

# City of Brookings

## MEETING AGENDA

### CITY COUNCIL

**Monday, October 24 2022, 7:00pm**

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

### CITY COUNCIL

#### A. Call to Order

#### B. Pledge of Allegiance

#### C. Roll Call

#### D. Ceremonies/Announcements

1. Donny Dotson – 25 Years of Service
2. City Manager Announcements

#### E. Oral Requests and Communications from the audience

(\*Public Comments on non-agenda items – five (5) minute limit per person, please submit Public Comment Form in advance)

#### F. Consent Calendar

1. Approve City Council meeting minutes for October 10 2022 [Pg. 1]
2. Approve Special City Council meeting minutes for October 17, 2022 [Pg. 3]
3. Cancel November 28, 2022 City Council Meeting
4. Cancel December 26, 2022 City Council Meeting
5. Accept September Vouchers [Pg. 4]

#### G. Staff Reports

1. Natures Coastal Holiday [Pg. 10]
  - a. Tourism Event Fund Assistance Application [Pg. 11]
  - b. Letter of Request from Natures Coastal Holiday [Pg. 12]
  - c. Comprehensive Campaign Proposal [Pg. 13]
2. 2022-23 Streets Paving Project [Pg. 25]
  - a. Tidewater Change Order #1 [Pg. 26]
3. Land Development Code Revisions [Pg. 27]
  - a. Ordinance 22-O-802 [Pg. 28]
4. Management Compensation Plan [Pg. 32]
  - a. Financial Comparison [Pg. 34]
  - b. Updated Management Compensation Plan [Pg. 35]

#### H. Remarks from Mayor and Councilors

#### I. Adjournment

\*Public Comment forms and the agenda packet are available on-line at [www.brookings.or.us](http://www.brookings.or.us), at Brookings City Hall and at Chetco Community Public Library. Return completed Public Comment forms to the City Recorder before the start of the meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 469-1102 if you have any questions regarding this notice.

If you would like to view the City Council Meeting live, you can via:

- Television – Charter Channel 181

- Internet – Go to the City of Brookings website at <http://www.brookings.or.us>

Watch Meeting Live instructions: 1. Visit the City of Brookings website home page. 2. Click on Government (top page). 3. Click on City Council (right side). 4. Under Agenda & Meetings click Watch Meeting Live. 5. You will need to download the VLC Media Player. Follow directions and links for your device.

**City of Brookings**  
**CITY COUNCIL MEETING MINUTES**  
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415  
**Monday, October 10, 2022**

**Call to Order**

Mayor Hedenskog called the meeting to order at 7:00 PM

**Roll Call**

Council Present: Mayor Ron Hedenskog, Councilors Brad Alcorn, Ed Schreiber, John McKinney, and Michelle Morosky; a quorum present.

Staff present: City Manager Pro Tem Gary Milliman, Public Works Director Tony Baron, and Deputy City Recorder Natasha Tippetts

Media Present: 0

Others Present: 8

**Ceremonies/Announcements**

1. Red Ribbon Week Proclamation

**Consent Calendar**

1. Approve Council meeting minutes for September 26, 2022
2. Receive Special Council meeting minutes for October 3, 2022
3. Accept Parks and Recreation meeting minutes for June 23, 2022
4. Accept Planning Commission meeting minutes for September 6, 2022
5. Liquor License – Compass Rose Cafe

**Mayor Hedenskog moved, Councilor Schreiber seconded, and Council voted unanimously to approve the Consent Calendar.**

**Mayor Hedenskog moved, Councilor Schreiber seconded, and Council voted unanimously to remove Item G4, Management Compensation Plan from the agenda and be placed on a City Council Workshop agenda.**

**Staff Reports**

**1. Buena Vista Water Line Replacement Project**

*Staff report presented by Tony Baron*

**Councilor Schreiber moved, Councilor Alcorn seconded, and Council voted unanimously to authorize City Manager to enter into an agreement with Tidewater Contractors Inc. in the amount of \$208, 707 for the Buena Vista Loop Water Main Project.**

## **2. Street Project Update**

*Staff report presented by Tony Baron*

**Baron updated Council on current and future street projects funded by the current fuel tax.**

## **3. Update agreement with City Manager Pro Tem**

*Staff report presented by Gary Milliman*

**Councilor Alcorn moved, Councilor McKinney seconded, and Council voted unanimously authorize the Mayor to execute an employment agreement dated October 10, 2022 for the City Manager Pro Tem services with Gary Milliman.**

## **Remarks from Mayor and Councilors**

None.

