the City to make all public records available for inspection and to provide copies upon request. A public record is any writing (which includes electronic documents) relating to the conduct of the public's business prepared, owned, used, or retained by the City. Although the PRL includes a number of exceptions from the disclosure requirement, any information on the City's information system may be subject to disclosure under the PRL. If there is some doubt, the employee should contact his or her Department Director or the City Attorney for advice as to whether the information is a public record.

The rest of this chapter addresses general City-wide Internet guidelines, specific issues related to appropriate content and use of departmental pages, and employee use of the Internet, e-mail and cell phones. All departments and employees are required to follow these general guidelines. Specific departments may have unique requirements and are encouraged to develop guidelines to cover those issues. The law and associated policy regarding the use of Internet, e-mail, cell phones and voice-mail are continually evolving. Accordingly, review of the policies and guidelines will occur with regularity, and changes shall be made as required.

Each Department Director is responsible for their respective employees' use of the City's information systems, and for the contents of their department's communications and information presented using these media.

18.2 SYSTEM SECURITY/ SAFETY

All employees have a responsibility to take reasonable precautions to protect the security and integrity of the City's information systems. Reasonable precautions include updating anti-virus software when requested by the City's Information Technology consultant, not allowing unauthorized access to the computer system, and safeguarding the employee's password.

If an employee becomes aware of a virus or the threat of a virus, the employee should immediately contact the City's IT consultant with the information.

All employees have a responsibility to take reasonable precautions against theft or damage to the City's information systems. Data of a confidential nature must be protected and must not be disclosed without authorization. Unauthorized access, manipulation, disclosure, or secondary release of such data/information constitutes a security breach. Failure on the part of an employee to take reasonable care to prevent such access may be grounds for disciplinary action up to and including termination of employment.

Except with the prior written approval of an employee's Department Director, employees are prohibited from downloading and taking City files, programs, or anything else stored on the City's information system out of the workplace.

Software installations are to be performed by the Information Technology consultant only. Only software owned by the City and approved by the Information Technology consultant shall be installed on City computers. Installation of personal software on any City-owned equipment is expressly prohibited.

Computer equipment may not be used to download, copy, or store any copyrighted software, publications, music, video, or other content without permission from the copyright holder.

Any theft or damage to any information systems equipment must be reported immediately to the Information Technology consultant and your supervisor.

18.3 DEPARTMENT INTERNET GUIDELINES

The City encourages its departments to use the City's web site, the department's web site, and other tools of the Internet to disseminate information to the public and its employees (collectively called "users") to improve communications with the public, and to carry out official business when business can be accomplished consistent with the following Internet policies and guidelines:

Official City Business. Use the Internet to accomplish official City business consistent with the City's mission. Official City business conducted via the Internet must comply with all statutory requirements as well as standards for integrity, accountability, and legal sufficiency. Thus, official City business conducted via the Internet should meet or exceed the standards of performance for traditional methods (such as meetings, use of telephone, etc.).

Reasons to use the Internet. Departments should base decisions to use the Internet on sound business practices. The conduct of business via the Internet is particularly compelling where costs are reduced and/or the services provided to the City's constituents are improved in measurable ways.

Ease of Use. Information and services presented via the Internet should emphasize ease of use to reach the broadest audience and impart a friendly manner which would include clear choices, easy navigation, on-screen instruction, etc.

Information Management. Disseminate information that is current, accurate, complete, and consistent with City policy. Information released via the Internet is subject to the same official City policies for the release of information via other media (such as printed documents), so that the information disclosed avoids potential problems with copyrights, trademarks, and trade secrets. Information accuracy is particularly important on the Internet. Where paper-based information is often not current, information presented electronically is much easier to keep current. Constituents expect this information to be not only current but often to be the first available.

Privacy and Security. Protect confidential and proprietary information entrusted to the City. Questions regarding confidential or proprietary information should be directed to your Department Director. City management has the right to monitor and log all transactions in or out of the system.

Professional Image. Use the Internet to promote a professional image for the City.

Official Use. Internet resources are made available to City employees to support and promote official City business. It is inappropriate for employees to use these resources for personal use, private gain, to state as "city positions" those which are not officially endorsed by the City, illegal purposes, or for inappropriate use as defined in these policies and guidelines. Department Directors will be held responsible for the content of their Departments' Web sites, for ensuring that the information provided relates to their Department's official duties and responsibilities, and that its use is for official and not for personal purposes.

18.4 WEB SITE GUIDELINES

The City's World Wide Web site address is www.brookings.or.us.

The web site includes pages for each department. The web site is a communication tool for providing City information to Brookings residents and the world. Hopefully, it encourages increased participation in City government.

- Department Directors are responsible for ensuring that departmental staff adhere to the Web Site Policies.
- To preserve the public nature of the City's Web site and to avoid any perception that the City endorses or provides favorable treatment to any private person or business enterprise (collectively referred to as "vendor"), no corporate or commercial logos or links to vendor sites are allowed on the City's external Web site. When a service has been donated by a vendor that enables the development or maintenance of a City departmental Web site, the name may appear once at the bottom of the City department's initial page and must include the following statement: "Acknowledgment of (xxxxx) on this page does not constitute the City's support or endorsement of it or its products or services."
- Vendors that create or maintain a home page for any City department must follow all policies established for the City's Web site.
- It is the City's intent to provide electronic access to its information through a logical single point of entry. For the Internet, this logical point of entry is the City's officially registered domain name and each City department or City organization will be defined as a sub area within the official domain.
- The City's Web site is for "official use" only. All information disseminated through the City's Web site must be related to the official duties and responsibilities of employees and City departments.
- The Oregon Public Records Law ("PRL") applies to information processed, sent and stored on the Internet. Confidential information should not be posted on the City's external Web site. Each Department Director must approve all posted information. For questions regarding the PRL contact the City Attorney.
- Each Department Director is responsible for the acceptability of the content contained in their respective Web sites.
- No City web site may be used for campaign-related purposes. No City employee or official may use any other City departmental Web site for campaign-related purposes. Campaign-related purposes include, but are not limited to, the following: statements in support or opposition to any candidate or ballot measure; requests for campaign funds or references to any solicitations of campaign funds; and references to the campaign schedule or activities of any candidate. No City web site may link to any private web site related to a candidate's campaign for elective office, but it may link directly to the City Recorder's election-related pages where general election and candidate information will be found.

18.5 EMPLOYEE'S INTERNET & E-MAIL GUIDELINES

The Internet and E-Mail are among the most important tools employees need to perform their job. However, it is important to remember that the use of the Internet and E-Mail are privileges and require strict adherence to the following rules. Failure to follow these rules can result in disciplinary action. The use of Internet is restricted to "official City business." Personal use of or time spent for personal gain is strictly prohibited, except on a very limited basis as permitted under Ethics Commission rules. No personal use may be made by, or on behalf of, any organization or third party. No publishing is allowed if the content or purpose is personal. No

personal soliciting is allowed, except for non-profit fund raising or events in accordance with this Handbook.

- Permitted personal use must be done during meals and breaks; not before, during or after work.
- Personal use may not interfere with your work, another employee's work or have an undue impact on the network.
- The Internet may not be used to access inappropriate sites or to transmit or receive inappropriate information. Pornography, hate groups, and gambling are examples of inappropriate sites and accessing these sites is a misuse of City property.
- Internet games and personal games may not be used.
- Hacking is the unauthorized attempt or entry into any other computer. Never make an unauthorized attempt to enter any computer. Such an action is a violation of the Federal Electronic Communications Privacy Act (ECPA) 18 U.S.C. § 2510.
- Sending threatening, slanderous, racially and/or sexually harassing messages is strictly prohibited. No use shall make rude or hostile reference to race, age, gender, sexual orientation, religious or political beliefs, national origin, health, or disability.
- The City will not be exercising editorial control by assuming responsibility to seek out and eliminate prohibited content—the employee who publishes this type of material remains responsible as the publisher.
- The representation of yourself as someone else, real or fictional, or a message sent anonymously is prohibited.
- Never copy or transfer copyright protected electronic files without permission.
- Downloading a file from the Internet can bring viruses with it. Make sure all downloaded files are scanned with City standard virus prevention software.
- Never send, post or provide access to any confidential City materials or information.
- Almost all data and software is subject to the Federal copyright laws. Care should be exercised whenever accessing or copying any information that does not belong to you. Software which requires purchase or reimbursement for its use, such as shareware, requires strict adherence to the terms and conditions specified by the owner unless written permission for unrestricted use has been obtained. When in doubt consult your Department Director.
- You are obligated to cooperate with any investigation regarding the use of your computer equipment and which your Department Director has authorized.
- Chain letters are illegal and may not be transmitted through e-mail.
- E-mail requires extensive network capacity. Sending unnecessary e-mail, or not exercising constraint when sending very large files, or sending to a large number of recipients consumes network resources that are needed for critical City business. When the City grants an individual employee access to the network, it is the responsibility of the employee to be cognizant and respectful of network resources.

Internet Sites

If you are using information from an Internet site for City business decisions, you should verify the integrity of that information. You should verify whether the site is updated on a regular basis (the lack of a revision date might indicate out-of-date information) and that it is a valid provider of the information you are seeking. Just because it is there does not mean that it is accurate or valid.

Electronic Mail (E-mail)

The following guidelines apply to the use of e-mail.

- MAIL ON THE INTERNET IS NOT SECURE. Never include in an e-mail message anything that you want to keep private and confidential (or don't want in the local newspaper) because e-mail is sent unencrypted and is easily read. Never assume that only you can read or access your e-mail.
- E-MAILS ARE PUBLIC RECORDS *subject to the public records retention and disclosure laws*. Never delete e-mails off of your computer unless you have created a hard copy on paper. Because e-mails are subject to disclosure as public records, use the same caution in creating e-mails that you do in creating other written documents in the course of your work.
- YOUR E-MAIL BOX SHOULD NOT BE USED FOR STORAGE. Generally, if an e-mail has value, it should be printed and put in the appropriate file. However, it is also appropriate to retain an e-mail on the system until a project is completed, at which time it should be printed out and placed in the appropriate file.
- Management has the right to access all e-mail files created, received or stored on City-funded systems and can access these files without prior notification.
- Be careful if you send anything but plain ASCII text as e-mail. Recipients may not have the ability to translate other documents, for example Word or Word Perfect documents, or encoding in UUENCODE or MIME.
- Be careful when sending replies - make sure you are replying to a group when you want to reply to a group, and to an individual when you want to reply to an individual. It is best to address directly to a sender(s). Check carefully, the "To" and "From" before sending mail. It can prevent unintentional errors.
- Include a signature (an identifier that automatically appends to your e-mail message) that contains the method(s) by which others can contact you. (Include your e-mail address, phone number, and fax number)
- For important items, let senders know you have received their e-mail, even if you cannot respond in depth immediately. They need to know their e-mail is not lost.
- Watch punctuation and spelling. It can reflect on your professionalism. Use automatic checking programs if available.

Internet Mailing Lists and Usenet News Groups

The e-mail guidelines apply here as well.

- Actively disclaim speaking for the City unless you have authority to do so. Note that if you use a City system to post an article, the City's name is carried along with what you

post in (at least) the headers. The "standard" disclaimers attached to many articles are meaningless if the reader finds the article offensive.

- Be sure to change your mailing address if your account changes. Do not simply forward your e-mail from your old account to your new one. This creates a burden on the City's information systems. Be careful when using auto-reply features in e-mail when you belong to mailing lists. Auto-reply replies are often sent to the entire list indiscriminately and your reply may not be important to all on the list; e.g. most do not care that you are on vacation, and worse, your message may have been intended for only one recipient.
- As a new member of a *news group*, monitor the messages for a while to understand the history and personality of the group. Jumping right into the discussion may make you look foolish if you lack background information.
- Do not re-post any messages without permission. Even messages may have copyright protection.
- Do not post personal messages to a mailing list or USENET news group.
- If you survey the group, as a courtesy, post a summary of the results.
- Be sure to properly acknowledge with quotations any material borrowed from others. Be careful of plagiarism.
- Do not post any messages anonymously. The professional community views this practice as bad form. As a matter of policy the USENET community and system managers are asked to track down offenders.
- Be careful when you re-post any requests. Some requests are fraudulent.
- State the subject of your message clearly in the subject line.
- Before joining mailing lists and news groups give thought to how much time these activities require. Also, for *Usenet*, look at the *news.announce.newusers* group. It contains information to assist you.
- Be sure to read the Frequently Asked Questions (FAQs) for your group(s).
- Never send angry messages (flames). If you receive a "flame", do not over react. Remember that not everyone is as polite as you are.

FTP (File Transfer Protocol)

These guidelines cover use of FTP (or download) sites.

- Do not FTP to any system on which you do not have an account, or which does not advertise anonymous FTP services.
- Downloaded files may contain viruses. Scan all downloaded files with the City's standard virus prevention software.
- Observe working hours or posted hours for FTP sites. Most sites request that you NOT FTP between their local hours of 8 am-5 pm.
- Do not FTP during your site's prime hours due to network impact on other users.
- Look locally before downloading a file from a geographically remote site.

- Do not download on the off chance you will "need it someday." Conversely, do not search for "neat stuff" to FTP. If you discover that you do not need what you have downloaded, delete it. You can always get it again if you discover you need it later.
- Observe any posted restrictions on the FTP server.
- Login using your real user name and node address as your password on anonymous FTP servers.

Netiquette

These are Netiquette (see Glossary) guidelines:

- Be cognizant of system etiquette. The computer you use may have limits regarding disk space usage. E-mail takes up space; therefore, you should regularly delete and/or archive any messages you wish to save.
- Remember that the recipient is a person with feelings. Since they cannot see you, they may not know when you are joking. Be sure to include visual or verbal clues. Convention indicates the use of the smiley face. :) (Look sideways).
- Sending and forwarding jokes is not always an appropriate use of e-mail. Use your discretion wisely and do not abuse the system.
- DO NOT SEND MESSAGES ALL IN CAPITALS. It looks as if you are shouting. Use initial capitals or some other symbol for emphasis. For example: That IS what I meant. That *is* what I meant.
- Remember that some people have to pay for each byte of data they receive. Please keep messages to the point without appearing terse or rude.

18.6 EMPLOYEE'S CELL PHONE GUIDELINES

As with the rules regarding internet use, the following cell phone rules require strict adherence. Any infraction may result in disciplinary action. Disciplinary actions range from verbal warnings to termination; the severity of the infraction governs the severity of the disciplinary action.

- The use of City provided cell phones is restricted to "official City business." Personal use of or time spent for personal gain is strictly prohibited, except on a very limited basis in accordance with the Oregon Ethics Commission rules. For example, contacting a spouse or childcare provider to advise that the employee is going to be late getting home or picking up children for a reason directly related to official duties; or receiving an incoming call regarding a family emergency. No personal use may be made by, or on behalf of, any organization or third party.
- Personal use of personal cell phones should be limited to during meals and breaks.
Conversations (which include text messages) on cell phones are not secure or private.
Do NOT have a phone conversation on a cell phone if you intend the communication to be private or if the communication is privileged.
- At the beginning of a conversation, always advise the person with whom you are talking that you are on a cell phone. Never assume that they know you are on a cell phone.

Always ask the person with whom you are talking whether they are on a cell phone.
Never assume that they are not on a cell phone.

- An example of a privileged communication is one between you and an attorney acting on your or the City's behalf. Attorney-client communications are confidential and privileged, but the confidentiality privilege can be lost if steps are not taken to ensure that the conversation is confidential.
- The same rules regarding voice mail messages on the City's hard-wired telephone system apply to voice mail messages on cell phones. You should not expect that any cell phone messages are private.

18.7 EMPLOYEE'S PERSONAL DIGITAL ASSISTANTS (PDA) GUIDELINES

The same rules regarding internet and cell phone use apply to use of PDAs for internet and phone use. These rules apply whether the employee uses a personal PDA or a City provided PDA when conducting City business.

Department Directors are responsible for determining if it is in the best interest of the City to equip an employee with a City funded PDA. The City recognizes the benefit of having a complete schedule, that includes both City and personal appointments. Therefore, posting and synchronizing of personal appointments between a City computer and a personal PDA is permitted in order to provide a complete view of an employee's schedule if the Department Director has authorized the use of a personal PDA.

Employees who wish to furnish their personal PDA, purchased with personal funds, are subject to this policy if they use their PDA to conduct City business. The City may restrict the make and model of any PDA hardware and software which may connect to a City computer.

Employees acknowledge that information on the PDA may be public record and must be kept according to the City's retention schedule and the employee's personal PDA may be subpoenaed to verify all City information has been provided if so requested.

18.8 GLOSSARY

Domain Name: A domain name is the way to identify and locate an address on the Internet. The domain name, also called the fully-qualified domain name or FQDN, is a computer's name in text form, for example: ci.hood-river.or.us. The domain name is used to send e-mail, make FTP requests, etc. Before any message is sent on the Internet, the domain name is converted internally to a numerical address, an Internet protocol address, which is the what computers on the Internet deal with directly.

Electronic Mail: Electronic Mail (e-mail) may include non-interactive communication of text, data, images or voice messages between a sender and designated recipient(s) by systems utilizing telecommunications links. It may also include correspondence transmitted and stored electronically using software facilities called "e-mail", "facsimile", or "messaging" system; or voice messages transmitted and stored for later retrieval from a computer system.

FTP: file transfer protocol; a program that allows you to transfer data between different computers on a network.

Hacking: Attempting to break into another system on which you have no account or authorization.

Internet: a worldwide network of networks, connecting informational networks communicating through a common communications language, or "protocol".

Mailing list: A service that sends e-mail to everyone on a list whenever e-mail is sent to the service, permitting a group of users to exchange e-mail on a particular topic.

MIME: A protocol which lets Internet users attach nontext files to e-mail messages. Stands for Multipurpose Internet Mail Extension, lets users send mail in any format including graphic images, formatted documents, and audio, video and compressed data files.

Netiquette: A combination of "network" and "etiquette". It is the practice of good manners in a networked environment.