## **Adjournment**

Mayor Hedenskog moved, Councilor Schreiber seconded and Council voted unanimously to adjourn the meeting at 7:18 PM.

Respectfully submitted:

ATTESTED:  
this 24th day of October, 2022:

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Ron Hedenskog, Mayor

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Gary Milliman, City Recorder Pro Tem

# City of Brookings

## SPECIAL CITY COUNCIL MEETING MINUTES

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

**Monday, October 17, 2022**

### **Call to Order**

Mayor Hedenskog called the meeting to order at 6:30 PM

### **Roll Call**

Council Present: Mayor Ron Hedenskog, Councilors Brad Alcorn, Ed Schreiber, John McKinney, and Michelle Morosky; a quorum present.

Staff present: City Manager Pro Tem Gary Milliman

Media Present: 2

Others Present: 0

### **Employment of City Manager Janell Howard**

Mayor Ron Hedenskog provided a statement to be included in the record:

"In the best interest of the City of Brookings and because of the need to preserve institutional and local experience, knowledge and intelligence, I am asking the Council to stand with me at this critical time to make a decision that will produce the least disruption to the smooth operations of our City."

### **Mayor Ron Hedenskog motioned:**

Instruct the City Attorney to construct a document acceptable to the City Council and Janell Howard, signed by the Mayor and prepared for Janell's signature, that;

1. Transitions her employment in the City from her current appointed position as a City Manager/Finance Director/Recorder to a position responsible for administering grants and Loans, primarily the current USDA loan and grant. This administrative position will be in Direct supervision of the City Manager or City Manager Pro Tem.
2. Janell Howard's compensation for this position will be set at the highest level of Management according to the adopted Management Compensation Plan. All her accumulated benefits such as sick and vacation leave will roll over to this new position.

**Councilor Schreiber seconded, and with a three to two vote with Councilor McKinney, Councilor Morosky, and Councilor Alcorn voting Nay, the motion failed.**

**Councilor McKinney motioned to authorize the City Attorney to initiate a conversation with Janell Howard about a separation agreement. Councilor Alcorn seconded and with a three to two vote, Councilor Morosky, Councilor Alcorn and Councilor McKinney voting Aye, the motion carries.**

### **Adjournment**

Mayor Hedenskog moved, Councilor Schreiber seconded and Council voted unanimously to adjourn the meeting at 7:55 PM.

Respectfully submitted:

ATTESTED:  
this 24th day of October, 2022:

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Ron Hedenskog, Mayor

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Gary Milliman, City Recorder Pro Tem

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	3,646,440.00	85,039.27	307,576.91	3,338,863.09	8.4
LICENSES AND PERMITS	296,500.00	32,522.16	100,840.19	195,659.81	34.0
INTERGOVERNMENTAL	293,500.00	15,738.87	780,318.26	( 486,818.26)	265.9
CHARGES FOR SERVICES	994,500.00	44,720.74	151,671.31	842,828.69	15.3
OTHER REVENUE	125,500.00	4,325.74	37,919.23	87,580.77	30.2
TRANSFERS IN	633,382.00	.00	.00	633,382.00	.0
	5,989,822.00	182,346.78	1,378,325.90	4,611,496.10	23.0
<u>EXPENDITURES</u>					
JUDICIAL:					
PERSONAL SERVICES	35,168.00	3,209.15	9,798.15	25,369.85	27.9
MATERIAL AND SERVICES	12,850.00	621.80	1,303.06	11,546.94	10.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	48,018.00	3,830.95	11,101.21	36,916.79	23.1
FINANCE AND ADMINISTRATION:					
PERSONAL SERVICES	384,120.00	29,502.52	91,413.88	292,706.12	23.8
MATERIAL AND SERVICES	227,300.00	19,914.60	72,157.75	155,142.25	31.8
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	611,420.00	49,417.12	163,571.63	447,848.37	26.8
POLICE:					
PERSONAL SERVICES	3,027,250.00	214,839.63	699,181.28	2,328,068.72	23.1
MATERIAL AND SERVICES	204,000.00	17,805.08	52,191.04	151,808.96	25.6
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	67,867.00	4,452.31	13,356.93	54,510.07	19.7
TRANSFERS OUT	.00	.00	.00	.00	.0
	3,299,117.00	237,097.02	764,729.25	2,534,387.75	23.2
FIRE:					
PERSONAL SERVICES	235,238.00	17,955.45	55,441.25	179,796.75	23.6
MATERIAL AND SERVICES	105,500.00	5,396.04	26,701.61	78,798.39	25.3
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	30,580.00	.00	.00	30,580.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	371,318.00	23,351.49	82,142.86	289,175.14	22.1

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

GENERAL FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
PLANNING AND BUILDING:					
PERSONAL SERVICES	242,675.00	14,570.87	45,176.09	197,498.91	18.6
MATERIAL AND SERVICES	92,900.00	6,373.95	13,762.72	79,137.28	14.8
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	335,575.00	20,944.82	58,938.81	276,636.19	17.6
PARKS & RECREATION:					
PERSONAL SERVICES	285,789.00	22,346.60	68,670.51	217,118.49	24.0
MATERIAL AND SERVICES	121,300.00	9,951.95	34,750.84	86,549.16	28.7
CAPITAL OUTLAY	.00	.00	.00	.00	.0
DEBT SERVICE	9,981.00	.00	.00	9,981.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
	417,070.00	32,298.55	103,421.35	313,648.65	24.8
GOLF COURSE:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	700,000.00	.00	.00	700,000.00	.0
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	700,000.00	.00	.00	700,000.00	.0
SWIMMING POOL:					
PERSONAL SERVICES	94,384.00	10,473.99	61,180.53	33,203.47	64.8
MATERIAL AND SERVICES	56,200.00	10,508.62	28,044.73	28,155.27	49.9
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	150,584.00	20,982.61	89,225.26	61,358.74	59.3
NON-DEPARTMENTAL:					
MATERIAL AND SERVICES	168,600.00	9,894.42	22,130.62	146,469.38	13.1
CAPITAL OUTLAY	.00	.00	.00	.00	.0
TRANSFERS OUT	285,000.00	.00	.00	285,000.00	.0
CONTINGENCIES AND RESERVES	623,120.00	.00	.00	623,120.00	.0
	1,076,720.00	9,894.42	22,130.62	1,054,589.38	2.1
	7,009,822.00	397,816.98	1,295,260.99	5,714,561.01	18.5
	( 1,020,000.00)	( 215,470.20)	83,064.91	( 1,103,064.91)	8.1

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

STREET FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL	710,000.00	46,726.25	127,645.07	582,354.93	18.0
OTHER REVENUE	20,200.00	2,065.40	2,606.35	17,593.65	12.9
TRANSFER IN	.00	.00	.00	.00	.0
	<u>730,200.00</u>	<u>48,791.65</u>	<u>130,251.42</u>	<u>599,948.58</u>	<u>17.8</u>
<u>EXPENDITURES</u>					
EXPENDITURES:					
PERSONAL SERVICES	231,087.00	16,839.74	52,372.58	178,714.42	22.7
MATERIAL AND SERVICES	215,500.00	7,172.45	37,995.27	177,504.73	17.6
CAPITAL OUTLAY	250,000.00	.00	.00	250,000.00	.0
DEBT SERVICE	4,409.00	.00	.00	4,409.00	.0
TRANSFERS OUT	119,370.00	.00	.00	119,370.00	.0
CONTINGENCIES AND RESERVES	139,834.00	.00	.00	139,834.00	.0
	<u>960,200.00</u>	<u>24,012.19</u>	<u>90,367.85</u>	<u>869,832.15</u>	<u>9.4</u>
	<u>960,200.00</u>	<u>24,012.19</u>	<u>90,367.85</u>	<u>869,832.15</u>	<u>9.4</u>
	<u>( 230,000.00)</u>	<u>24,779.46</u>	<u>39,883.57</u>	<u>( 269,883.57)</u>	<u>17.3</u>



CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

WATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
SOURCE 03	.00	.00	.00	.00	.0
CHARGES FOR SERVICES	1,885,000.00	170,892.12	542,467.42	1,342,532.58	28.8
OTHER INCOME	48,000.00	2,945.00	9,128.19	38,871.81	19.0
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>1,933,000.00</u>	<u>173,837.12</u>	<u>551,595.61</u>	<u>1,381,404.39</u>	<u>28.5</u>
<u>EXPENDITURES</u>					
WATER DISTRIBUTION:					
PERSONAL SERVICES	404,558.00	31,718.31	96,891.17	307,666.83	24.0
MATERIAL AND SERVICES	197,800.00	10,516.48	48,824.87	148,975.13	24.7
CAPITAL OUTLAY	50,000.00	7,053.92	7,053.92	42,946.08	14.1
DEBT SERVICE	28,294.00	2,331.01	5,213.01	23,080.99	18.4
TRANSFERS OUT	24,000.00	.00	.00	24,000.00	.0
	<u>704,652.00</u>	<u>51,619.72</u>	<u>157,982.97</u>	<u>546,669.03</u>	<u>22.4</u>
WATER TREATMENT:					
PERSONAL SERVICES	28,833.00	2,066.20	6,333.62	22,499.38	22.0
MATERIAL AND SERVICES	545,780.00	42,008.62	118,605.42	427,174.58	21.7
CAPITAL OUTLAY	10,000.00	.00	.00	10,000.00	.0
DEBT SERVICE	2,385.00	.00	.00	2,385.00	.0
TRANSFERS OUT	728,196.00	.00	.00	728,196.00	.0
CONTINGENCIES AND RESERVES	143,154.00	.00	.00	143,154.00	.0
	<u>1,458,348.00</u>	<u>44,074.82</u>	<u>124,939.04</u>	<u>1,333,408.96</u>	<u>8.6</u>
DEPARTMENT 24:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>2,163,000.00</u>	<u>95,694.54</u>	<u>282,922.01</u>	<u>1,880,077.99</u>	<u>13.1</u>
	<u>( 230,000.00)</u>	<u>78,142.58</u>	<u>268,673.60</u>	<u>( 498,673.60)</u>	<u>116.8</u>

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

WASTEWATER FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
REVENUE					
SOURCE 03	( 4,500.00)	.00	.00	( 4,500.00)	.0
CHARGES FOR SERVICES	3,508,300.00	312,225.78	938,953.83	2,569,346.17	26.8
OTHER REVENUE	10,000.00	.00	1,840.77	8,159.23	18.4
TRANSFER IN	.00	.00	.00	.00	.0
	3,513,800.00	312,225.78	940,794.60	2,573,005.40	26.8

EXPENDITURES

WASTEWATER COLLECTION:

PERSONAL SERVICES	624,241.00	45,654.04	144,705.87	479,535.13	23.2
MATERIAL AND SERVICES	235,500.00	3,190.75	49,790.04	185,709.96	21.1
CAPITAL OUTLAY	15,000.00	.00	.00	15,000.00	.0
DEBT SERVICE	28,294.00	2,330.99	5,212.99	23,081.01	18.4
TRANSFERS OUT	212,522.00	.00	.00	212,522.00	.0
	1,115,557.00	51,175.78	199,708.90	915,848.10	17.9

WASTEWATER TREATMENT:

PERSONAL SERVICES	43,586.00	3,099.33	9,500.50	34,085.50	21.8
MATERIAL AND SERVICES	1,118,925.00	83,972.35	210,855.97	908,069.03	18.8
CAPITAL OUTLAY	15,000.00	.00	.00	15,000.00	.0
DEBT SERVICE	2,385.00	.00	.00	2,385.00	.0
TRANSFERS OUT	1,350,434.00	.00	.00	1,350,434.00	.0
CONTINGENCIES AND RESERVES	242,413.00	.00	.00	242,413.00	.0
	2,772,743.00	87,071.68	220,356.47	2,552,386.53	8.0
	3,888,300.00	138,247.46	420,065.37	3,468,234.63	10.8
	( 374,500.00)	173,978.32	520,729.23	( 895,229.23)	139.1

CITY OF BROOKINGS  
FUND SUMMARY  
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