News groups: Discussion groups with common themes on USENET.

Standards: Departmental directions or instructions describing how to achieve policy. Mandatory statement of direction.

TELNET: A program that allows remote login to another computer.

TCP/IP: Transmission Control Protocol/Internet Protocol; the communication protocol used by computers connected to the Internet.

USENET: A collection of computer discussion (news) groups.

Users: The public and City employees.

UUENCODE: A utility which converts binary files on PC into ASCII files. Stands for Unix-to-Unix Encode and was first developed for use with UNIX computers.

Vendors : Any private person or business enterprise.

XIX. GRIEVANCE PROCEDURE

Employees, other than Department Directors, may file a grievance for any decision regarding Employment Policies (Section II above), Standards of Conduct/Discipline (Section VII), Termination (Section VIII) or Compensation and Pay Administration (Section X) by following the procedures outlined below. Employees will not be subject to reprisal of any kind for using the grievance procedure.

First Step

After first attempting to resolve the dispute informally, the employees must present their grievance in writing to their immediate supervisor within five (5) business days of the action causing the grievance. The grievance must include a statement of all of the facts the employee feels are relevant, the nature of the complaint, and the relief that the employee requests the City provide.

The supervisor must issue their written decision within ten (10) business days of receipt of the grievance.

Second Step

If not satisfied with the decision of the supervisor, the employee may present the grievance in writing, along with the supervisor's written decision and any other written materials submitted to the supervisor, to their Department Director within five (5) business days of receipt of the decision. The Department Director must issue their written decision within ten (10) business days of receipt of the grievance.

Final Step

The final step is an appeal to the City Manager. If the employee is not satisfied with the decision of their Department Director, the employee may submit a written grievance, along with the written decisions of the supervisor and Department Director, and any other written materials presented to the supervisor and Department Director, to the City Manager for formal action. This grievance must be filed within five (5) business days of receipt of the decision from the Department Director.

Upon receipt of the grievance, the City Manager will investigate the grievance. The investigation will be informal but thorough, affording all interested persons and their representatives an opportunity to submit evidence relevant to the grievance. The City will not be liable for any expenses incurred by the employee for representation.

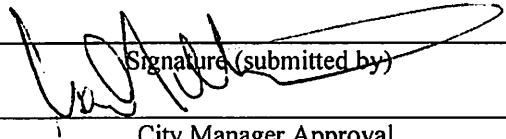
After the investigation, the City Manager will render his decision in writing to the employee. The written decision will be issued within thirty (30) calendar days after the grievance is filed with the City Manager. The decision of the City Manager is final.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Reinstatement of Yard of the Month Program

Recommended Motion:

Approve annual Yard of the Month program to begin May, 2009 and end September, 2009.

Financial Impact:

Through utility rebates and business license credits, this 5 month program costs the City approximately \$750, annually.

Background/Discussion:

If approved, this year will mark the 8th annual Yard of the Month program, implemented to recognize residents and business owners for helping to make the City of Brookings attractive to residents and visitors. Recipients are selected each month in three categories: Yard of the Month (outstanding landscape), Most Improved Property (shows substantial improvement) and Commercial Property (recent improvements to include landscaping and/or building).

Nominations are encouraged through press releases, radio and newspaper announcements. Winners are determined through the combined efforts of City staff and volunteers. Winners receive a \$50.00 rebate toward their City utility bill, or in the case of a commercial property where the tenant is responsible for the improvement, a credit is applied toward the tenant's next business license renewal. Additionally, winners are recognized with signage, local media coverage and mention at a City Council meeting.

Policy Considerations:

Continues existing City policy.

Attachment(s):

None.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager

Signature (submitted by)

City Manager Approval

Subject: Water System Improvement Loan/Grant Application

Recommended Motion: Motion to authorize City Manager to submit an application for loan and grant funding for water system improvements totaling \$3,308,200 in American Recovery and Reinvestment Act funds under the Safe Drinking Water Revolving Loan Program, and authorize City Manager to execute all related loan agreements.

Financial Impact:

Funding would be from a loan in the amount of \$3,308,200. Loan terms are:

1. 50 percent (50%) principal forgiveness (effectively reducing the principal to \$1,654,100).
2. Zero percent (0%) interest for 30 years.

Annual loan payments would be \$55,137. A water rate increase of five percent (5%) would be needed to support the debt service, a portion of which could also be paid from SDC revenues.


ASD Review

Background/Discussion:

The City has been invited to apply for funding under the American Recovery and Reinvestment Act (ARRA) through the State-administered Safe Drinking Water Revolving Loan Program. The City had initially submitted letters of interest for two water projects. However, one of these projects, which involved construction of a 750,000 gallon reservoir on Hilltop Drive, did not rank well. Staff has consulted with Oregon Economic and community Development Department staff and has crafted one project from the two initial letters of interest. This project would include:

1. Replacement of the existing 150,000 gallon "Tidewater" reservoir, which is in failing condition, with a new 150,000 gallon reservoir.
2. Replacement of older water mains on Wharf and Spruce Streets in the downtown area.
3. Seven "Priority 1" water line extension and replacement projects as identified in the Water Master Plan.

The total estimated cost of this project is \$3,308,200.

Attachment(s): Project summary list

City of Brookings
Safe Drinking Water Resolving Loan Fund Application
Project Summary List

Item	Description	Project Cost
1	Downtown Street Project (Wharf & Spruce Sts)	\$ 368,000
2	Tidewater Reservoir	\$ 397,500
3	Easy Street - 12"	\$ 881,500
4	Ref # 3 - Pine Street - 8"	\$ 314,800
5	Ref# 5 - Dodge Ave - 12"	\$ 472,200
6	Ref# 6 - North Bank Rd - 10"	\$ 114,200
7	Ref# 7 - Dodge Ave - 8"	\$ 204,600
8	Ref# 9 - New PRV's	\$ 43,000
9	Ref# 22 - Railroad Street -8"	\$ 456,500
10	Ref# 23 - Seacrest Lane - 16"	\$ 55,900

Total Application Cost \$ 3,308,200

1. Items 2 through 10 were adjusted upward by 6 % based on the ENR Index.
2. Item 3 was developed based on data listed in Table 10.2 of the Water Master Plan.
3. Item 1 is based on information previously provided to the City on the Downtown Street Imp Project.

Breakdown of Costs Per Application Requirements

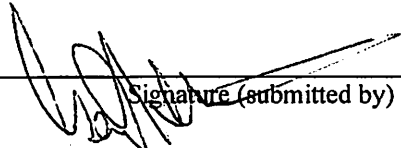
Construction	\$ 2,450,400
Contingency	\$ 317,800
Engineering & Construction Management	\$ 490,000
Administration & Legal	\$ 50,000
	<u>\$ 3,308,200</u>

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Contract for Wastewater Plant Moisture Remediation

Recommended Motion: Motion to confirm contract with Bug E Boyz Construction Services, Inc., for moisture remediation project at the Wastewater Treatment Plant in the amount of \$35,350.50.

Financial Impact: This is an unbudgeted item which will require a budget amendment in the Wastewater Fund.



ASD Review

Background/Discussion:

A safety inspection at the Wastewater Treatment Plant revealed significant moisture damage to a structure and related hazardous conditions in an area regularly occupied by plant employees. Management proceeded to deal with the condition as an emergency. Five bids were received, with the lowest responsible bidder being Bug E Boyz Construction Services, Inc. This emergency remediation work has proceeded. Staff is requesting that the City Council confirm the contract with Bug E Boyz.

Attachment(s): Contract with Bug E Boyz Construction Services Inc.

City of Brookings
STANDARD PUBLIC CONTRACT

CONTRACT NO. _09-004

This Contract is between the CITY OF BROOKINGS, a municipal corporation of the State of Oregon (City) and Bug E Boyz Construction Services, Inc., (Contractor). The City's Project Manager for this Contract is LauraLee Gray, Building Official.

The parties mutually covenant and agree as follows:

1. Effective Date and Duration.

This contract is effective on March 13, 2009, or on the date at which every party has signed this contract, whichever is later. The work under this contract shall be completed, unless otherwise terminated or extended, on or before August 15, 2009.

2. Statement of Work.

The work under this contract is for Wastewater Operations Building Moisture Remediation. The statement of work, including the delivery schedule for the work, is contained in Exhibit A. Contractor shall, at its own risk and expense, perform the work described and furnish all labor, equipment, materials and permits required for the proper performance of the work. The risk of loss for such work shall not shift to the City until written acceptance of the work by the City.

3. Consideration.

- a. City agrees to pay Contractor a sum not to exceed \$35,350.50 for accomplishing the work required by this contract, including allowable expenses.
- b. Any interim payments to Contractor shall be made only in accordance with the schedule and requirements in Exhibit A.
- c. City certifies that sufficient funds have been appropriated to make payments required by this contract during the current fiscal year. Payment for work performed after June 30 of any given year is subject to funds being appropriated by the Brookings City Council. If funds are not appropriated, the City may terminate this contract by notice to the Contractor.

CONTRACTOR DATA, CERTIFICATION, AND SIGNATURE

Business Name (please print): Bug E Boyz Construction Services, Inc.

Contact Name: Jim Mauch Phone: 541-247-0984

Fax: 541-247-4053 E-Mail: bugeboyz@verizon.net

Address: PO Box 387, Gold Beach

Federal Tax ID #: 75-3146059 -or- Social Security #: _____

State Tax ID #: 1207873-4 Brookings Bus. Lic. #: 2580 CCB#: 159163

Citizenship: Nonresident alien ☐ Yes ☒ No

Business Designation (check one): ☐ Individual ☐ Sole Proprietorship ☐ Partnership
☒ Corporation ☐ Government ☐ Nonprofit

The above information must be provided prior to contract approval. Payment information will be reported to the Internal Revenue Service (IRS) under the name and taxpayer I.D. number provided above. (See IRS 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records could subject you to 31 percent backup withholding.

I, the undersigned, understand that the Standard Terms and Conditions for Standard Public Contracts and Exhibits A, B, C, and D are an integral part of this contract and agree to perform the work described in Exhibit A in accordance with the terms and conditions of this contract; certify under penalty of perjury that I/my business am not/is not in violation of any Oregon tax laws; and certify I am an independent contractor as defined in ORS 670.600

Signed by Contractor: Jim I Mauch President 3/30/09
Signature/Title Date

NOTICE TO CONTRACTOR: This contract does not bind the City of Brookings unless and until the City Manager or Designee has executed it.

CITY OF BROOKINGS SIGNATURE

Approved: [Signature] 3/30/09
City Manager or Designee Date

Approved: [Signature] 3/30/09
Project Manager Date

Reviewed: _____
City Attorney or Designee Date

CITY OF BROOKINGS
STANDARD TERMS AND CONDITIONS FOR STANDARD PUBLIC CONTRACTS

1. Contractor is Independent Contractor

- a. Contractor shall perform the work required by this contract as an independent contractor. Although the City reserves the right (i) to specify the desired results; (ii) to determine (and modify) the delivery schedule for the work to be performed; and (iii) to evaluate the quality of the completed performance, the City cannot and will not control the means or manner of the Contractor's performance. The Contractor is responsible for determining the appropriate means and manner of performing the work.
- b. The Contractor represents and warrants that Contractor (i) is not currently an employee of the federal government or the State of Oregon, and (ii) meets the specific independent contractor standards of ORS 670.600, as certified on the Independent Contractor Certification Statement attached as Exhibit D. Contractor represents and warrants that all subcontractors shall also meet such independent contractor standards.
- c. Contractor will be responsible for any federal or state taxes applicable to any compensation or payment paid to Contractor under this contract.
- d. Contractor is not eligible for any federal Social Security, unemployment insurance, state Public Employees' Retirement System, or workers' compensation benefits from compensation or payments to Contractor under this contract.

2. Subcontracts and Assignment

Contractor shall not subcontract any of the work required by this contract, or assign or transfer any of its interest in this contract, without the prior written consent of the City. Contractor agrees that if subcontractors are employed in the performance of this contract, the Contractor and its subcontractors are subject to the requirements and sanction of ORS Chapter 656, Workers' Compensation.

3. No Third Party Beneficiaries

City and Contractor are the only parties to this contract and are the only parties entitled to enforce its terms. Nothing in this contract give or provide any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this contract.

4. Successors in Interest

The provisions of this contract shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and approved assigns, if any.

5. Early Termination

- a. The City and the Contractor, by mutual written agreement, may terminate this Contract at any time.
- b. The City, on 30 days written notice to the Contractor, may terminate this Contract for any reason deemed appropriate in its sole discretion.
- c. Either the City or the Contractor may terminate this Contract in the event of a breach of the Contract by the other. Prior to such termination, however, the party seeking the termination shall give to the other party written notice of the breach and of the party's intent to terminate. If the Party has not entirely cured the breach within 15 days of the notice, then the party giving the notice may terminate the Contract at any time thereafter by giving a written notice of termination.

6. Payment on Early Termination

- a. If this contract is terminated under 5(a) or 5(b), the City shall pay the Contractor for work performed in accordance with the Contract prior to the termination date.
- b. If this contract is terminated under 5(c), by the Contractor due to a breach by the City, then the City shall pay the Contractor as provided in subsection (a) of this section.
- c. If this contract is terminated under 5(c), by the City due to a breach by the Contractor, then the City shall pay the Contractor as provided in subsection (a) of this section, subject to set off of excess costs, as provided for in section 7, Remedies.

7. Remedies

- a. In the event of termination under 5 (c), by the City due to a breach by the Contractor, then the City may complete the work either itself, by agreement with another contractor, or by a combination thereof. In the event the cost of completing the work exceeds the remaining unpaid balance of the total compensation provided under this contract, then the Contractor shall pay to the City the amount of the reasonable excess.
- b. The remedies provided to the City under section 5 and section 7 for a breach by the Contractor shall not be exclusive. The City also shall be entitled to any other equitable and legal remedies that are available.
- c. In the event of breach of this Contract by the City, then the Contractor's remedy shall be limited to termination of the Contract and receipt of payment as provided in section 5(c) and 6(b).

8. Access to Records

Contractor shall maintain and the City (and its authorized representatives) shall have access to all books, documents, papers and records of Contractor which relate to this contract for the purpose

of making audit, examination, excerpts, and transcripts for a period of three years after final payment. Copies of applicable records shall be made available upon request. Payment for cost of copies is reimbursable by the City.

9. Ownership of Work

All work products of the Contractor that result from this contract, including but not limited to background data, documentation and staff work that is preliminary to final reports, are the property of City. Draft documents and preliminary work submitted to the City for review and comment shall not be considered as owned, used or retained by the City until the final document is submitted.

The City shall own all proprietary rights, including but not limited to copyrights, trade secrets, patents and all other intellectual or other property rights in and to such work products. Preexisting trade secrets of the Contractor shall be noted as such and shall not be considered as a work product of this contract. All such work products shall be considered "works made for hire" under the provisions of the United States Copyright Act and all other equivalent laws.

Any materials designated as "confidential" that may be provided to Contractor by City at any time relating to this contract shall be treated confidentially by the Contractor, and shall not be disclosed to any other person by the Contractor without the advance written permission of the project manager. Contractor shall return all confidential materials upon request.

Use of any work product of the Contractor by the City for any purpose other than the use intended by this contract is at the risk of the City. Use of any work product by Contractor is prohibited without the written consent of the City.

10. Compliance with Applicable Law

Contractor shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this contract, including without limitation, ORS 279A.120, ORS 279B.020, ORS 279B.220, ORS 279B.225, ORS 279B.230, and ORS 279B.235, as set forth on Exhibit B. Without limiting the foregoing, Contractor expressly agrees to comply with: (i) Titles VI and VII of the Civil Rights Act of 1964, as amended; (ii) Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; (iii) the Americans with Disabilities Act of 1990, as amended; (iv) Executive Order 11246, as amended; (v) the Health Insurance Portability and Accountability Act of 1996; (vi) the Age Discrimination in Employment Act of 1967, as amended, and the Age Discrimination Act of 1975, as amended; (vii) the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; (viii) ORS Chapter 659, as amended; (ix) all regulations and administrative rules established pursuant to the foregoing laws; and (x) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. A condition or clause required by law to be in this contract shall be considered included by these references.

11. Indemnity and Hold Harmless

Contractor shall defend, save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions of whatsoever nature resulting from or arising out of

the activities of Contractor or its officers, employees, subcontractors, or agents under this contract. Contractor waives any and all statutory or common law rights of defense and indemnification by the city.

12. Insurance

Contractor shall provide insurance in accordance with Exhibit C.

13. Waiver

The failure of the City to enforce any provision of this contract shall not constitute a waiver by the City of that or any other provision.

14. Errors

The Contractor shall perform such additional work as may be necessary to correct errors in the work required under this contract without undue delays and without additional cost.

15. Governing Law

The provisions of this contract shall be construed in accordance with the laws of the State of Oregon and ordinances of the City of Brookings, Oregon. Any action or suits involving any question arising under this contract must be brought in the appropriate court in Curry County, Oregon. If the claim must be brought in a federal forum, then it shall be brought and conducted in the United States District Court for the District of Oregon.

16. Severability

If any term or provision of this contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term or provision held invalid.

17. Business License

The Contractor shall obtain a City of Brookings business license as required by GRC 9.05.020 prior to beginning work under this contract. The Contractor shall provide a business license number in the space provided on page two of this contract.

18. Merger Clause

THIS CONTRACT AND ATTACHED EXHIBITS CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS CONTRACT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE

SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. BY ITS SIGNATURE CONTRACTOR ACKNOWLEDGES IT HAS READ AND UNDERSTANDS THIS CONTRACT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

EXHIBIT A
STATEMENT OF WORK, COMPENSATION
and
PAYMENT SCHEDULE

Furnish all labor and materials as described on Estimate 1110 and Items 1, 2 and 3 of Estimate 1111 for a total of \$35,350.50, with post remediation inspection and testing by Pro-Lab at project conclusion, testing to be performed at no additional cost to the City.

Payment to be made as follows:

One-third at project start, one-third at approximately 60% completion, and balance within seven days of satisfactory completion of project and acceptance of post remediation test results by the Project Manager, and receipt of invoice.

EXHIBIT B

OREGON STATUTORY PROVISIONS

A condition or clause required by law to be in this contract shall be considered included by these references.

REQUIRED STATUTORY PROVISIONS

ORS 279B.220 Conditions concerning payment, contributions, liens, withholding.

Every public contract shall contain a condition that the contractor shall:

- (1) Make payment promptly, as due, to all persons supplying to the contractor labor or material for the performance of the work provided for in the contract.
- (2) Pay all contributions or amounts due the Industrial Accident Fund from the contractor or subcontractor incurred in the performance of the contract.
- (3) Not permit any lien or claim to be filed or prosecuted against the state or a county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.
- (4) Pay to the Department of Revenue all sums withheld from employees under ORS 316.167.

ORS 279B.225 Condition concerning salvaging, recycling, composting or mulching yard waste material.

Every public contract for lawn and landscape maintenance shall contain a condition requiring the contractor to salvage, recycle, compost or mulch yard waste material at an approved site, if feasible and cost-effective.

ORS 279B.230 Condition concerning payment for medical care and providing workers' compensation.

- (1) Every public contract shall contain a

condition that the contractor shall promptly, as due, make payment to any person, copartnership, association or corporation furnishing medical, surgical and hospital care services or other needed care and attention, incident to sickness or injury, to the employees of the contractor, of all sums that the contractor agrees to pay for the services and all moneys and sums that the contractor collected or deducted from the wages of employees under any law, contract or agreement for the purpose of providing or paying for the services.

- (2) Every public contract shall contain a clause or condition that all subject employers working under the contract are either employers that will comply with ORS 656.017 or employers that are exempt under ORS 656.126.

ORS 279B.235 Condition concerning hours of labor.

(1) Except as provided in subsections [5 and 6] of this section, every public contract subject to this chapter must contain a condition that a person may not be employed for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency or when the public policy absolutely requires it, and in such cases, except in cases of contracts for personal services designated under ORS 279A.055, the employee shall be paid at least time and a half pay:

- (a) (A) For all overtime in excess of eight hours in any one day or 40 hours in any one week when the work week is five consecutive days, Monday through Friday; or
(B) For all overtime in excess of 10 hours in any one day or 40 hours in any one week when the work week is

four consecutive days, Monday through Friday; and

(b) For all work performed on Saturday and on any legal holiday specified in ORS 279B.020.

(2) An employer must give notice in writing to employees who work on a public contract, either at the time of hire or before commencement of work on the contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.

(3) In the case of contracts for personal services as described in ORS 279A.055, the contract shall contain a provision that the employee shall be paid at least time and a half for all overtime worked in excess of 40 hours in any one week, except for individuals under personal services contracts who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. 201 to 209 from receiving overtime.

(5)(a) ***** [C]ontracts for services must contain a provision that requires that persons employed under the contracts shall receive at least time and a half pay for work performed on the legal holidays specified in a collective bargaining agreement or in ORS 279B.020 (1)(b)(B) to (G) and for all time worked in excess of 10 hours in any one day or in excess of 40 hours in any one week, whichever is greater.

(b) An employer shall give notice in writing to employees who work on a contract for services, either at the time of hire or before commencement of work on the contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.

(6) This section does not apply to public contracts:

(c) For goods or personal property.

OTHER STATUTORY PROVISIONS

ORS 279A.120 Preference for Oregon goods and services; nonresident bidders.

(1) As used in this section:

(a) "Nonresident bidder" means a bidder who is not a resident bidder.

(b) "Resident bidder" means a bidder that has paid unemployment taxes or income taxes in this state during the 12 calendar months immediately preceding submission of the bid, has a business address in this state and has stated in the bid whether the bidder is a "resident bidder" under this paragraph.

(3) When a public contract is awarded to a nonresident bidder and the contract price exceeds \$10,000, the bidder shall promptly report to the Department of Revenue on forms to be provided by the department the total contract price, terms of payment, length of contract and such other information as the department may require before the bidder may receive final payment on the public contract. The contracting agency shall satisfy itself that the requirement of this subsection has been complied with before the contracting agency issues a final payment on a public contract.

STATUTORY REFERENCES OF INTEREST

ORS 279B.020 Maximum hours of labor on public contracts; exceptions; liability to workers; rules

EXHIBIT C

STANDARD PUBLIC CONTRACT INSURANCE REQUIREMENTS

To: Insurance Agent. Please provide Certificates of Insurance to the project manager. During the term of the contract, please provide Certificates of Insurance prior to each renewal.

During the term of this contract, Contractor shall maintain in force at its own expense all insurance noted below:

Workers Compensation insurance in compliance with ORS 656.017. All employers, including Contractor, that employ subject workers who work under this Contract in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. Contractor shall ensure that each of its subcontractors complies with these requirements. Contact City of Brookings Risk Management at 503-618-2451 if exempt.

Commercial General Liability insurance, on an occurrence basis, with a combined single limit of not less than \$1,000,000 for each occurrence of bodily injury, personal injury and property damage. It shall include coverage for broad form contractual liability; broad form property damage; personal and advertising injury; owners and contractor protective; premises/operations; and products/completed operations. Coverage shall not exclude excavation, collapse, underground, or explosion hazards.

Commercial Automobile Liability insurance with a combined single limit, or the equivalent of not less than \$1,000,000 for each accident for Bodily Injury and Property Damage, including coverage for owned, hired and non-owned vehicles. "Symbol One" coverage shall be designated.

Notice of cancellation or change. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without 30 days written notice from the Contractor or its insurer(s) to the City. This notice provision shall be by endorsement physically attached to the certificate of insurance.

Additional Insured. For general liability insurance and automobile liability insurance the City, and its agents, officers, and employees will be Additional Insureds, but only with respect to Contractor's services to be provided under this contract. This coverage shall be by endorsement physically attached to the certificate of insurance.

Certificates of Insurance. Contractor shall furnish insurance certificates acceptable to City prior to commencing work. The certificate will include the deductible or retention level and required endorsements. Insuring companies or entities are subject to City approval. If requested, copies of insurance policies shall be provided to the City. Contractor shall be responsible for all deductibles, self-insured retention's, and/or self-insurance.

EXHIBIT D
CERTIFICATION STATEMENT FOR INDEPENDENT CONTRACTOR

I. INDEPENDENT CONTRACTOR STANDARDS

As used in ORS chapters 316, 656, 657, 671 and 701, "independent contractor" means a person or business entity that provides services for remuneration and who, in the provision of the services, meets the following criteria of ORS 670.600.

II. BASIC REQUIREMENTS

1. The Contractor is free from direction and control over the means and manner of providing the services, subject only to the right of the City to specify the desired results;
 2. The Contractor is customarily engaged in an independently established business;
 3. The Contractor is licensed under ORS chapter 671 or 701 if the person provides services for which a license is required under ORS chapter 671 or 701; and
 4. The Contractor is responsible for obtaining other licenses or certificates necessary to provide the services.
-

III. ADDITIONAL REQUIREMENTS

For purposes of Section II above, a person is considered to be customarily engaged in an independently established business if any three of the following requirements are met:
(Check three or more of the following:)

X

The Contractor maintains a business location:

- (a) That is separate from the business or work location of the person for whom the services are provided; or
- (b) That is in a portion of the person's residence and that portion is used primarily for the business.

X

The Contractor bears the risk of loss related to the business or the provision of services as shown by factors such as:

- (a) The person enters into fixed-price contracts;
- (b) The person is required to correct defective work;
- (c) The person warrants the services provided; or
- (d) The person negotiates indemnification agreements or purchases liability insurance, performance bonds or errors and omissions insurance.

X

The Contractor provides contracted services for two or more different persons within a 12-month period, or the person routinely engages in business advertising, solicitation or other marketing efforts reasonably calculated to obtain new contracts to provide similar services.

X

The Contractor makes a significant investment in the business, through means such as:

- (a) Purchasing tools or equipment necessary to provide the services;
- (b) Paying for the premises or facilities where the services are provided; or
- (c) Paying for licenses, certificates or specialized training required to provide the services.

X

The Contractor has the authority to hire other persons to provide or to assist in providing the services and has the authority to fire those persons.

IV. INDEMNIFICATION

If any action is taken by a person or enforcement agency relating to the independent contractor status of Contractor or Contractor's subcontractors in connection with this contract, Contractor shall defend, hold harmless and indemnify the City of Brookings, its elected and appointed officials, employees, volunteers and agents from any such action, claim, judgment, fine, penalty, or order to pay. Contractor shall pay any additional costs incurred by the City in defending such action or incurred as a result of such action. This indemnification is in addition to any indemnification otherwise in this agreement.

V. CERTIFICATION

Contractor and Project Manager certify that the above statements are true and correct.

John L. Mauch Pres

Contractor Signature

Date

3/30/09

Lauralee Gray

Project Manager Signature

Date

3/30/9

BID OPENING

Bids Opened on: Date: 2-11-09 Time: 9:30am
PROJECT TITLE: 907 W. Hwy St. Moisture Remediation Project
Opened by: Joyce Hettigton & Carolee Gray
Location: Office

Bid #1

Company/Contractor: Bodman Construction, Inc.
Address: (Street/PO Box) P.O. Box 4192
City: Brookings State: OR Zip: 97415
Bid amount: \$32,164.00

Bid #2

Company/Contractor: Edwards Contractors
Address: (Street/PO Box) 16577 Foster Ln. POB 4369
City: _____ State: _____ Zip: _____
Bid amount: \$12,562.
BID ON ROOF ONLY

Bid #3

Company/Contractor: MC Construction
Address: (Street/PO Box) POB 1303
City: Gold Beach State: OR Zip: 97444
Bid amount: \$34,895.00

Bid #4

Company/Contractor: Bug & Begg Construction
Address: (Street/PO Box) POB 387
City: Gold Beach State: OR Zip: 97444
Bid amount: \$29,775.00

BID OPENING

pg. 2

Bids Opened on: Date: 2-11-09 Time: 9:30am
 PROJECT TITLE: 907 W. 4th St. Moisture Remediation
 Opened by: Joey Heffington & Arnette Gray
 Location: office

Bid #1

Company/Contractor: Restoration Services
 Address: (Street/PO Box) P.O. Box 5239
 City: Brookings State: _____ Zip: _____
 Bid amount: \$ 95,182.00

Bid #2

Company/Contractor: _____
 Address: (Street/PO Box) _____
 City: _____ State: _____ Zip: _____
 Bid amount: _____

Bid #3

Company/Contractor: _____
 Address: (Street/PO Box) _____
 City: _____ State: _____ Zip: _____
 Bid amount: _____

Bid #4

Company/Contractor: _____
 Address: (Street/PO Box) _____
 City: _____ State: _____ Zip: _____
 Bid amount: _____

Bug E Boyz Construction Services, Inc.

Estimate

CCB#159163

Corporate Office: P.O. Box 387, Gold Beach, OR 97444

Gold Beach: 541-247-0984; fax: 541-247-4053

Toll free: 866-577-7378

Brookings: 541-469-3700

Coos Bay: 541-267-4474

website: www.bugeboyz.com

email: bugeboyz@verizon.net

Date

Estimate No.

2/9/2009

1110

Name/Address

Work Site

City of Brookings

905 Wharf St

Brookings, OR 97415

905 Wharf St

Brookings, OR

Customer Phone

Rep

Project

469-2163

GLM

Description	Qty	Rate	Total
1. Storage Room: a. Dispose of unwanted items. b. Clean & dry items to be saved & move to storage location supplied by Bug-E-Boyz. c. Remove sheetrock ceiling, insulation, roof joist, roof sheathing & roofing in area of storage room. Discard in trash receptacle supplied by Bug-E-Boyz. Perform necessary cleanup of entire room. d. Rebuild roof framing & roof sheathing. e. Re-roof area around storage room with modified Bithamen roofing & tie into existing roof structure. f. Install new insulation & sheetrock in ceiling area; tape; paint entire room with Dow Corning AllGuard Silicone Elastomeric coating. g. Reinstall shelving; replace contents in storage room. 2. Control Room: a. Clean & remove all items in room & move to storage location. b. Remove all damaged sheetrock, insulation & moulding as needed. Discard in trash receptacle supplied by Bug-E-Boyz. c. Perform final cleaning as proposed in bid sheet. d. Perform post remediation assessment & clearance testing. e. Reinsulate & sheetrock, tape & texture. f. Prime & paint room. g. Install new vinyl cove base. h. Replace all items in room from storage facility. i. Proceed to next room. j. Perform same procedure in all rooms affected in operations building.			

Total

Thank you for contacting Bug E Boyz. We appreciate it!

VISA and MasterCard gladly accepted.

Bug E Boyz Construction Services, Inc.

Estimate

CCB#159163

Corporate Office: P.O. Box 387, Gold Beach, OR 97444

Gold Beach: 541-247-0984; fax: 541-247-4053

Toll free: 866-577-7378

Brookings: 541-469-3700

Coos Bay: 541-267-4474

website: www.bugeboyz.com

email: bugeboyz@verizon.net

Date

Estimate No.

2/9/2009

1110

Name/Address

Work Site

City of Brookings

905 Wharf St

Brookings, OR 97415

905 Wharf St

Brookings, OR

Customer Phone

Rep

Project

469-2163

GLM

Description	Qty	Rate	Total
3. Exterior sealing of operations building:			
a. Powerwash exterior of building & allow to dry.			
b. Apply Dow Corning AllGuard Silicone Elastomeric coating, per manufacturer's specifications.			
TOTAL MATERIALS & LABOR.	1.00	29,775.00	29,775.00

Thank you for contacting Bug E Boyz. We appreciate it!

Total \$29,775.00

VISA and MasterCard gladly accepted.

Bug E Boyz Construction Services, Inc.

Estimate

CCB#159163

Corporate Office: P.O. Box 387, Gold Beach, OR 97444

Gold Beach: 541-247-0984; fax: 541-247-4053

Toll free: 866-577-7378

Brookings: 541-469-3700

Coos Bay: 541-267-4474

website: www.bugeboyz.com

email: bugeboyz@verizon.net

Date

Estimate No.

2/9/2009

1111

Name/Address

Work Site

City of Brookings

905 Wharf St

Brookings, OR 97415

905 Wharf St

Brookings, OR

Customer Phone

Rep

Project

469-2163

GLM

Description	Qty	Rate	Total
Upon inspection of your facility, we believe the following items should be addressed to ensure alleviation of further damage. These recommendations are additional to the scope of bid package.			
1. To ensure against leaking of concrete parapet walls at roof line where visible damage was found, we recommend the installation of new cap metal around entire perimeter of building. Metal to be of 24-gauge with baked enamel paint screwed in place & sealed between laps. Color to match paint (as closely as possible). MATERIALS & LABOR = \$3,425.50			
2. Mold and fungi and other air impurities are spread throughout the building by the HVAC unit. Upon inspection, we found the system to be compromised, meaning spores will be spread throughout the building, even after remediation, unless professional duct cleaning (antimicrobial sanitization) is done. Price includes our professional Heppa filtration duct cleaning process. This kills mold spores, bacteria, viruses and odors. Professional duct cleaning will include:			
3. Cleaning of supply lines, main trunk lines & air handler/blower. It will also include the installation of premium filtration (new filters) & treatment with antimicrobial sanitizer & deodorizer. MATERIALS & LABOR = \$2,150.00			
4. Future cleanings, which we recommend after three (3) to six (6) months, then on a yearly basis. MATERIALS & LABOR = \$1,050.00 per cleaning.			
Our experienced mold technicians are Department of Agriculture licensed applicators & our company is a licensed insured operator. Bug-E-Boyz has extensive remediation experience. We look forward to working with you!			
Thank You! Jim Mauch, President			

Total

\$0.00

Thank you for contacting Bug E Boyz. We appreciate it!

VISA and MasterCard gladly accepted.

(120) COPY

Bid is for roof only - notified
CONTRACTOR job must BE
TOTAL SCOPE NOTIFIED 2/1/9
KAT



RON EDWARDS CONTRACTORS, INC.
D.B.A. EDWARDS ROOFING
OREGON LIC. #31782
16577 FOSTER LN HARBOR
PO BOX 4369, BROOKINGS OR 97415
(541) 488-2690



PROPOSAL

Name: City Of Brookings
Contact Name: Jim Wheatly
Address:
City St Zip: Brookings, OR 97415

Contact Phone:
Job Name: Sewage Treatment Plant
Job Location:
Job Phone:
Cell Phone:

Date: 2/6/2009

We Propose hereby to furnish material and labor—complete in accordance with specifications below:

Payment to be made as follows: 60% deposit when work begins. Balance due Four (4) Days upon completion and billing. Any balance due after 15 days from billing date will be charged a service charge of 18% per annum (or 1.50% monthly) and added on the 16th day from billing invoice date and continuing monthly until paid in full. If a reminder notice becomes necessary an office fee of \$25.00 will be added to the original bill as well as the service charge. In the event that it becomes necessary to institute a lawsuit or to employ an attorney to collect any payment due Edwards Roofing for labor or materials furnished under this agreement or any modification to this agreement, then you shall be liable to Edwards Roofing for court costs and attorney's fees. Sincerely our thanks. Make all checks payable to: Edwards Roofing

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to Construction Performance Guidelines. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature: Ron Edwards

Note: This proposal is based on the prices at this time. We are experiencing price fluctuations.
Bid is tentatively good for 15 days, due to price fluctuations.

We hereby submit specifications and estimates for: Reroofing of residence located at:
If we are doing a tear off some debris may fall into the attic or any exposed area below roof sheeting.
We will be careful, but we are not responsible for this debris.

Strip existing build up roofing from low slope roof.
Remove to reuse the existing stainless steel perimeter flashing
HATCH - eliminate to the roof surface plywood sheeting to roof over
The powered vents - you are to disconnect the power - we will work around / & with the unit and reposition them. You have the power reconnected.
You have five (5) built-in cast iron drains. We provide a sheet lead pan down into the drains to mop the new hot asphalt roof to. We will be applying a white acrylic coating from the Henry company on the barrel roof after the installation of the new build up roofing.