URBAN RENEWAL AGENCY FUND

	BUDGET	PERIOD ACTUAL	YTD ACTUAL	REMAINING BUDGET	PCNT
<u>REVENUE</u>					
TAXES	639,676.00	2,082.02	8,809.04	630,866.96	1.4
INTERGOVERNMENTAL	.00	.00	.00	.00	.0
OTHER REVENUE	2,000.00	.00	1,690.71	309.29	84.5
TRANSFERS IN	.00	.00	.00	.00	.0
	<u>641,676.00</u>	<u>2,082.02</u>	<u>10,499.75</u>	<u>631,176.25</u>	<u>1.6</u>
<u>EXPENDITURES</u>					
GENERAL:					
PERSONAL SERVICES	.00	.00	.00	.00	.0
MATERIAL AND SERVICES	186,000.00	.00	.00	186,000.00	.0
CAPITAL OUTLAY	1,355,676.00	105,925.40	298,629.25	1,057,046.75	22.0
DEBT SERVICE	.00	.00	.00	.00	.0
TRANSFERS OUT	.00	.00	.00	.00	.0
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>1,541,676.00</u>	<u>105,925.40</u>	<u>298,629.25</u>	<u>1,243,046.75</u>	<u>19.4</u>
DEPARTMENT 20:					
CAPITAL OUTLAY	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 22:					
MATERIAL AND SERVICES	.00	.00	.00	.00	.0
DEBT SERVICE	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
DEPARTMENT 24:					
CONTINGENCIES AND RESERVES	.00	.00	.00	.00	.0
	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>.0</u>
	<u>1,541,676.00</u>	<u>105,925.40</u>	<u>298,629.25</u>	<u>1,243,046.75</u>	<u>19.4</u>
	<u>( 900,000.00)</u>	<u>( 103,843.38)</u>	<u>( 288,129.50)</u>	<u>( 611,870.50)</u>	<u>( 32.0)</u>

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: October 24, 2022

Originating Dept: City Manager

\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

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Subject:

Tourism Event Fund Assistance Evaluation – 2022 Festival of Lights

Recommended Motion:

Motion to authorize City Manager to proceed with a Tourism Event Fund Assistance Agreement with Natures Coastal Holiday for \$5,000.

Financial Impact:

\$5,000 allocation from Transient Occupancy Tax funds set aside for events and promotions.

Background/Discussion:

Council authorized a Tourism Event Fund Assistance to the Natures Coastal Holiday event organizers in the amount of \$5,000 in Transient Occupancy Tax (TOT) funding for the 2022 Festival of Lights in Azalea Park.

NCH organizers have provided an event evaluation reporting they had a very successful holiday light show with 24,203 visitors. With the funding provided they were able to use social media resources and purchase banners to publicize the event and attract visitors which resulted in a great turnout to the event and gate revenue.

NCH requested \$5,000 in TOT funding for the 2022 event. These funds will be used to fund an integrated promotional program utilizing radio and social media. This funding was approved by the City Manager on October 10, 2022 in order to get the media program underway in a timely fashion.

Attachment(s):

- a. Tourism Event Fund Assistance Agreement
- b. Letter of Request from Natures Coastal Holiday
- c. Comprehensive Campaign Proposal

## Tourism Event Fund Assistance Agreement

This Tourism Event Fund Assistance (TEFA) Agreement is entered into effect the 10<sup>TH</sup> day of October, 2022, by and between the City of Brookings (City) a public body organized and existing under Oregon Revised Statutes 457.010 through 457.460 and any assignee of, or successor to, its rights, powers and responsibilities, and Natures Coastal Holiday, (Applicant).

### RECITALS:

- A. WHEREAS, City offers TEFA for organizations with projects and/or events that meet the conditions outlined in the TEFA guidelines; and
- B. WHEREAS, Applicant has applied for tourism event funding assistance, a copy of Applicant's Proposal, attached hereto as Exhibit "A"; and
- C. WHEREAS, the parties desire to further set forth their respective rights, duties, obligations, and responsibilities with regard to the approved event;
- D. NOW, THEREFORE, in consideration of the mutual agreement of the parties set out herein:

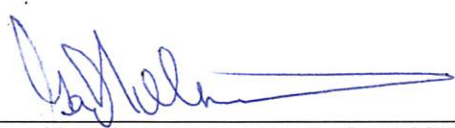
### IT IS AGREED:

1. EVENT DESCRIPTION. This agreement covers one event, Festival of Lights to be held Nov. 26 - Dec. 26, 2022. Description of the approved event is included in Applicant's Proposal as provided in attached Exhibit "A." Any changes to the approved event must be requested by Applicant in writing to the City of Brookings City Manager prior to the start of the event.
2. RESPONSIBILITIES OF THE APPLICANT. Event must be completed by Dec. 26, 2022. Applicant will provide, within three (3) months of the completion date, a completed Event Evaluation Form, herein referred to as Exhibit "B," providing information regarding how funding was used and event attendance. Applicant acknowledges that failure to comply with this reporting requirement may eliminate the applicant from future consideration for TEFA funds.
3. RESPONSIBILITIES OF THE CITY: City will provide funding for an integrated promotional program as described in the attachments an amount not to exceed five thousand dollars (\$5,000.00).
4. HOLD HARMLESS. Applicant shall indemnify and hold City harmless from and against any and all claims, demands, suits, actions or judgments, and all expenses (including attorney's fees incurred by City), arising from, or in any way related to, the proposed project/event.
5. ATTORNEY FEES. If a dispute arises in connection with this agreement, the prevailing party in such dispute shall be entitled to receive reasonable attorney fees and costs from the other party.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the dates set forth below:

CITY

City of Brookings  
A public body



City Manager Pro Tem Gary Milliman

APPLICANT

Leslie Wilkinson  
Natures Coastal Holiday Representative  
Print name/Title



Signature





PO Box 6928  
Brookings, Oregon 97415

EIN 93-1256343

[naturescoastalholiday.com](http://naturescoastalholiday.com)

[naturescoastalholidaybrookings@gmail.com](mailto:naturescoastalholidaybrookings@gmail.com)

October 10, 2022

City of Brookings  
Gary Milliman, Acting City Manager

Dear Gary,

As discussed, Nature's Coastal Holiday has been offered a promotional opportunity which will allow us to take advantage of an aggressive social media and broadcast advertising program to promote our show. Nature's Coastal Holiday is requesting \$4935 from the City of Brookings TPAC funds in support of our event to cover the expense of the program.

As a reminder, the program we are wishing to undertake is intended to drive visitors from the greater Oregon and Northern California areas to the Festival of Lights. The package described in the attached, will be directly driven at potential visitors and will focus on the idea of making the Festival of Lights a holiday vacation. Viewers will be driven to our website and links will be provided to the City of Brookings website.

We hope you will agree that the use of the TPAC funds for this promotion is worthwhile. We will be able to supply you, as outlined in the packet, detailed numbers of the direct marketing impact. This model may serve as an example of a program that can be used for the Azalea Festival as well.

Looking forward to your reply. Please contact me at your earliest convenience with your decision.

Respectfully,

*Leslie Wilkinson*

Leslie Wilkinson, Board Member, Nature's Coastal Holiday  
[lawsrod1@sbcglobal.net](mailto:lawsrod1@sbcglobal.net) Cell 530.521.5621

Encl.