Two (2) different roof specifications

- 3 ply built up roof having the 102# SBS polyglass cap sheet for the weathering surface
With annual inspection & necessary maintenance performed by owner anticipated life expectancy 18 - 20 years
This roof system requires minimal maintenance. BID: \$ 10,602.00
- 4 ply built up roof having the 102# SBS polyglass cap sheet for the weathering surface
With annual inspection & necessary maintenance performed by owner anticipated life expectancy 23 - 25 years
This roof system requires minimal maintenance. BID: \$ 12,562.00

If the Proposal is accepted, please circle and initial bid(s) of choice, sign, date and return one copy along with one signed copy of the Information Notice.

Carpentry/rot repair is not included in the above bid(s). If carpentry/rot repair is needed, charges are at \$52.00 per man hour and materials are at cost plus 15%.

Thank you folks- Ron

Acceptance of Proposal--The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Owner: V
Owner: K

Date: K
Date: K



Construction Contractors Board

700 Summer St NE Suite 300

PO Box 14140

Salem OR 97309-5052

Telephone: 503-378-4621 Fax: 503-373-2007

Web Address: www.ccb.state.or.us

Automated 24-hour inquiry line: 503-378-4610

INFORMATION NOTICE TO OWNER ABOUT CONSTRUCTION LIENS

This is not a liep. It is provided to you by your contractor to inform you about construction lien laws. An Information Notice is not a reflection upon the integrity or credit standing of your contractor. This Information Notice explains the construction lien law and steps you can take to protect your property from a valid lien. As an owner, you should read this Information Notice is required to be given to you contract for residential construction or remodeling or if you are buying a new home, at any time the contract price exceeds \$1,000.

Under Oregon law, your contractor and others who provide labor, materials, equipment or services to your project may be able to claim payment from your property if they have not been paid. That claim is a construction lien.

If your contractor does not pay subcontractors, employees, or rental equipment or material suppliers or does not make other legally required payments, those who are owed money may lien your property for payment. It is in your best interest to verify that all bills are paid, even if you have paid your contractor in full.

If you occupy or will occupy your home, persons who supply material, labor, equipment or services ordered by your contractor are permitted by law to record a lien against your property only if they have sent you a timely Notice of Right to a Lien (Which is different from this Information Notice) before or during construction. If you enter into a contract to buy a newly-built, partially-built or newly-remodeled home, a lien may be claimed even though you have not received a Notice of Right to a Lien. If you do not occupy the building, a Notice of Right to a Lien is not required prior to filing a lien.

Common Questions and Answers about Construction Liens

Can someone record a construction lien even if I pay my contractor? Yes. Anyone who has not been paid for labor, material, equipment, or services on your project and has provided you with a valid Notice of Right to a Lien (where one is required) has the right to record a construction lien.

What is a Notice of Right to a Lien? In certain circumstances persons with whom you do not have a contract are required to send you a Notice of Right to a Lien if they intend to protect their construction lien rights against your project. It is sent to you for your protection. It is not a construction lien.

What should I do when I receive a Notice of Right to a Lien? Don't ignore it. Find out what arrangements your contractor has made to pay the sender of the Notice of Right to a Lien.

When do construction liens need to be recorded? In Oregon, construction liens generally need to be recorded within 75 days from the date the project was substantially completed or 75 days from the date that the lien claimant ceased to provide labor, material, equipment or service, whichever is earlier. To enforce a lien, the lien holder must file a lawsuit in a proper court within 120 days of the date the lien was recorded.

How to Protect Yourself

- When you pay your contractor for materials, labor, equipment or services, you may wish to consider making your checks payable jointly to the contractor and whoever sent you a Notice of Right to a Lien.
- You can ask for a statement of the reasonable value of the materials, labor, equipment or services provided to your project from everyone who sends you a Notice of Right to a Lien. If the information is not provided in a timely manner, the sender of the Notice of Right to a Lien may still be able to record a construction lien, but is not entitled to attorney fees.
- Consider using the services of an escrow agent to protect your interest. Consult your attorney to find out whether your escrow agent will protect you against liens when disbursing payments.
- Contact a title company about obtaining a title policy that will protect you from construction lien claims.
- Ask your contractor, lending institution and architect what precautions, if any, they will take to protect your project from construction liens.
- Get evidence that those who sent you a Notice of Right to a Lien have been paid or have waived all their construction lien rights.
- Have a written contract with your contractor. A written contract is required for projects greater than \$2,500, and highly recommended for projects less than that.
- Review the Consumer Notification form (ORS 701), which your contractor must provide to you when a bid or proposal is made on a residential structure.
- Contact the Construction Contractors Board (CCB) and confirm that your contractor is licensed. The law requires all construction contractors to be licensed with the CCB or landscape businesses licensed with the Landscape Contractors Board (LCB). Contact the CCB at www.ccb.state.or.us or 503-378-4621 (staff). Call the LCB at 503-986-6561. Should you have a dispute with your contractor, you may be able to file a claim with the CCB or LCB and be reimbursed in whole or in part from the contractor's bond. For more details about help available through the agency, write to the CCB at PO Box 14140, Salem, OR 97309-5052 or call at 503-378-4621.
- Consult an attorney. If you do not have an attorney, consider contacting the Oregon State Bar referral service at 503-684-3763 or 1-800-452-7636.

Signing this Information Notice indicates only that you have received it. Your signature does not give your contractor or those who provide material, labor, equipment, or services any additional rights to place a lien on your property.

Job site address:

Brookings, OR 97415

Date: 2-6-09

This Notice is furnished by: RON EDWARDS CONTRACTORS, INC. d.b.a. EDWARDS ROOFING OR LICENSE #31702

Contractor:

Ron Edwards

Owner: _____

(Infor-Nic2/11/10/18/02)

The material in this Information Notice is not intended to be a complete analysis of the law in ORS Chapters 87 & 701. You may request a more detailed description of Oregon lien law called: "Required Residential Construction Notices" by calling 503-378-4621 to request the publication. For more detailed information, consult an attorney.



Consumer Notification

You can do more to protect yourself before hiring a contractor than the CCB can do to help you after problems have developed. Here are some suggestions to prevent problems on construction projects.

Choose a licensed contractor

Check if your contractor is licensed with the CCB at www.ccb.state.or.us or 503-378-4621 (CCB staff during regular business hours) using tractor's license number or phone number.

A license means the contractor has a surety bond and liability and property damage insurance. Licensing is not a guarantee of the contractor's work.

Check the contractor's license category. Each category has different surety bond and liability.

Insurance requirements for contractors:

- General Contractor—All Structures (\$15,000 bond, \$500,000 insurance)
- General Contractor—Residential Only (\$15,000 bond, \$500,000 insurance)
- Specialty contractor—All Structures (\$10,000 bond, \$500,000 insurance)
- Specialty Contractor—Residential Only (\$10,000 bond, \$300,000 insurance)
- Limited Contractor (\$5,000 bond, \$100,000 insurance)
- Inspector (\$10,000 bond, \$300,000 insurance)
- Licensed Developer (\$15,000 bond, \$500,000 insurance)

Check out your contractor

Ask for and check references.

Don't automatically accept the lowest bid.

Get educated. Request a free brochure called "16 Ways to Avoid Repair, Remodeling and Construction Problems." Use the phone number or web address below.

Be smart during the project

Take your time and plan your project.

Have a signed, written contract before the work is started or you pay any money. Only sign a contract when you understand all the terms.

Make changes to the original contract in writing, including any differences in cost and extensions of completion dates.

Read your lien notice. The business you contract with is required by law to give you a document called "information Notice to Owner about Construction Liens" if the contract price is more than \$1,000. You can also get a free

copy by contacting the CCB by phone or at the web address below.

Do not pay the full cost of the job in cash before work begins.

Keep good written records. Keep receipts, change orders, a phone conversation log, etc.

Read your EPA pamphlet. Contractors who disturb paint on pre-1978 dwellings must provide an EPA pamphlet to the owner or occupant before work starts. Get a signed receipt and keep records for three years. Call 1-800-424-LEAD.

If you have a complaint

Contact the CCB (use the phone number or website below). If you have questions about filing a claim, call 503-378-4621. You can file a claim against a licensed contractor within one year of the work being substantially completed. (*//cons-n/3-03*)

Owner's Duty to Notify Contractor Prior to Court Action or Arbitration

Oregon Law contains important requirements you must follow before you may start a court action or arbitration against any contractor, subcontractor or supplier (materials or equipment) for construction defects.

Before you commence a court action or arbitration, you must do the following:

- ♦ Deliver a written notice of any conditions you allege are defective to the contractor, subcontractor or supplier you believe is responsible for the alleged defect.
- ♦ Provide the contractor, subcontractor or supplier the opportunity to make an offer to repair or pay for the defects. You are not obligated to accept any offer made by the contractor, subcontractor or supplier.

There are strict deadlines and procedures that must be followed under Oregon Law. Failure to meet those deadlines or follow those procedures will affect your ability to commence arbitration or a court action. You should contact an attorney for information on deadlines and procedures required under Oregon law.

(Information in this brochure is not legal advice. For legal advice, consult with an attorney.)

Construction Contractors Board
PO Box 14140, 700 Summer St NE Suite 300, Salem OR 97309-5052
www.ccb.state.or.us, fax: 503-373-2007

Proposal

Page No.

of

Pages



BODMAN CONSTRUCTION, INC.

OR Lic. #158436 CA Lic. #699468

P.O. Box 4192

BROOKINGS, OREGON 97415

(541) 469-6764

Called

3/11/9

3:30

PROPOSAL SUBMITTED TO CITY RECORDER (Brookings)		PHONE	DATE 2-10-09
STREET 898 ELK DRIVE		JOB NAME WASTE WATER REMEDIATION	
CITY, STATE and ZIP CODE BROOKINGS OR. 97415		JOB LOCATION SEWER PLANT	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

WASTE WATER REMEDIATION PROJECT AS
PER YOUR SPECIFICATIONS.

TO ALSO INCLUDE REPAIRING OF INTERIOR
WALLS ACHIEVED DURING PROJECT.

* ELECTRICAL WORK IS NOT INCLUDED IN
THIS BID.

Might I suggest that EXTERIOR PAINTING
BE COMPLETED BEFORE INTERIOR WORK IS
STARTED, SO AS TO ASSURE NO MORE WATER
INFILTRATION.

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

THIRTY TWO THOUSAND ONE HUNDRED SIXTY FOUR dollars (\$ **32,164.00**).

Payment to be made as follows:

AS AGREED

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized
Signature

R. Bodman

Note: This proposal may be
withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications
and conditions are satisfactory and are hereby accepted. You are authorized
to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

(124)

INBBS/ To Reorder

3/11/9
3 30

RESTORATION & BUILDING SERVICES LLC

201 A WHARF ST
BROOKINGS, OR 97415

P.O. BOX 5239
BROOKINGS, OR 97415

Client: City Of Brookings
Business: Brookings, OR 97415
Home: 898 Elk Dr
Brookings, OR 97415

Business: (541) 412-0424

Operator Info:
Operator: STEVE2

Estimator: Steve Hanlin

Business: (541) 469-5291

Business: 201 Wharf st #A
Brookings, OR 97415

Reference:
Company: SELF PAY

Type of Estimate: Water Damage
Date Entered: 2/4/2009

Date Assigned: 1/26/2009

Price List: ORME5B_JAN09
Restoration/Service/Remodel
Estimate: 2009-02-04-1800
File Number: 09/101

RESTORATION & BUILDING SERVICES LLC201 A WHARF ST
BROOKINGS, OR 97415P.O. BOX 5239
BROOKINGS, OR 97415

2009-02-04-1800

Storage Area/Room	LxWxH 12' x 7' 6" x 9'
DESCRIPTION	QNTY
1. Single axle dump truck - per load - including dump fees	1.00 EA
2. Electrical repair - Minimum charge	1.00 EA
121. Framing repair - Minimum charge	1.00 EA
3. R&R 2" x 8" lumber (1.33 BF per LF)	78.00 LF
4. R&R 5/8" drywall - hung, taped, heavy texture, ready for paint	90.00 SF
5. Paint the walls and ceiling - two coats	441.00 SF
6. Seal stone flooring with masonry sealer	90.00 SF
7. Clean with pressure/chemical spray	441.00 SF
8. R&R Sheathing - plywood - 3/4" CDX	90.00 SF
9. R&R Modified bitumen roof - cold adhesive application	1.50 SQ
10. R&R Drip edge	39.00 LF
11. R&R Gutter / downspout - half round - copper - 6"	8.00 LF
12. Clean miscellaneous items	24.60 HR
13. Containment Barrier/Airlock/Decon. Chamber	32.00 SF
14. Plastic bag - used for disposal of contaminated items	10.00 EA
15. Containment Barrier - tension post - per day	4.00 DA
16. Equipment decontamination charge - per piece of equipment	1.00 EA
17. Add for HEPA filter (for negative air exhaust fan)	1.00 EA
18. Negative air fan/Air scrubber (24 hr period) - No monit.	6.00 DA
19. Paint wall with epoxy coating	351.00 SF

Control Room	LxWxH 18' x 15' 4" x 9'
DESCRIPTION	QNTY
20. R&R 1/2" drywall - hung, taped, floated, ready for paint	171.00 SF
21. R&R Cove base molding - rubber or vinyl, 4" high	66.67 LF
22. R&R Window sill - hardwood	28.00 LF
23. Stain & finish wood window sill	28.00 LF
24. R&R Furring strip - 1" x 2"	300.00 SF
25. Window blind - horizontal or vertical - Detach & reset	5.00 EA
26. Paint more than the long wall - two coats	300.00 SF
27. Seal/prime more than the long wall - two coats	300.00 SF
28. Clean light fixture - fluorescent	4.00 EA
29. Clean floor - Heavy	276.00 SF
30. Clean window unit (per side) 10 - 20 SF - Heavy	5.00 EA
31. Clean door - with detail (per side)	1.00 EA
32. Clean door hardware - Heavy	1.00 EA
33. Clean acoustic ceiling tile	276.00 SF
34. Cleaning - control pannel	1.00 EA
35. Clean window mount/through-wall AC unit - int. & exterior	1.00 EA
36. Clean miscellaneous items	48.50 HR

2009-02-04-1800

2/5/2009

Page: 2

RESTORATION & BUILDING SERVICES LLC201 A WHARF ST
BROOKINGS, OR 97415P.O. BOX 5239
BROOKINGS, OR 97415**RAY'S OFFICE****LxWxH 18' x 16' x 9'****DESCRIPTION****QNTY**

37. R&R 1/2" drywall - hung, taped, floated, ready for paint	171.00 SF
38. R&R Cove base molding - rubber or vinyl, 4" high	68.00 LF
39. R&R Window sill - hardwood	28.00 LF
40. Stain & finish wood window sill	28.00 LF
41. R&R Furring strip - 1" x 2"	306.00 SF
42. Window blind - horizontal or vertical - Detach & reset	2.00 EA
43. Paint more than the long wall - two coats	306.00 SF
44. Seal/prime more than the long wall - two coats	306.00 SF
45. Clean light fixture - fluorescent	4.00 EA
46. Clean floor - Heavy	288.00 SF
47. Clean window unit (per side) 10 - 20 SF - Heavy	5.00 EA
48. Clean door - with detail (per side)	1.00 EA
49. Clean door hardware - Heavy	1.00 EA
50. Clean acoustic ceiling tile	288.00 SF
52. Clean window mount/through-wall AC unit - int. & exterior	1.00 EA
53. Clean miscellaneous items	48.50 HR

Lunch Room**LxWxH 20' x 16' x 9'****DESCRIPTION****QNTY**

54. R&R 1/2" drywall - hung, taped, floated, ready for paint	189.00 SF
55. R&R Cove base molding - rubber or vinyl, 4" high	72.00 LF
56. R&R Window sill - hardwood	28.00 LF
57. Stain & finish wood window sill	28.00 LF
58. R&R Furring strip - 1" x 2"	324.00 SF
59. Window blind - horizontal or vertical - Detach & reset	2.00 EA
60. Paint more than the long wall - two coats	324.00 SF
61. Seal/prime more than the long wall - two coats	324.00 SF
62. Clean light fixture - fluorescent	4.00 EA
63. Clean floor - Heavy	320.00 SF
64. Clean window unit (per side) 10 - 20 SF - Heavy	2.00 EA
65. Clean door - with detail (per side)	1.00 EA
66. Clean door hardware - Heavy	1.00 EA
67. Clean acoustic ceiling tile	320.00 SF
69. Clean window mount/through-wall AC unit - int. & exterior	1.00 EA
70. Clean miscellaneous items	48.50 HR

Office 2**LxWxH 16' x 12' x 9'****DESCRIPTION****QNTY**

71. R&R 1/2" drywall - hung, taped, floated, ready for paint	153.00 SF
72. R&R Cove base molding - rubber or vinyl, 4" high	56.00 LF
73. R&R Window sill - hardwood	28.00 LF

2009-02-04-1800

2/5/2009

Page: 3

RESTORATION & BUILDING SERVICES LLC201 A WHARF ST
BROOKINGS, OR 97415P.O. BOX 5239
BROOKINGS, OR 97415**CONTINUED - Office 2**

DESCRIPTION	QNTY
74. Stain & finish wood window sill	28.00 LF
75. R&R Furring strip - 1" x 2"	252.00 SF
76. Window blind - horizontal or vertical - Detach & reset	1.00 EA
77. Paint more than the long wall - two coats	252.00 SF
78. Seal/prime more than the long wall - two coats	252.00 SF
79. Clean light fixture - fluorescent	4.00 EA
80. Clean floor - Heavy	192.00 SF
81. Clean window unit (per side) 10 - 20 SF - Heavy	1.00 EA
82. Clean door - with detail (per side)	1.00 EA
83. Clean door hardware - Heavy	1.00 EA
84. Clean acoustic ceiling tile	192.00 SF
86. Clean window mount/through-wall AC unit - int. & exterior	1.00 EA
87. Clean miscellaneous items	48.50 HR

Hallway**LxWxH 48' x 6' x 9'**

DESCRIPTION	QNTY
88. R&R 1/2" drywall - hung, taped, floated, ready for paint	441.00 SF
89. R&R Cove base molding - rubber or vinyl, 4" high	108.00 LF
92. R&R Furring strip - 1" x 2"	28.00 SF
94. Paint more than the long wall - two coats	486.00 SF
95. Seal/prime more than the long wall - two coats	486.00 SF
96. Clean light fixture - fluorescent	4.00 EA
97. Clean floor - Heavy	288.00 SF
98. Clean window unit (per side) 10 - 20 SF - Heavy	9.00 EA
99. Clean door - with detail (per side)	8.00 EA
100. Clean door hardware - Heavy	8.00 EA
101. Clean acoustic ceiling tile	288.00 SF
103. Clean window mount/through-wall AC unit - int. & exterior	1.00 EA
104. Clean miscellaneous items	48.50 HR

Miscellaneous

DESCRIPTION	QNTY
105. Negative air fan/Air scrubber (24 hr period) - No monit.	42.00 DA
106. Add for HEPA filter (for negative air exhaust fan)	6.00 EA
107. Air mover (per 24 hour period) - No monitoring	12.00 EA
108. Add for personal protective equipment - Heavy duty	15.00 EA
109. Boots - waterproof latex - Disposable (per pair)	6.00 EA
110. Eye protection - plastic goggles - Disposable	24.00 EA
111. Respirator cartridge - HEPA only (per pair)	12.00 EA

2009-02-04-1800

2/5/2009

Page: 4

RESTORATION & BUILDING SERVICES LLC

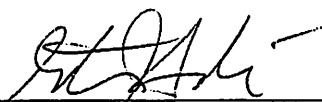
201 A WHARF ST
BROOKINGS, OR 97415

P.O. BOX 5239
BROOKINGS, OR 97415

CONTINUED - Miscellaneous

DESCRIPTION	QNTY
112. PAPR cartridge - HEPA only (single cartridge)	1.00 EA
113. Dehumidifier (per 24 hour period) - XLarge - No monitoring	6.00 EA
114. Equipment decontamination charge - HVY, per piece of equip	7.00 EA
115. Apply anti-microbial agent	965.50 SF
116. Plastic bag - used for disposal of contaminated items	24.00 EA
117. Peel & seal zipper	12.00 EA
118. Containment Barrier/Airlock/Decon. Chamber	2,156.99 SF

Exterior/General	LxWxH 53' 6" x 39' x 14' 6"
DESCRIPTION	QNTY
119. Paint wall with epoxy coating	2,682.50 SF
120. Clean with pressure/chemical spray	2,682.50 SF
Grand Total	45,182.51


Steve Hanlin

Grand Total Areas:

6,369.50 SF Walls	3,540.50 SF Ceiling	9,910.00 SF Walls and Ceiling
3,540.50 SF Floor	393.39 SY Flooring	594.67 LF Floor Perimeter
1,963.75 SF Long Wall	1,221.00 SF Short Wall	594.67 LF Ceil. Perimeter
0.00 Floor Area	0.00 Total Area	0.00 Interior Wall Area
0.00 Exterior Wall Area	0.00 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	

Certificate of Completion

Awarded to

Steve Hanlin

For Successful Completion of the Three-Day
Mold Remediation Training

8/6/2002 - 8/8/2002

Presented by



storage
sullants

Indoor Environmental Sampling & Consulting

Certificate No. 1691


James E. Holland

3/11/9

3:40

Page 1 of 3

ATTN: CITY RECORDERS OFFICE



P.O. Box 1303
 Gold Beach OR 97444
 Phone (541) 247-2750
 License #166589

PROPOSAL

Submitted to: City of Brookings
 898 Elk Drive
 Brookings, OR 97415

Date: February 9, 2009

We hereby submit specifications and estimate for the following work to be performed at **907 Wharf Street Waste Water Remediation Project**:

Storage Room:

- All items not wanted by the city that are in this room will be discarded after responsible persons [Ray] or other city employee have said what is to be kept for city use and what is to be thrown out.
- All items that are kept for city use will be cleaned scrubbed and stored in another area until storage area is renovated.
- Remove all sheet rock [Drywall] from ceiling area and dispose of.
- Remove entire roof covering and structure of roof discard all wood members and tar covered ply wood and all framing members.
- Rebuild roof structure using conventional framing methods, with dimensional lumber with metal joists ties for securing the roof covering against wind uplift.
- [note] all wood members that are in contact with cinderblock walls must be pressure treated lumber, and all fasteners that are used in pressure treated wood must be hot dipped galvanized ORS R319.3
- Also install new roof sheathing deck 5/8 thickness with galvanized fasteners to prevent rusting, and new moisture barrier 30 lb felt for water proofing.
- Install final roof covering of roll out asphalt roofing material, and seal all seams with sealer for water tightness.
- [Note] includes metal roof flashing as need around perimeter and edges of roof.
- Install new drywall to interior of room, tape, texture, and paint using high quality white paint
- This bid includes pressure washing and scrubbing concrete cinder block walls with a detergent to kill any bacterial fungus that may be present.
- also all walls in this room will be sprayed with same product as on other buildings Dow coming AllGuard Silicone Elastomeric coatings
- This room has had insulation in the ceiling and will have new insulation reinstalled, but this room needs proper ventilation in attic area, therefore an R value is not given at this time due to the depth and space of the attic, and air flow that is needed to keep building properly ventilated. The proper insulation will be installed and the vents will be installed as necessary.
- Note non backed batt insulation should be used where insulation and tank meet in attic areas.
- Conclusion of storage room: all shelves will be left in storage and painted over unless other wise directed. Others will need to place city owned items back in storage as deemed necessary.

Office Building

- Each of the following rooms listed below will be renovated as separate rooms due to the conditions and nature of the project, and the fact that this office will still be used by city employees during the project, each room will have furniture moved from work area and a temporary plastic door will be installed that will seal off all other work areas for the safety of others while work is being performed. Materials that are removed will be cleaned and stored in another part of the building until rooms are completed. Each room will have the contents returned to them as they are finished so those rooms can be used while others are being worked on.

Control Room Office:

- Remove all water damaged drywall and at least 12 to 16 inches past damaged area to next framing member, this includes through out the entire room and is standard practice that if damage is extensive and is within a couple of feet of floor or framing members then entire sheets of wall board will be removed and wall inspection will be performed to determine if any structural damage is occurring or where exact water intrusion is occurring it is advisable to open all areas that are going to be repaired and interior of walls are dried in these areas for 24 hours.
- Repair all wallboard areas tape and texture and paint
- Install new base board where needed
- Final cleaning includes carpets steamed cleaned and allowed to dry before contents are brought back to room
- [NOTE] M C Construction has several heaters with high BTU'S to help the drying process and will be used on this project.

Ray's Office

- Remove all damaged drywall as necessary back to 12 inches past visible damaged area or 16 inches back to framing members.
- Remove all loose or bubbling drywall tape throughout entire room and repair, remove all damaged drywall around windows and ac unit repair as necessary.
- Remove cove base and repair / replace as necessary.
- Tape texture and paint all repaired areas
- Clean carpets as mentioned in other room and let room dry before moving articles back in to room.

Lunch Room

- Remove all damaged drywall 12 inches on side or above where damage has occurred this room may have drywall damage across entire lower half of wall and will require close inspection it is recommended that more than just a visual inspection be performed but contractor should check all areas of this wall for density of drywall to determine if the integrity of drywall is substantial enough for the repairs called for.
- This bid includes all the above mentioned .and if whole lower part of drywall needs repaired or replaced it is included.
- [NOTE] a separate bid will be given if floor tiles are to be replaced as they are not listed on original documents to bid.
- Tape, texture, and paint, repaired areas and clean room as necessary.

Second Office

- Remove all water damaged drywall as listed on bid sheet 12 inches from damaged areas, or 16 inches back to framing material which ever is deemed necessary and may include whole sheets due to the location and severity of the damage.
- This Includes any wall board that [appears damaged.]
- Inspect interior of walls and allow interior of walls to dry for 24 hours or use forced air units for proper drying of walls before new drywall is installed.
- Remove repair / replace cove base as necessary.
- Replace all areas of repair with new drywall tape, texture, and repaint and clean room as all others.

Hallway

- Remove all damaged drywall at least 12 inches to either side of damaged areas, inspect, and clean interior of walls as needed and dry walls before installing new drywall.
- Tape, texture paint, and perform final cleaning.

Final Cleaning

- In each containment of the project each room will be sealed to the outdoors:
- The cleaning process will include wiping and HEPA vacuuming all remaining books furniture, walls, ceilings, and floors, within the containments
- **NOTE:** it is recommended that all repaired walls not be just touched up with paint to the repairs as this will be almost impossible to match and is not considered to be a proper job. But this bid includes the painting of the entire walls that have any repairs done on the interior where drywall repairs were made
- **NOTE:** that the drywall behind the electrical panel in the control room will be replaced as best as possible without removing the electrical panel as this would add to the cost substantially

Exterior

- The exterior of the building will be coated with a new coating of Dow Corning AllGuard Silicone Elastomeric coating. Applied per manufactures specifications. A water based elastomer for water proofing above Grade exterior masonry substrates two coats are always recommended , coating is 100% water-based silicone elastomer. This product allows the building to still breath from the inside allowing water vapor to escape from the inside substrate. Must be put on twice to achieve the 10 mil barrier that it is designed for. Since building has already had one coat of this product it will need to be cleaned properly for proper adhesion with a pressure washer no higher than 1500 psi which can damage the surface, or by simply washing with TSP [trisodium phosphate] or simple green.
- This is included in our bid to clean the surface before the coating is applied.
- **NOTE:** Upon inspection of the site where work is to be performed it was noted that the window ledges on the exterior were never sealed properly, and have been allowing water intrusion into the ledge below the metal sill. This is part of the problem that is allowing water to infiltrate down in to the pores of the cinderblock. As you know we have driving rains that if not sealed could allow a lot of water to enter this area resulting in a significant amount of water into the interior and could allow so much as to be standing water on the interior of floors. These window sills will need attention before the building is sealed with the coating and they will need to be sealed completely to allow no rain water or condensation to enter through the horizontal surfaces this sealing is included in this bid.
- **NOTE:** We will make every effort possible to work around the city employees and with them if needed to make project go as smooth as possible.

We hereby propose to furnish labor and materials complete in accordance with above specifications for thirty-four thousand eight hundred ninety-five dollars (\$34,895.00) - with payments to be made as follows: **UPON COMPLETION – WE ACCEPT CASH, CHECK, VISA, AND MASTERCARD - - -**

All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. This proposal subject to acceptance within 30 days and is void thereafter at the option of the contractor.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are generally accepted. You are authorized to do the work as specified. Payment will be made upon completion.

ACCEPTED: _____ DATE: _____

PRINTED NAME: _____ PHONE: _____

MINUTES
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, March 9, 2009

Call to Order

Mayor Anderson called the meeting to order at 7:00pm.

Roll Call

Council Present: Mayor Larry Anderson, Councilors Hedenskog, Gordon, Kitchen and Pieper; a quorum present.

Staff Present: City Manager Gary Milliman, Public Works Director John Cowan, Police Lt. Donny Dotson, City Attorney John Trew and City Recorder Joyce Heffington.

Other Present: Curry Coastal Pilot Reporter Arwyn Rice and approximately 8 public.

Public Hearings

Mayor Anderson opened the public hearing to receive comments regarding the System Development Charge (SDC) Update at 7:02pm. City Manager Milliman provided a brief staff report and Mayor Anderson opened the hearing to comments from the public.

Linda Bozack, 553 Fern Street, generally stated that she would like to see some adjustment in SDC's for home size to make it more affordable for those building modest sized homes.

The hearing was closed at 7:09pm with Council agreeing that a second hearing would not be needed and that SDC's would be discussed again at the April 6th Workshop.

Final Orders

City Manager Milliman generally stated that Council had denied the appeal of the Southwestern Oregon Community College (SWOCC) Detailed Development Plan (DDP) at the last Council meeting, and that this is the final order regarding that decision.

Mayor Anderson read the title of the Final Order and Findings and Fact.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve the Final Order and Findings of Fact, [for Southwestern Oregon Community College Detailed Development Plan, File DDP-01-08/APP-2-08].

Regular Agenda

Public Works Director Cowan reviewed staff's recommendation to install two 25 mph speed limit signs on Old County Road, one of five traffic safety requests made by Cathy Cato and petitioners.

Roger and Cynthia Purnelle, 287 Marine Drive, generally stated that there are enough stop signs, and people should stop feeding the deer.

Cathy Cato, 836 Old County Road, generally stated that the petitioner's objective was to get a stop sign placed at Old County Road at Rosichelli to slow down the momentum of traffic which is exacerbated by the steepness of the downgrade.

Public Works Director Cowan stated that the recommendation was made jointly by Police and Public Works staff with the Traffic Safety Committee referring the issues to Council for decision.

Mayor Anderson suggested that by using the speed monitoring trailer and Police presence, speeding could be deterred. Councilor Hedenskog noted that he had personally observed the trailer and patrol vehicles monitoring the area in the past. Councilor Gordon suggested that people stop feeding the deer.

Generally, Council agreed that, while they appreciated the public's concerns, they were against adding more stop signs.

Councilor Hedenskog moved, a second followed and Council voted unanimously to accept staff's recommendations to place two speed limit signs on Old County Road.

City Manager Milliman reviewed recommendations made by the Community Relations Fund Committee regarding program grants.

Councilor Kitchen moved, a second followed and Council voted unanimously to approve the expenditure of \$2,000 for Community Relations projects as recommended by the Community Relations Fund Committee as follows:

- \$1,000 to Vietnam Veterans of America for Fourth of July Fireworks;
- \$500 to His Haven of Hope for Clothes for Kids;
- \$200 to Pelican Bay Art Association for After School Arts; and
- \$300 to Southern Oregon Kite Festival for the Kite Festival.

City Manager Milliman reviewed fees proposed by the Parks and Recreation for use of the Capella, generally stating that the Capella was now owned by the City and that the fee structure would be reviewed again in three months to see if fees are adequate to encourage use while covering operating expenses.

Councilor Kitchen moved, a second followed and Council voted unanimously to adopt a resolution providing for use fees for the Capella by the Sea at \$100 per hour with a two hour minimum and a \$200 refundable security deposit.

Resolution

Councilor Kitchen moved, a second followed and Council voted unanimously to adopt Resolution 09-R-911, setting fees for use of a facility known as the Capella by the Sea, located at Azalea Park.

Consent Calendar

- Approval of Council Minutes for February 23 and February 25, 2009.
- Approval of Parks and Recreation Minutes for January 22, 2009.
- Approval of vouchers for February, 2009 in the amount of \$349,021.63
- Receive January 2009 Financial Report.

Councilor Gordon moved, a second followed and Council voted unanimously to approve the Consent Calendar as written.

Remarks from Mayor and Councilors

Mayor Anderson suggested that Council entertain at a future meeting the sponsorship of an American Flag for \$35.00.

Adjournment

Councilor Gordon moved, a second followed and Council voted unanimously by voice vote to adjourn at 7:52pm.

MINUTES
City of Brookings
Common Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, March 23, 2009, 7:00 p.m.

Call to Order

Mayor Anderson called the meeting to order at 7:00pm.

Roll Call

Council Present: Mayor Larry Anderson, Councilors Ron Hedenskog and Dave Gordon. Absent were Councilor Dave Kitchen and Councilor Jake Pieper; a quorum present.

Staff Present: City Manager Gary Milliman, Planning Director Dianne Morris, Public Works Director John Cowan and City Recorder Joyce Heffington.

Other Present: Curry Coastal Pilot Reporter Arwyn Rice and approximately 2 public.

Councilor Hedenskog moved, a second followed and Council voted unanimously to add Resolution 09-R-912 as Item VII-B.

Councilor Gordon moved, a second followed and Council voted unanimously to cancel the Executive Session scheduled for later in the meeting.

Ceremonies/Appointments/Announcements

Mayor Anderson introduced Interim Administrative Services Director Janell Howard.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve the Mayor's appointment of [Gerald Wulkowilz and Kelly McClain to Planning Commission Positions 4 and 6, respectively].

Public Hearings

Mayor Anderson called the legislative public hearing in the matter of revisions to Chapter 17.104, Home Occupations of the Brookings Municipal Code at 7:14pm.

There were no ex parte, personal bias, or conflicts of interest declared.

After Mayor Anderson reviewed the guidelines for the hearing, Planning Director Morris briefly reviewed the changes and addressed enforcement of the ordinance, generally stating that complaints would come to the City's attention via a citizen's complaint.

Mayor Anderson closed the hearing at 7:18pm.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve the changes to Chapter 17.104, Home Occupations of the Brookings Municipal Code.

Ordinances

Councilor Hedenskog moved, a second followed and Council voted unanimously to do a first reading of Ordinance 09-O-629 by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to do a second reading of Ordinance 09-O-629 by title only.

Mayor Anderson read the title.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Ordinance 09-O-629, an ordinance amending Chapter 17.104, Home Occupations, of the Brookings Municipal Code, in its entirety.

Resolution

City Manager Milliman reviewed Resolution #09-R-912, authorizing the City to apply for grant funding for Chetco Point Park, generally stating that the project will propose using pervious asphalt, providing the application with additional points.

Councilor Hedenskog moved, a second followed and Council voted unanimously to adopt Resolution 09-R-912, authorizing [application to the] Local Government Grant Program for improvements to Chetco Point Park.

Regular Agenda

City Manager Milliman generally stated that the 2009 Council Goals/Business Plan had been modified to reflect Council's input at the February workshop. Mayor Anderson asked that the goals be placed on the website and that the City Manager discuss with him a process whereby staff is able to identify their activities to specific goals.