The Best Christmas Light Show on the Oregon Coast



YOUR COMPREHENSIVE CAMPAIGN PROPOSAL  
DRIVE YOUR BUSINESS WITH THE POWER OF DIGITAL ADVERTISING



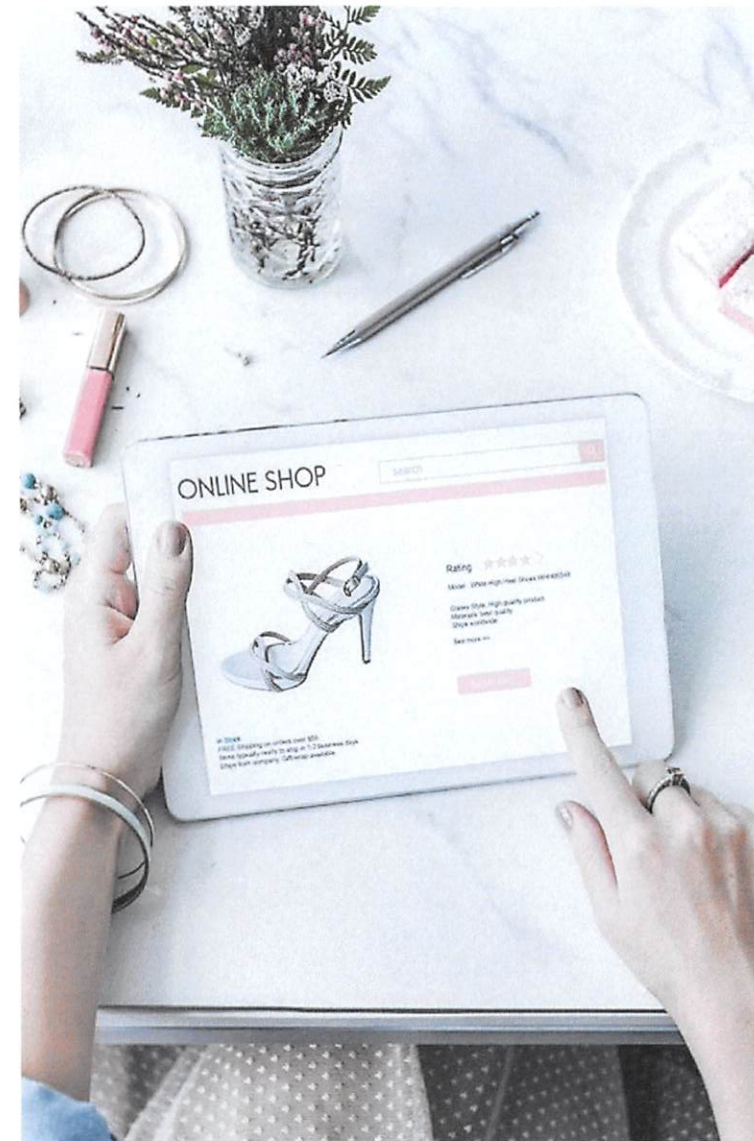
# OBJECTIVE: DRIVE TARGETED HOLIDAY TRAFFIC

GENERATE CONVERSIONS BY SHOWCASING  
YOUR WEBSITE TO THE RIGHT PEOPLE

As your official online presence, your website serves as your formal pitch to potential customers. By putting together the right blend of tactics, you can redirect not just more eyeballs, but the right ones to your site.

## THE SIGNIFICANCE OF WEBSITE TRAFFIC

- Focused on an audience that has an interest in what your website is selling
- Only the highest quality traffic is driven to your site, solidifying the possibility of conversions