City Manager Milliman advised that he would implement an evaluation process that would tie specific goals to performance.

Councilor Gordon moved, a second followed and Council voted unanimously to adopt the 2009 Goals, Objectives and Priority/Action items as outlined in the "City of Brookings 2009 Business Plan."

City Manager Milliman reported briefly on the County's Law Enforcement Blue Ribbon Committee, generally stating that the Committee has recommended to the County Commissioners the retention of a consultant to develop plans to form a law enforcement tax district to help replace O & C funds which are scheduled to run out in 2012.

Consent Calendar

- 70th Annual Azalea Festival Requests from Chamber of Commerce.

Mayor Anderson requested, regarding the Chamber's request to use Azalea Park as a back-up site for its mixer, that it be made clear that alcohol is not be permitted at the park.

Councilor Hedenskog moved, a second followed and Council voted unanimously to approve the Consent Calendar as written.

Adjournment

Councilor moved, a second followed and Council voted unanimously by voice vote to adjourn at 7:42pm.

BROOKINGS PLANNING COMMISSION

December 2, 2008 Minutes

The regular meeting of the Brookings Planning Commission was called to order by Chair Markham at 7:00 in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Steve Bismarck	Juliane Leighton
Ken Bryan	Hedda Markham
Randy Gorman	Bruce Nishioka

Commissioners absent: Cheryl McMahan

Staff Present: Planning Director Dianne Morris, and Secretary Cathie Mahon.

Other: Approximately 6 participants in the audience

CHAIR ANNOUNCEMENTS

Chair Markham reminded the commissioners the annual report is due and asked each member to assist in writing their comments and remarks while serving on the Commission.

WRITTEN REQUEST and COMMUNICATIONS-None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS-None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS
None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 6-0 vote (Motion: Commissioner Nishioka) the Planning Commission approved an application for File No. **ANX-1-08**, a request to annex a 9,610 square foot parcel of land; Assessor's Map 40-13-31B and a portion of Tax Lot 1700; located at 97015 Park Lane; zoned R-2-Curry County Residential (proposed City R-1-6), Robert & Michelle Lea, applicants. Criteria used to decide this application can be found in Chapter 17.144-Annexations, of the Brookings Municipal Code

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

The action was taken following questions and comments regarding the request from the following: Robert Lea, applicant 97015 Park Lane Brookings

The applicant waived their right to seven (7) additional days in which to submit written testimony.

2. The Chair opened the public hearing for File No. **LDC-13-08**, at 7:16 p.m., an amendment to Chapter 17.64, Industrial Park (IP), of the Brookings Municipal Code; City Initiated. The criteria used to decide this case is found in Chapter 17.140-Amendments, of the Brookings Municipal Code. City initiated. The Chair announced the hearing was legislative and the Commission will make a recommendation to the City Council. The criteria used to decide the matter is found in Chapter 140-Amendments, of the B.M.C.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

It was suggested that the word "excessive" be deleted from Section 17.64.080:

➤D. Any use or portion thereof causing ~~excessive~~ noise, vibration, or producing intense heat or glare shall be performed in such a manner as to not create a nuisance or hazard on adjacent property.

➤E. There shall be no emission of ~~excessive~~ odorous, toxic, noxious matter, or dust in such quantities as to be readily detectable at any point along or outside property lines so as to produce a public nuisance or hazard.

By a 5-1 vote (Motion: Commissioner Bryan) the Planning Commission voted to forward to City Council a favorable recommendation for File No. **LDC-13-08**, with the suggested deletion. Commissioner Nishioka cast the dissenting vote.

3. The Chair opened the public hearing for File No. **LDC-14-08**, at 7:44 amendment to Chapter 17.68-General Industrial (M-2), of the Brookings Municipal Code; City Initiated. The criteria used to decide this case is found in Chapter 17.140-Amendments, of the B.M.C. The Chair announced the hearing was legislative and the Commission will make a recommendation to the City Council.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

It was suggested that the word "excessive" be deleted from Section 17.68.080:

➤G. There shall be no emission of ~~excessive~~-odorous, toxic, noxious matter, or dust in such quantities as to be readily detectable at any point along or outside property lines so as to produce a public nuisance or hazard.

By a 6-0 vote (Motion: Commissioner Bryan) the Planning Commission voted to forward to City Council a favorable recommendation for File No. **LDC-14-08**, with the suggested change.

COUNTY REFERRELS

Planning Director Morris discussed County Referral, **AD-0802** and the Final Order. The request was for a variance for a property at 99897 S.Bank of the Chetco River. Discussed some of the conditions of approval regarding geotechnical issues and obtaining necessary permits from the State of Oregon.

APPROVAL of MINUTES

By a 6-0 vote (motion: Commissioner Gorman) the Planning Commission approved the minutes of November 4, 2008, as written.

COMMENTS by the PLANNING STAFF

Planning Director Morris reported on:

- The CCI (Committee for Citizen Involvement) survey. The annual survey was mailed to nineteen (19) participants. Seven people responded with most of the comments favorable but a few recommendations were made and noted in the report.
- Twenty chapters of the Land Development Code were reviewed this year.
- On January 6, 2009, before the regular public hearing, a workshop will be held starting at 6:00 p.m. A new draft of the Chapter 17.94, Landscaping, Tree Preservation and Replacement, will be discussed. A representative from the OSU will make a presentation on water conservation and the impact of storm water run-off.

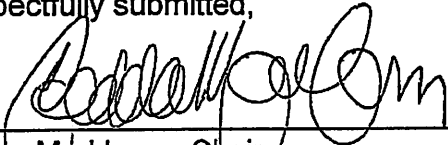
ELECTION of OFFICERS

Commissioner Bismarck made a motion for Commissioner Markham to continue as Chair and Commissioner Bryan as Vice-Chair. By a show of hands, the motion was unanimously approved.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed 8:01 p.m.

Respectfully submitted,



Hedda Markham, Chair
(approved at 1-06-09 meeting)

MINUTES
BROOKINGS PLANNING COMMISSION
January 6, 2009

At 6:00 p.m. the Planning Commission met for a workshop on Chapter 17.94-Landscaping, Tree Preservation and Replacement. A presentation on storm water drainage low impact development techniques was presented by Mr. Frank Burris, OSU (Oregon State University) extension agent.

The regular meeting of the Brookings Planning Commission was called to order by Chair Markham at 7:05 p.m. in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Steve Bismarck	Hedda Markham
Ken Bryan	Cheryl McMahan
Randy Gorman	Bruce Nishioka

Commissioners Absent:

Juliane Leighton

Staff Present:

Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks, and Secretary Cathie Mahon.

Other: Approximately 10 participants in the audience and Coastal Pilot reporter Arwyn Rice

CHAIR ANNOUNCEMENTS

None.

WRITTEN REQUEST and COMMUNICATIONS

None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 6-0 vote (Motion: Commissioner McMahan) the Planning Commission approved an application for File No. **CUP-2-08**, a request for a conditional Use Permit to approve a short-term vacation rental located at 302 Memory Lane; Assessor's Map 41-13-05CD, Tax Lot 6700; R-1-6 (Single-family Residential 6,000 sq. ft. minimum lots size) zone; John McClure, applicant; Monica Fisher, representative.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

The action was taken following questions and comments regarding the request from the following:

Monica Fisher, representative	P. O. Box 2431	Harbor, OR
James Benson	315 Memory Lane	Brookings, OR
Larry Smith	221 Musser Street	Brookings, OR
Bob Edwards	240 Memory Lane	Brookings, OR
Paula Edwards	240 Memory Lane	Brookings, OR
Steven Shannon	239 Memory Lane	Brookings, OR
Jane Benson	315 Memory Lane	Brookings, OR

Exhibit B- 9 letters from neighbors was entered into the record:

James & Jane Benson	315 Memory Lane	Brookings, OR
Stephen Shannon	239 Memory Lane	Brookings, OR
Bob Edwards	240 Memory Lane	Brookings, OR
Paula Edwards	240 Memory Lane	Brookings, OR
Guy & C.G. McMahan	241 Memory Lane	Brookings, OR
Pauline Olsen	317 Memory Lane	Brookings, OR
Kathleen Tomko	318 Memory Lane	Brookings, OR
George Macfarlane	236 Memory Lane	Brookings, OR
Grace Lessard	313 Memory Lane	Brookings, OR

The applicant waived their right to seven (7) additional days in which to submit written testimony.

2. By a 6-0 vote (Motion: Commissioner Gorman) the Planning Commission approved the Final ORDER and Findings of Fact for File No. **CUP-2-08**.
3. The public hearing for File No. **LDC-1-09**, an amendment to Chapter 17.104-Home Occupations of the Brookings Municipal Code, was not opened due to lack of proper notification. Discussion ensued followed by the Chair announcing the hearing would take place at the February public hearing.

COUNTY REFERRELS

Planning Director Morris discussed County Referrals reviewed by staff and sent to Curry County:

1. CR-AD-0832-Conditional use of auto sales at Hwy.101 and Benham
2. CR-AD-0833-request for a variance of a setback for a single-family dwelling. Staff suggested denial because it does not pose hardship.
3. CR-AD-0826-Coos Curry Electric-new electric lines 17510 Carpenterville

APPROVAL of MINUTES

By a 5-0-1 vote (motion: Commissioner Bryan) the Planning Commission approved the minutes of December 2, 2008. Commissioner McMahan abstained due to absence.

COMMENTS by the PLANNING STAFF

Staff distributed a several hand-outs:

- The approved version of the C-3 (General Commercial) District
- An updated list of City of Brookings officials.
- Also distributed was the *Public Official Disclosure* for the 4th quarter of 2008. Commissioners can mail them or if they dropped them off at City Hall, Joyce from the City Manager's office will mail them in.
- Planning Director Morris asked the commissioners if the regularly scheduled meeting on February 3rd could be changed to February 10th. It was unanimously agreed.
- Annual Report by Chair Markham was unanimously approved. It will be part of the packet for the City Council meeting on January 12th.
- Zoning maps were distributed to each commissioner.
- Director Morris announced this was the last meeting for Cathie Mahon and presented her with a card and gift.

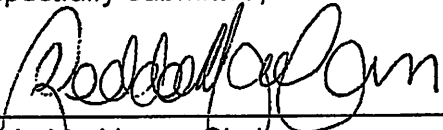
COMMISSIONERS COMMENTS

None.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed 8.30 p.m.

Respectfully submitted,



Hedda Markham, Chair
(approved at Feb 10, 2009 meeting)

MINUTES
BROOKINGS PLANNING COMMISSION
February 10, 2009

CALL TO ORDER AND ROLL CALL

The regular meeting of the Brookings Planning Commission was called to order by Chair Markham at 7:00 in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present: Steve Bismarck, Hedda Markham, Ken Bryan, Cheryl McMahan, Randy Gorman, Bruce Nishioka, Juliane Leighton

Commissioners Absent: None

Staff Present: Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks, and Secretary Alex Carr-Frederick.

Other: Approximately 7 participants in the audience and no Curry Coastal Pilot reporter

CHAIR ANNOUNCEMENTS

The Chair and Planning Director welcomed Alex Carr-Frederick as Planning Secretary.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

By a 7-0 vote (motion: Commissioner McMahan) the Planning Commission approved the written requests for a time extension on removal of existing structures located at: Map 40-13-31B, Tax lot 1317 File No. M3-7-06; Edward Curtis, applicant, and Map 40-13-31-DD, Tax lot 3200 for File No. M3-1-06; Rick Smith, applicant. In light of the current economic times, the time frame for structure removal was extended to three years.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

The Chair announced at 7:06 pm that the public, legislative hearing regarding a city initiated amendment to Land Development Code Chapter 17.104-Home Occupations, (File No. LDC-1-09), was opened. The criteria used to decide the matter is found in Chapter 140-Amendments, of the BMC.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request. There were no public comments received. The Planning Commission voiced no additional changes to the proposed revisions. Discussion was closed at 7:17pm. By a 7-0 vote (Motion: Commissioner Bryan) the Planning Commission moved to forward the city initiated amendment to Land Development Code Chapter 17.104-Home Occupations to the City Council.

COUNTY REFERRALS

None

APPROVAL of MINUTES

By a 7-0 vote (motion: Commissioner Bismarck) the Planning Commission approved the minutes from the January 6, 2009 PC Meeting with Commissioner Leighton abstaining, due to her absence from said meeting.

STAFF AND COMMISSIONS RESPONSE TO AN UNSCHEDULED APPEARANCE

Jan Krick of 1347 Chetco Avenue in Brookings suggested revision to the definition of Livestock exclusions. She would like it to include rabbits, pot-bellied pigs, and miniature goats and lambs in those exclusions. Linda Bozack of 553 Fern St, Apt. I, spoke in support of the request also. Discussion centered upon whether or not the request should be approached as a definition change, a new code creation, or perhaps as a CUP. The discussion was tabled and Chair Markham directed staff to create probable or possible wording for a new code and/or definition change. This will be discussed again at the March 3, 2009 PC meeting.

COMMENTS by the PLANNING STAFF

County approved a referral regarding a home on an irregular lot whose setbacks would need to be changed to accommodate a large new home. Staffs initial recommendation had been to not approve the larger home and change the set backs. Planning Director Morris reminded Commissioners Leighton and Nishioka their term expires April 1, 2009, she provided them with applications. Director Morris also handed out newly codified code chapters for the Commissioners binders, and informed the Commission that the City Council upheld their decision on CUP-2-08, a vacation rental.

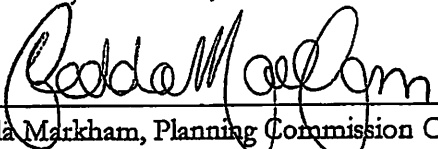
COMMISSIONERS COMMENTS

Commissioner Nishioka expressed concern about the County's differing view on urban development and asked Planning Director Morris to discuss how to move forward with City Manager Milliman to ensure Brookings and Curry County's future urban planning goals are mutually reached.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed at 7:55 p.m.

Respectfully submitted,



Hedda Markham, Planning Commission Chair
(approved at March 3, 2009 meeting)

MINUTES
BROOKINGS PLANNING COMMISSION March 3, 2009

CALL TO ORDER AND ROLL CALL

The regular meeting of the Brookings Planning Commission (PC) was called to order by Chair Markham at 7:00 in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present Steve Bismarck, Hedda Markham, Ken Bryan, Cheryl McMahan, Randy Gorman, Julianne Leighton

Commissioners Absent: Bruce Nishioka

Staff Present: Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks, and Secretary Alex Carr-Frederick.

Other: Two participants in the audience and no Curry Coastal Pilot reporter

CHAIR ANNOUNCEMENTS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

The Chair announced at 7:01 pm that the public, legislative hearing regarding a City initiated amendment to Land Development Code Chapter 17.94-Landscaping, (File No. **LDC-4-09**), was opened. The criteria used to decide the matter is found in Chapter 140-Amendments, of the BMC.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

Planning Director Morris reviewed the staff report and stressed the importance of not only water conservation but reducing our storm water run off, the new landscaping code is designed primarily to address those two issues. Commissioner Bismarck expressed concern over the definition of drought resistant plants and the publics ability/willingness to water appropriately. Director Morris pointed out that resources would be available to the public and it was decided that a standardized reference, (To Be Decided), would be made available to the public. Commissioner Leighton suggested a language change to Section 17.94.050 Recommendations with Incentives that would clarify that all citizens who implemented these suggested landscaping changes would receive benefit.

Commissioner Gorman recommended that efforts made to mitigate storm water runoff by citizens be rewarded and that easement square footage be addressed in some manner also. Director Morris agreed about removal of easement areas from the square footage calculations. She also reminded all that this is a living document and putting the code into practice will be the best determiner of what is working and what is not.

Betty Bezzerides of 720 5th Street drew the Commissions attention to two portions of the proposed code She pointed out that the current language does not require developers to abide by the new code, only builders and she also pointed out that the current language does not provide for any ongoing oversight of projects to ensure compliance. Director Morris indicated 17.94.070 requires all vacant land to retain a certain number of trees making it applicable to developers. Additionally, any violations of this chapter would be dealt with by the existing enforcement language in the code. Discussion was closed at 7:55 pm.

By a 7-0 vote (Motion/Second: Commissioners Bismarck/Gorman) the PC moved to continue the discussion of BMC Chapter 17.94 Landscaping to the April 7, 2009 PC Meeting.

COUNTY REFERRALS

None

APPROVAL of MINUTES

By a 7-0 vote (Moved/seconded: Bismarck/Gorman) the PC approved the minutes from the February 10, 2009 PC Meeting.

UNSCHEDULED APPEARANCE

Yvonne Maitland of 15676 Oceanview Drive expressed concern over the Citizen Involvement Questionnaires turned in at the end of 2008. The City Council Agenda Report of 1/12/09 stated that 7 questionnaires were received, yet 8 went to the City Council, the DLCD and the LWV. The 8th questionnaire was blank except for the authors personal comments regarding specific citizens of Brookings and his praise for the new Mayor and current City Council. Ms. Maitland took exception to the fact that this questionnaire was included and passed on when none of the specific questions on the survey had been answered. Director Morris indicated that survey is an effort to get public feedback on land use planning. Commissioners Gorman and Bismarck indicated that it was included to avoid the appearance of censorship.

REPORTS/COMMENTS by the PLANNING STAFF

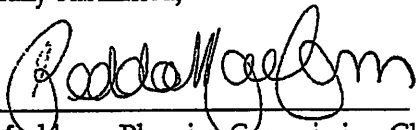
None

COMMISSIONERS COMMENTS

ADJOURNMENT:

With no further business before the PC, the meeting closed at 8:11 p.m.

Respectfully submitted,



Hedda Markham, Planning Commission Chair
(approved at April 7, 2009 meeting)

MINUTES
BROOKINGS PARKS AND RECREATION COMMISSION
February 26, 2009

CALL TO ORDER

Chair Benoit called the meeting to order at 7:00 pm followed by the Pledge of Allegiance.

ROLL CALL

Introduction of new Commissioner Tony Baron.

Present: Commissioners Tony Baron, Ken Barkema, Patricia Brown, Frances Hartmann, Tony Parrish, Don Vilelle and Chair Michelle Benoit.

Also present: Gary Milliman City Manager, John Cowan Public Works Director

APPROVAL OF MINUTES

- A. **Motion made by Commissioner Parrish to approve the minutes of January 22, 2009 as written; motion seconded and Commission voted, the motion carried unanimously.**

PUBLIC APPEARANCES

None

REGULAR AGENDA

- A. *State Parks Presentation on Brookings Area Projects* – Ranger David Neighbor, Harris Beach Management Unit provided information/condition of the local state parks in the Brookings-Harbor area.
- B. *KASPER Program Update* – continued to March meeting.
- C. *Swimming Pool* – Dan Brattain represents a volunteer group interested in assisting with future improvements to the municipal pool. Pool Manager Steve Gates went over pool status report on the physical structure and maintenance demands currently affecting the pool. Finance Director Patti Dunn presented Swimming Pool 2008 Financial Operations Report. Pool revenue has decreased and operating expenses increased, believes there needs to be a review of pool use fees to cover costs of pool expenses. Commissioner Parrish agreed to be commission liaison with pool volunteer group. Matter continued to March meeting for further review and discussion.
- D. *Review/Update Capital Projects List* – City Manager Gary Milliman presented a Park Capital Project List indicating projects listed in the Park Master Plan that remain uncompleted and projects recommended by public and staff. Asked the commission to review the project list. This matter continued to April meeting to have a goal setting discussion about capital projects and setting priorities, then will have staff start working on cost estimates. List will then be brought back to the commission as an update to the Capital Project Plan for parks.
- E. *Capella* – City Manager Gary Milliman advised the final inspection has been made and keys turned over the City. A volunteer organizational meeting has been scheduled for March 4th. User Fees needs to be determined by the Commission. The Capella subcommittee suggested a fee of \$300 for a full day rental and a \$200 cleaning deposit. After discussion it was proposed to have User Fees of \$100 per hour, with a two hour minimum, a \$200 security deposit, and proof of insurance with a review of the user fees after the first event. Suggested purchasing a doormat and scaffolding to wash windows.
- F. *Election of Officers* – **A motion was made by Commissioner Brown to appoint Commissioner Vilelle as Chair. The motion was seconded and the Commission voted, the motion carried unanimously. A motion was made by Commissioner Benoit to continue Commissioner Brown as Vice Chair. The motion was seconded and the Commission voted, the motion carried unanimously.**

INFORMATION UPDATES/DISCUSSION ITEMS

- A. *Parks and Recreation Annual Report* – Chair Benoit read the 2008 Annual Report and thanked her fellow commissioners for their work on the commission over the past year.
- B. *Easy Manor Park* – Chair Benoit advised that the bid by Wildwood Playgrounds was accepted and the park equipment ordered. Poster of proposed park available for review.
- C. *Lower Stout Park* – Commissioner Parrish advised that they are moving ahead with marketing meetings, grants and fundraising.
- D. *Stout Park Trees* – Public Works Director John Cowan did not have a chance to contact Brian Woolsey of CCEC yet, but Dave Kitchen advised that they are willing to move and replant the correct trees. Three Mountain Ash trees need moved and replaced with three golden rain trees. No location determined yet for the Mountain Ash trees.

COMMISSIONER REPORTS/COMMENTS

Commissioner Hartmann – Thanked Chair Benoit for her year as Chair of P & R Commission.

Commissioner Parrish – restructuring of Bankus Park scheduled for March 14th, 9 am. Moving azaleas and rhodys to Stout Park, inviting community volunteer groups to help, also trying to get donations for bark mulch and soil amendments. Some prep work will be done before the scheduled work day, Gary to check if anyone available that needs to fulfill community service hours.


Commissioner Brown – Thanked Chair Benoit for her work this past year.

Commissioner Baron – Glad to be on the commission.

ADJOURNMENT

With no further business before the Commission, the meeting adjourned at 8:41 pm. Next meeting scheduled for March 26, 2009.

Respectfully submitted,



Michelle Benoit, Chair/Commissioner
(approved at March 26, 2009 meeting)

Report Criteria:

Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
03/09	03/26/2009	90339		Void Check	10-00-2005	.00 V
03/09	03/17/2009	61219	882	Advanced Security Systems	10-00-2005	75.00- V
03/09	03/02/2009	61245	1357	Curry County Clerk	10-00-2005	78.00
03/09	03/05/2009	61246	4438	Alpha Card	10-00-2005	2,013.85
03/09	03/05/2009	61247	4080	Aquastore NW Inc	10-00-2005	181,364.50
03/09	03/05/2009	61248	4434	Bacher, John	10-00-2005	105.84
03/09	03/05/2009	61249	146	Bay West Supply, Inc	10-00-2005	199.97
03/09	03/05/2009	61250	304	Beckwith & Kuffel	10-00-2005	207.08
03/09	03/05/2009	61251	148	B-H Chamber of Commerce	10-00-2005	3,436.46
03/09	03/05/2009	61252	4435	Bloomquist, Kevin	10-00-2005	52.49
03/09	03/05/2009	61253	1458	Bob Schaefer	10-00-2005	104.00
03/09	03/05/2009	61254	313	Brookings Vol Firefighters	10-00-2005	2,083.33
03/09	03/05/2009	61255	1840	Chetco Federal Credit Union	10-00-2005	3,053.00
03/09	03/05/2009	61256	3834	Clean Sweep Janitorial Service	10-00-2005	700.00
03/09	03/05/2009	61257	1745	Coastal Paper & Supply, Inc	10-00-2005	179.07
03/09	03/05/2009	61258	185	Del Cur Supply	10-00-2005	149.05
03/09	03/05/2009	61259	316	Donald & Roberta Chandler	10-00-2005	548.00
03/09	03/05/2009	61260	4433	Fangman, Chris	10-00-2005	31.62
03/09	03/05/2009	61261	4269	Gary Milliman	10-00-2005	67.50
03/09	03/05/2009	61262	269	Grainger	10-00-2005	96.03
03/09	03/05/2009	61263	139	Harbor Logging Supply	10-00-2005	924.16
03/09	03/05/2009	61264	4437	Intl Inst of Municipal Clerks	10-00-2005	125.00
03/09	03/05/2009	61265	616	John Adams	10-00-2005	585.00
03/09	03/05/2009	61266	202	League of Oregon Cities	10-00-2005	20.00
03/09	03/05/2009	61267	328	Les Schwab Tire Center	10-00-2005	165.54
03/09	03/05/2009	61268	4429	Lopez, Judy	10-00-2005	12.06
03/09	03/05/2009	61269	4431	Maceachern, Nancie	10-00-2005	24.34
03/09	03/05/2009	61270	690	Margo Hanscam Prop Mgmt	10-00-2005	34.94
03/09	03/05/2009	61271	685	Neilson Research Corporation	10-00-2005	225.00
03/09	03/05/2009	61272	329	New Hope Plumbing	10-00-2005	470.25
03/09	03/05/2009	61273	3603	Norwest Safety	10-00-2005	425.40
03/09	03/05/2009	61274	4277	OFSI	10-00-2005	246.00
03/09	03/05/2009	61275	550	PCE Pacific	10-00-2005	155.58
03/09	03/05/2009	61276	4394	Plush Homes, LLC	10-00-2005	274.90
03/09	03/05/2009	61277	322	Postmaster	10-00-2005	720.00
03/09	03/05/2009	61278	1193	PRN Data Services, Inc	10-00-2005	3,500.00
03/09	03/05/2009	61279	4436	Pump Dynamics	10-00-2005	281.96
03/09	03/05/2009	61280	199	Richard Harper	10-00-2005	300.00
03/09	03/05/2009	61281	3309	Roberts & Associates	10-00-2005	1,450.00
03/09	03/05/2009	61282	2017	Sargis, Terry & Nancy	10-00-2005	28.60
03/09	03/05/2009	61283	3963	Smith & Loveless, Inc	10-00-2005	2,778.81
03/09	03/05/2009	61284	380	Stadelman Electric Inc	10-00-2005	8,482.98
03/09	03/05/2009	61285	2182	Sunnyside Inn Motel	10-00-2005	240.75
03/09	03/05/2009	61286	4432	Thorp, Bill & Sara	10-00-2005	14.79
03/09	03/05/2009	61287	4430	Thorp, Cheryl	10-00-2005	21.49
03/09	03/05/2009	61288	3477	Water Environment School	10-00-2005	155.00
03/09	03/12/2009	61289	4444	Agyeman, Akua	10-00-2005	24.77
03/09	03/12/2009	61290	3581	ALSCO	10-00-2005	119.16
03/09	03/12/2009	61291	3236	AT&T Mobile	10-00-2005	289.05
03/09	03/12/2009	61292	2407	Blue Star Gas	10-00-2005	1,314.89
03/09	03/12/2009	61293	4443	Brookings-Harbor Auto Parts	10-00-2005	3.90
03/09	03/12/2009	61294	1373	Cascade Fire Equipment	10-00-2005	148.10
03/09	03/12/2009	61295	2468	Cliff Weeks	10-00-2005	25.98

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
03/09	03/12/2009	61296	586	Cole-Parmer Instrument Co	10-00-2005	39.49
03/09	03/12/2009	61297	182	Coos-Curry Electric	10-00-2005	185.36
03/09	03/12/2009	61298	173	Curry Equipment Company	10-00-2005	187.91
03/09	03/12/2009	61299	195	Curry Transfer & Recycling	10-00-2005	515.42
03/09	03/12/2009	61300	166	Dan's Auto & Marine Electric	10-00-2005	371.38
03/09	03/12/2009	61301	4357	Downtown Commerical Center	10-00-2005	75.00
03/09	03/12/2009	61302	3342	Fastenal	10-00-2005	194.55
03/09	03/12/2009	61303	153	Ferrellgas	10-00-2005	1,699.68
03/09	03/12/2009	61304	4445	Figgatt, Morgan	10-00-2005	36.92
03/09	03/12/2009	61305	4439	Firehouse Decals, Inc.	10-00-2005	260.50
03/09	03/12/2009	61306	967	Firehouse Magazine	10-00-2005	49.95
03/09	03/12/2009	61307	2821	Geoffrey Masaki	10-00-2005	45.00
03/09	03/12/2009	61308	269	Grainger	10-00-2005	64.44
03/09	03/12/2009	61309	154	Hagen's Dry Cleaners	10-00-2005	30.00
03/09	03/12/2009	61310	3915	Harrang/Long/Gary/Rudnick PC	10-00-2005	58.00
03/09	03/12/2009	61311	2416	ITT Flygt Corp	10-00-2005	595.00
03/09	03/12/2009	61312	1988	James Wheatley	10-00-2005	20.00
03/09	03/12/2009	61313	162	Kerr Hardware	10-00-2005	528.43
03/09	03/12/2009	61314	4442	Lakey, Dee	10-00-2005	21.86
03/09	03/12/2009	61315	245	Larry Anderson	10-00-2005	84.00
03/09	03/12/2009	61316	202	League of Oregon Cities	10-00-2005	185.00
03/09	03/12/2009	61317	2409	Mallory Co.	10-00-2005	583.39
03/09	03/12/2009	61318	155	Mory's	10-00-2005	165.25
03/09	03/12/2009	61319	1844	My-Comm, Inc	10-00-2005	574.00
03/09	03/12/2009	61320	4441	Nat'l Fire Protection Assoc.	10-00-2005	270.00
03/09	03/12/2009	61321	3270	Neves Inc	10-00-2005	543.15
03/09	03/12/2009	61322	334	North Coast Electric Company	10-00-2005	68.73
03/09	03/12/2009	61323	3602	Novus Windshield Repair	10-00-2005	49.00
03/09	03/12/2009	61324	375	OR Department of Revenue	10-00-2005	25.02
03/09	03/12/2009	61325	426	Oregon Apparatus Repair Inc	10-00-2005	5,714.42
03/09	03/12/2009	61326	1411	Our Designs Inc	10-00-2005	723.95
03/09	03/12/2009	61327	252	Paramount Pest Control	10-00-2005	42.00
03/09	03/12/2009	61328	187	Quality Fast Lube & Oil	10-00-2005	41.00
03/09	03/12/2009	61329	207	Quill Corporation	10-00-2005	.00
03/09	03/12/2009	61330	180	Ray's Food Place	10-00-2005	.00
03/09	03/12/2009	61331	169	Roto Rooter	10-00-2005	198.00
03/09	03/12/2009	61332	3369	Schwabe Williamson & Wyatt PC	10-00-2005	1,521.00
03/09	03/12/2009	61333	4457	Setzkorn, Donna	10-00-2005	39.72
03/09	03/12/2009	61334	2443	Sirennet.Com	10-00-2005	40.75
03/09	03/12/2009	61335	797	Town & Country Animal Clinic	10-00-2005	62.95
03/09	03/12/2009	61336	179	Trew & Cyphers LLP	10-00-2005	1,080.00
03/09	03/12/2009	61337	990	United Parcel Service	10-00-2005	115.38
03/09	03/12/2009	61338	136	United Pipe & Supply Co Inc	10-00-2005	2,300.80
03/09	03/12/2009	61339	2863	Verizon Wireless	10-00-2005	765.20
03/09	03/12/2009	61340	861	Village Express Mail Center	10-00-2005	37.77
03/09	03/12/2009	61341	4219	Willdan	10-00-2005	15,541.25
03/09	03/18/2009	61342	342	Applied Industrial Technology	10-00-2005	98.12
03/09	03/18/2009	61343	714	Brookings Signs & Graphics	10-00-2005	142.50
03/09	03/18/2009	61344	370	CCIS	10-00-2005	1,230.00
03/09	03/18/2009	61345	164	Chambers South Inc	10-00-2005	715.00
03/09	03/18/2009	61346	3015	Charter Communications	10-00-2005	1,147.87
03/09	03/18/2009	61347	4222	Coastal Country PM	10-00-2005	65.94
03/09	03/18/2009	61348	183	Colvin Oil Company	10-00-2005	1,471.93
03/09	03/18/2009	61349	182	Coos-Curry Electric	10-00-2005	3,058.99
03/09	03/18/2009	61350	151	Curry Coastal Pilot	10-00-2005	295.91
03/09	03/18/2009	61351	4458	Dean, Heather	10-00-2005	71.35

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
03/09	03/18/2009	61352	4449	Forslund, Sandy	10-00-2005	17.63
03/09	03/18/2009	61353	114	HPS Electrical Apparatus	10-00-2005	468.90
03/09	03/18/2009	61354	1807	Lent, Sheldon	10-00-2005	108.31
03/09	03/18/2009	61355	867	Local Gov't Personnel Inst	10-00-2005	1,079.00
03/09	03/18/2009	61356	3159	Northcoast Health Screening	10-00-2005	45.00
03/09	03/18/2009	61357	695	P & S Construction Co, Inc	10-00-2005	1,800.00
03/09	03/18/2009	61358	4428	Page, Raymond	10-00-2005	18.00
03/09	03/18/2009	61359	866	Pitney Bowes Global Financial	10-00-2005	137.00
03/09	03/18/2009	61360	207	Quill Corporation	10-00-2005	269.92
03/09	03/18/2009	61361	4446	Scout Hall Improvement Fund	10-00-2005	35.00
03/09	03/18/2009	61362	4447	Southern Oregon Kite Festival	10-00-2005	300.00
03/09	03/18/2009	61363	136	United Pipe & Supply Co Inc	10-00-2005	8,729.15
03/09	03/18/2009	61364	4448	United Rentals	10-00-2005	95.05
03/09	03/18/2009	61365	991	Verizon Northwest	10-00-2005	542.02
03/09	03/18/2009	61366	824	Vietnam Veterans of America	10-00-2005	1,000.00
03/09	03/18/2009	61367	861	Village Express Mail Center	10-00-2005	10.84
03/09	03/26/2009	61369	444	Secretary of State	10-00-2005	300.00
03/09	03/31/2009	61370	4454	44Mag Distributing LLC	10-00-2005	280.00
03/09	03/31/2009	61371	682	Al's Radio Shack	10-00-2005	29.99
03/09	03/31/2009	61372	100	Anchor Lock & Key	10-00-2005	155.00
03/09	03/31/2009	61373	342	Applied Industrial Technology	10-00-2005	56.26
03/09	03/31/2009	61374	1169	Brookings Electronic Svs Inc	10-00-2005	538.75
03/09	03/31/2009	61375	4459	Clyde, Robin	10-00-2005	620.01
03/09	03/31/2009	61376	586	Cole-Parmer Instrument Co	10-00-2005	1,288.18
03/09	03/31/2009	61377	183	Colvin Oil Company	10-00-2005	2,004.28
03/09	03/31/2009	61378	182	Coos-Curry Electric	10-00-2005	14,715.62
03/09	03/31/2009	61379	284	Day Management Corp	10-00-2005	65.00
03/09	03/31/2009	61380	2899	Decatur Electronics	10-00-2005	610.00
03/09	03/31/2009	61381	1	Konkel, Tamela	10-00-2005	130.14
03/09	03/31/2009	61382	3342	Fastenal	10-00-2005	162.88
03/09	03/31/2009	61383	885	Floyd A. Boyd Company	10-00-2005	116.95
03/09	03/31/2009	61384	1346	Gail's Graphics	10-00-2005	383.00
03/09	03/31/2009	61385	4291	Gardiner, Rhonda	10-00-2005	948.08
03/09	03/31/2009	61386	4452	Goulter, Loyd	10-00-2005	167.62
03/09	03/31/2009	61387	269	Grainger	10-00-2005	67.28
03/09	03/31/2009	61388	2109	Granite Construction	10-00-2005	246.33
03/09	03/31/2009	61389	198	Grants Pass Water Lab	10-00-2005	180.00
03/09	03/31/2009	61390	167	Hach Company	10-00-2005	143.06
03/09	03/31/2009	61391	4453	Hansen, Jennifer	10-00-2005	100.00
03/09	03/31/2009	61392	3632	Harbor View Windows	10-00-2005	3,990.00
03/09	03/31/2009	61393	4018	His Haven of Hope	10-00-2005	500.00
03/09	03/31/2009	61394	4190	Integra Telecom	10-00-2005	520.00
03/09	03/31/2009	61395	578	John Cowan	10-00-2005	117.01
03/09	03/31/2009	61396	4456	LaQuinta Inn	10-00-2005	87.87
03/09	03/31/2009	61397	137	LauraLee Gray	10-00-2005	36.00
03/09	03/31/2009	61398	433	NCL of Wisconsin	10-00-2005	585.47
03/09	03/31/2009	61399	3935	Northern California Glove	10-00-2005	340.00
03/09	03/31/2009	61400	4224	Oce Imagistics, Inc.	10-00-2005	270.85
03/09	03/31/2009	61401	279	One Call Concepts, Inc	10-00-2005	55.65
03/09	03/31/2009	61402	4451	Oregon State Police	10-00-2005	552.50
03/09	03/31/2009	61403	4428	Page, Raymond	10-00-2005	21.00
03/09	03/31/2009	61404	311	Paramount Supply Company	10-00-2005	475.67
03/09	03/31/2009	61405	322	Postmaster	10-00-2005	180.00
03/09	03/31/2009	61406	207	Quill Corporation	10-00-2005	2,208.23
03/09	03/31/2009	61407	180	Ray's Food Place	10-00-2005	107.48
03/09	03/31/2009	61408	2426	SOC-ICC	10-00-2005	20.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
03/09	03/31/2009	61409	4455	St. James, Mark	10-00-2005	125.00
03/09	03/31/2009	61410	380	Stadelman Electric Inc	10-00-2005	2,097.39
03/09	03/31/2009	61411	3872	Staples Business Advantage	10-00-2005	947.87
03/09	03/31/2009	61412	136	United Pipe & Supply Co Inc	10-00-2005	3,881.98
03/09	03/31/2009	61413	432	USA Bluebook	10-00-2005	199.45
03/09	03/31/2009	61414	991	Verizon Northwest	10-00-2005	739.78
03/09	03/31/2009	61415	861	Village Express Mail Center	10-00-2005	13.70
03/09	03/31/2009	61416	2122	Cardmember Service	10-00-2005	987.31
03/09	03/31/2009	61417	301	Woudstra Concrete Finishing	10-00-2005	512.27
03/09	03/31/2009	61418	4131	Zumar Industries Inc	10-00-2005	293.08
Grand Totals:						<u>319,861.23</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Report type: Summary

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: City Recorder

Signature (submitted by)

City Manager Approval

Subject: Annual Ethics Review

Recommended Motion: Approve the postponement of the Annual Ethics Review under the Consent Calendar until further notice.

Financial Impact: Reduction in the cost of attorney time and travel to and from Brookings to conduct the review, estimated at \$600.

Background/Discussion: Brookings Municipal Code, Section 2.05.170(A), under Title 2, Administration and Personnel, states that the City Attorney is required to review the latest revisions to the Ethics Guide for Public Officials at a regular Council Meeting in April. These "reviews" are typically performed during an informal workshop session prior to the first Council meeting in April, when the City Attorney has been regularly scheduled to appear. At present, the attendance of the City Attorney at City Council meetings has been reduced to only those meetings where a legal presence is deemed necessary.

The review covers information that is clearly presented in the Oregon Government Ethics Law manual, "A Guide for Public Officials." The Guide was last updated in April, 2008 and an Ethics Review was held in May, 2008. All newly appointed public officials (City Manager, City Council members, Planning Commissioners and Municipal Court Judge) are provided a copy of the Guide with their orientation materials and updates when they become available.

On more than one occasion, the City Attorney has indicated that the annual ethics review is unnecessary and could be eliminated and, indeed, there is no state requirement for cities to perform an annual ethics review. Compliance with government ethics is required by all public officials under Oregon Revised Statute (ORS) 244, but it is the responsibility of the Oregon Government Ethics Commission to, "... distribute, insofar as practicable, copies of its ethics manual to every public official," and to, "...prepare and present a program of continuing education for public officials."

Staff recommends postponing the annual Ethics Review until further notice. Staff also recommends that a subcommittee of the Council meet with staff to develop revisions to Title 2.

Policy Considerations: Postpones the Annual Ethics Review by the City Attorney until further notice, but does not change the requirement.

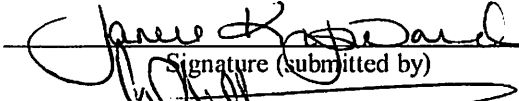
Attachment(s): None.

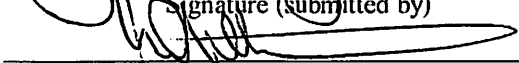
CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: April 13, 2009

Originating Dept: ASD



Signature (submitted by)


City Manager Approval

Subject:

February Financial Report

Recommended Motion:

Accept monthly report

Financial Impact:

None

Background/Discussion:

Items of significance from the February 2009 financial summary:

GENERAL FUND:

Property tax revenue is coming in about 4% less than prior year. This can fluctuate; however with the current economy, it is not surprising that collections could be down.

Personal services in the Police Dept. are under budget because the budget included amounts from the proposed Special Levy (a 5% salary increase and additional positions that were not implemented).

Materials and services in Planning & Building is considerably under budget due to a change in policy on the use of engineering services.

Non-departmental capital outlay expenses are higher than expected due to the City Hall retrofit project (replacement of HVAC, ceiling, windows, and carpet; lighting and heating energy upgrade; and asbestos abatement).

STREET FUND:

Gas tax revenue is about 3% less than prior year.

WATER FUND:

Other Income includes OECDD Reservoir Loan.

WASTEWATER FUND:

The budget for Other Revenue includes a \$5,000,000 Grant that was applied for, but not received.

The Capital Outlay budget includes \$5,000,000 for the Bio-solid Treatment Facility.

URBAN RENEWAL:

Other Revenue includes Bond Proceeds from the \$3.4 million bond issued in July 2008.

Policy Considerations:

None

Attachment(s):

Fund Summary for City operating funds and the Urban Renewal Agency for the period ending February 28, 2009

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2008

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	2,302,275.00	178,534.92	2,136,268.77	166,006.23	92.8
LICENSES AND PERMITS	208,375.00	18,128.01	117,330.59	91,044.41	56.3
INTERGOVERNMENTAL	145,000.00	27,490.11	81,270.57	63,729.43	56.1
CHARGES FOR SERVICES	91,600.00	43,993.68	83,788.93	7,811.07	91.5
OTHER REVENUE	110,000.00	3,296.63	121,622.84	(11,622.84)	110.6
TRANSFERS IN	450,335.00	.00	450,335.00	.00	100.0
TOTAL FUND REVENUE	3,307,585.00	271,443.35	2,990,616.70	316,968.30	90.4
<u>EXPENDITURES</u>					
JUDICIAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	5,975.00	300.00	3,976.07	1,998.93	66.6
TOTAL JUDICIAL	5,975.00	300.00	3,976.07	1,998.93	66.6
LEGISLATIVE/ADMINISTRATION:					
PERSONAL SERVICES	205,000.00	15,107.81	112,829.31	92,170.69	55.0
MATERIAL AND SERVICES	138,430.00	4,630.32	100,778.06	37,651.94	72.8
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TOTAL LEGISLATIVE/ADMINISTRATION	343,430.00	19,738.13	213,607.37	129,822.63	62.2
POLICE:					
PERSONAL SERVICES	1,452,000.00	115,039.29	917,770.88	534,229.12	63.2
MATERIAL AND SERVICES	151,180.00	11,400.17	102,102.38	49,077.62	67.5
CAPITAL OUTLAY	57,000.00	985.00	17,804.35	39,195.65	31.2
TRANSFERS OUT	28,617.00	.00	28,617.00	.00	100.0
TOTAL POLICE	1,688,797.00	127,424.46	1,066,294.61	622,502.39	63.1
FIRE:					
PERSONAL SERVICES	170,550.00	13,017.04	105,824.02	64,725.98	62.1
MATERIAL AND SERVICES	100,180.00	6,825.86	72,207.73	27,972.27	72.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	36,000.00	.00	36,000.00	.00	100.0
TOTAL FIRE	306,730.00	19,842.90	214,031.75	92,698.25	69.8
PLANNING AND BUILDING:					
PERSONAL SERVICES	307,350.00	22,815.91	183,846.67	123,503.33	59.8
MATERIAL AND SERVICES	96,343.00	5,821.25	41,288.94	55,054.06	42.9
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	5,000.00	.00	5,000.00	.00	100.0
TOTAL PLANNING AND BUILDING	408,693.00	28,637.16	230,135.61	178,557.39	56.3

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2008

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PARKS & RECREATION:					
PERSONAL SERVICES	97,600.00	7,114.45	55,802.70	41,797.30	57.2
MATERIAL AND SERVICES	44,220.00	1,065.20	18,652.92	25,567.08	42.2
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
TOTAL PARKS & RECREATION	141,820.00	8,179.65	74,455.62	67,364.38	52.5
ADMINISTRATIVE SERVICES:					
PERSONAL SERVICES	234,400.00	19,607.43	138,501.47	95,898.53	59.1
MATERIAL AND SERVICES	29,630.00	615.49	17,098.47	12,531.53	57.7
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TOTAL ADMINISTRATIVE SERVICES	264,030.00	20,222.92	155,599.94	108,430.06	58.9
SWIMMING POOL:					
PERSONAL SERVICES	57,165.00	.00	39,201.47	17,963.53	68.6
MATERIAL AND SERVICES	38,650.00	.00	21,413.85	17,236.15	55.4
CAPITAL OUTLAY	13,000.00	.00	8,600.00	4,400.00	66.2
TOTAL SWIMMING POOL	108,815.00	.00	69,215.32	39,599.68	63.6
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	144,750.00	12,054.69	85,756.37	58,993.63	59.2
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	1,372.00	.00	1,372.00	.00	100.0
CONTINGENCIES AND RESERVES	439,451.00	.00	.00	439,451.00	.0
TOTAL NON-DEPARTMENTAL	585,573.00	12,054.69	87,128.37	498,444.63	14.9
TOTAL FUND EXPENDITURES	3,853,863.00	236,399.91	2,114,444.66	1,739,418.34	54.9
NET REVENUE OVER EXPENDITURES	(546,278.00)	35,043.44	876,172.04	(1,422,450.04)	160.4

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2008

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	298,000.00	25,383.28	168,744.22	129,255.78	56.6
OTHER REVENUE	3,900.00	428.93	3,394.89	505.11	87.1
TOTAL FUND REVENUE	301,900.00	25,812.21	172,139.11	129,760.89	57.0
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	93,525.00	5,095.53	42,236.91	51,288.09	45.2
MATERIAL AND SERVICES	215,803.00	17,113.24	108,176.69	107,626.31	50.1
CAPITAL OUTLAY	15,500.00	.00	.00	15,500.00	.0
TRANSFERS OUT	60,537.00	.00	60,537.00	.00	100.0
CONTINGENCIES AND RESERVES	50,000.00	.00	.00	50,000.00	.0
TOTAL EXPENDITURES	435,365.00	22,208.77	210,950.60	224,414.40	48.5
TOTAL FUND EXPENDITURES	435,365.00	22,208.77	210,950.60	224,414.40	48.5
NET REVENUE OVER EXPENDITURES	(133,465.00)	3,603.44	(38,811.49)	(94,653.51)	(29.1)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2008

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
CHARGES FOR SERVICES	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,294,300.00	80,457.75	808,617.41	485,682.59	62.5
OTHER INCOME	4,026,000.00	3,022.74	22,687.97	4,003,312.03	.6
TRANSFERS IN	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	5,320,300.00	83,480.49	831,305.38	4,488,994.62	15.6
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	246,000.00	18,593.02	149,940.68	96,059.32	61.0
MATERIAL AND SERVICES	208,980.00	19,257.12	118,211.47	90,768.53	56.6
CAPITAL OUTLAY	4,086,875.00	204,296.10	251,204.30	3,835,670.70	6.2
TRANSFERS OUT	447,379.00	.00	132,379.00	315,000.00	29.6
TOTAL WATER DISTRIBUTION	4,989,234.00	242,146.24	651,735.45	4,337,498.55	13.1
WATER TREATMENT:					
PERSONAL SERVICES	193,450.00	11,699.49	114,995.21	78,454.79	59.4
MATERIAL AND SERVICES	180,810.00	14,943.81	112,251.31	68,558.69	62.1
CAPITAL OUTLAY	155,875.00	.00	4,710.70	151,164.30	3.0
TRANSFERS OUT	74,514.00	.00	74,514.00	.00	100.0
CONTINGENCIES AND RESERVES	66,988.00	.00	.00	66,988.00	.0
TOTAL WATER TREATMENT	671,637.00	26,643.30	306,471.22	365,165.78	45.6
WATER DISTRIBUTION:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TOTAL WATER DISTRIBUTION	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	5,660,871.00	268,789.54	958,206.67	4,702,664.33	16.9
NET REVENUE OVER EXPENDITURES	(340,571.00)	(185,309.05)	(126,901.29)	(213,669.71)	(37.3)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2008

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
CHARGES FOR SERVICES	2,776,500.00	223,354.75	1,664,711.91	1,111,788.09	60.0
OTHER REVENUE	4,033,000.00	2,355.72	18,066.53	4,014,933.47	.5
TRANSFER IN	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	6,809,500.00	225,710.47	1,682,778.44	5,126,721.56	24.7
<u>EXPENDITURES</u>					
WASTEWATER COLLECTION:					
PERSONAL SERVICES	348,950.00	20,594.02	176,585.48	172,364.52	50.6
MATERIAL AND SERVICES	200,100.00	9,372.30	154,339.47	45,760.53	77.1
CAPITAL OUTLAY	707,206.00	.00	4,710.70	702,495.30	.7
TRANSFERS OUT	115,666.00	.00	115,666.00	.00	100.0
TOTAL WASTEWATER COLLECTION	1,371,922.00	29,966.32	451,301.65	920,620.35	32.9
WASTEWATER TREATMENT:					
PERSONAL SERVICES	397,175.00	23,472.11	239,526.52	157,648.48	60.3
MATERIAL AND SERVICES	446,500.00	34,736.43	283,481.99	163,018.01	63.5
CAPITAL OUTLAY	4,255,875.00	1,177.27	28,527.87	4,227,347.13	.7
TRANSFERS OUT	877,487.00	.00	877,487.00	.00	100.0
CONTINGENCIES AND RESERVES	450,000.00	.00	.00	450,000.00	.0
TOTAL WASTEWATER TREATMENT	6,427,037.00	59,385.81	1,429,023.38	4,998,013.62	22.2
TOTAL FUND EXPENDITURES	7,798,959.00	89,352.13	1,880,325.03	5,918,633.97	24.1
NET REVENUE OVER EXPENDITURES	(989,459.00)	136,358.34	(197,546.59)	(791,912.41)	(20.0)

CITY OF BROOKINGS
FUND SUMMARY
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2008

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	359,600.00	24,493.32	308,012.30	51,587.70	85.7
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	10,000.00	744.99	3,060.88	6,939.12	30.6
TOTAL FUND REVENUE	369,600.00	25,238.31	311,073.18	58,526.82	84.2
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	22,500.00	6,651.17	10,955.75	11,544.25	48.7
CAPITAL OUTLAY	309,000.00	.00	245,083.42	63,916.58	79.3
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	29,698.00	.00	29,698.00	.00	100.0
CONTINGENCIES AND RESERVES	54,646.00	.00	.00	54,646.00	.0
TOTAL GENERAL	415,844.00	6,651.17	285,737.17	130,106.83	68.7
GENERAL:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TOTAL GENERAL	.00	.00	.00	.00	.0
GENERAL:					
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
TOTAL GENERAL	.00	.00	.00	.00	.0
GENERAL:					
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
TOTAL GENERAL	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	415,844.00	6,651.17	285,737.17	130,106.83	68.7
NET REVENUE OVER EXPENDITURES	(46,244.00)	18,587.14	25,336.01	(71,580.01)	54.8

BUILDING DEPARTMENT ACTIVITIES SUMMARY

For the Month of: March 2009

No.	Building	Permit Fee	Plan Check Fee	Surcharge	SDC's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
0	Single Family Dwelling	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	2	\$912,023.00	5	\$1,613,696.00
2	Single Family Addition	\$420.50	\$224.90	\$50.46	\$0.00	\$79,014.00	3	\$86,276.00	4	\$26,258.00
0	Single Family Garage-Carport	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	2	\$61,972.00
0	Two Family Residential	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Multi-Family Residential Apts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Commercial New	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Commercial Addition-Change	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$166,284.00	2	\$535,000.00
0	Churches	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	School Repair-Addition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Building Removal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	2	\$0.00	1	\$0.00
2	Misc.-Retaining Wall-Fence	\$266.00	\$0.00	\$31.92	\$0.00	\$40,885.00	7	\$114,285.00	1	\$20,000.00
4	Total Building Permits	\$686.50	\$224.90	\$82.38	\$0.00	\$119,899.00	15	\$1,278,868.00	15	\$2,256,926.00
1	Mechanical Permits	\$25.00	\$0.00	\$3.00	N/A	N/A	4	N/A		N/A
0	Plumbing Permits	\$0.00	N/A	\$0.00		N/A	2	N/A		N/A
0	Mfg Home Install - Permit Fee	\$0.00	N/A	\$0.00	N/A	N/A		N/A		N/A
0	Mfg Home Install - Administrative Fee	\$0.00	N/A	\$0.00	N/A	N/A		N/A		N/A
5	TOTAL PERMITS	\$711.50	\$224.90	\$85.38	\$0.00	\$119,899.00	21	\$1,278,868.00	15	\$2,256,926.00
	Total Year to Date Calculated Fees									
	2006 YTD Calculated Fees									

For the month of: **March 2009**

(1 6 6)