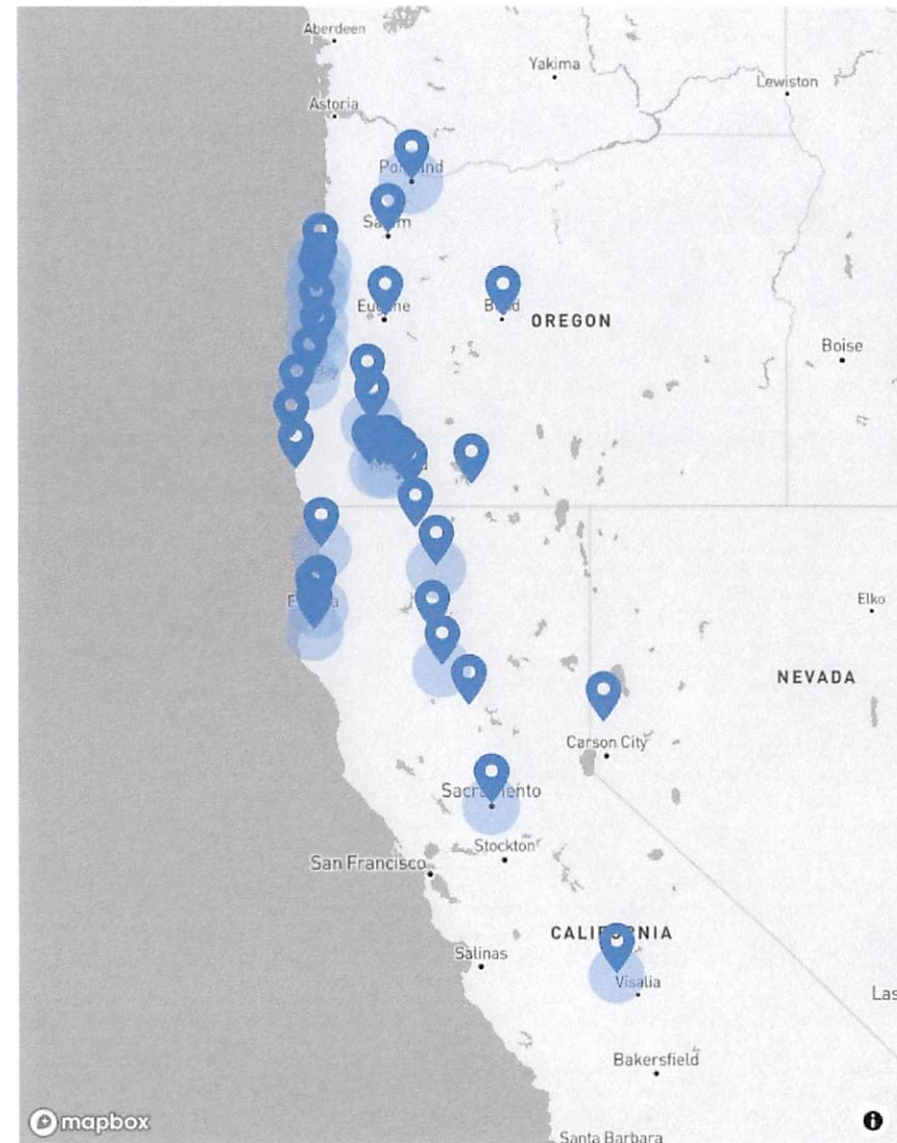
# CAMPAIGN GEOGRAPHY

## Campaign Geographic Area:

Arcata (+25 mi), Chico, Eureka, Fortuna (+25 mi), Klamath (+25 mi), Mount Shasta (+25 mi), Red Bluff (+25 mi), Redding, Sacramento (+25 mi), Yreka California, Reno Nevada, Ashland, Bandon, Bend, Canyonville (+25 mi), Eugene, Florence (+25 mi), Gold Beach, Gold Hill (+25 mi), Grants Pass, Klamath Falls, Medford, Newport (+25 mi), North Bend (+25 mi), Port Orford, Portland (+25 mi), Reedsport (+25 mi), Rogue River (+25 mi), Roseburg, Salem, Selma (+25 mi), Waldport (+25 mi), Yachats (+25 mi)

## Target Audience Size:

1,431,985

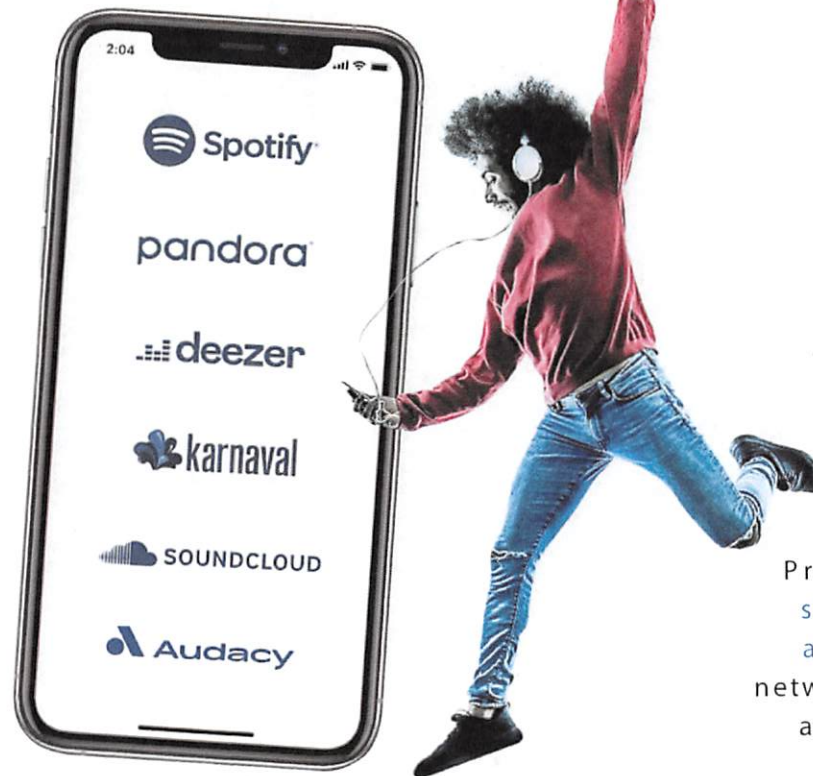


# PROGRAMMATIC AUDIO

## TARGET STREAMING LISTENERS WITH PINPOINT PRECISION

We take music with us everywhere we go ... from the gym to the shower, from the house to the car, and from the office to the subway. Programmatic audio advertising allows us to take the power of radio and extend that reach to digital with precise audience targeting.

Deliver ads to your ideal customer and not just a channel they might be listening to! With programmatic audio, we can target the exact users you want to reach by age, gender, location and even musical interests. AND, that audience is growing:



# 32%

increase in household audio consumption in 2020, for an average total of 54 minutes/day.

Programmatic Audio is a **non-skippable, brand-safe audio advertising** offering using a network of premium broadcasters and internet music services.



AWARENESS

CONSIDERATION

PURCHASE

RETENTION

ADVOCACY

Source: [Marketing Charts, 2020](#)

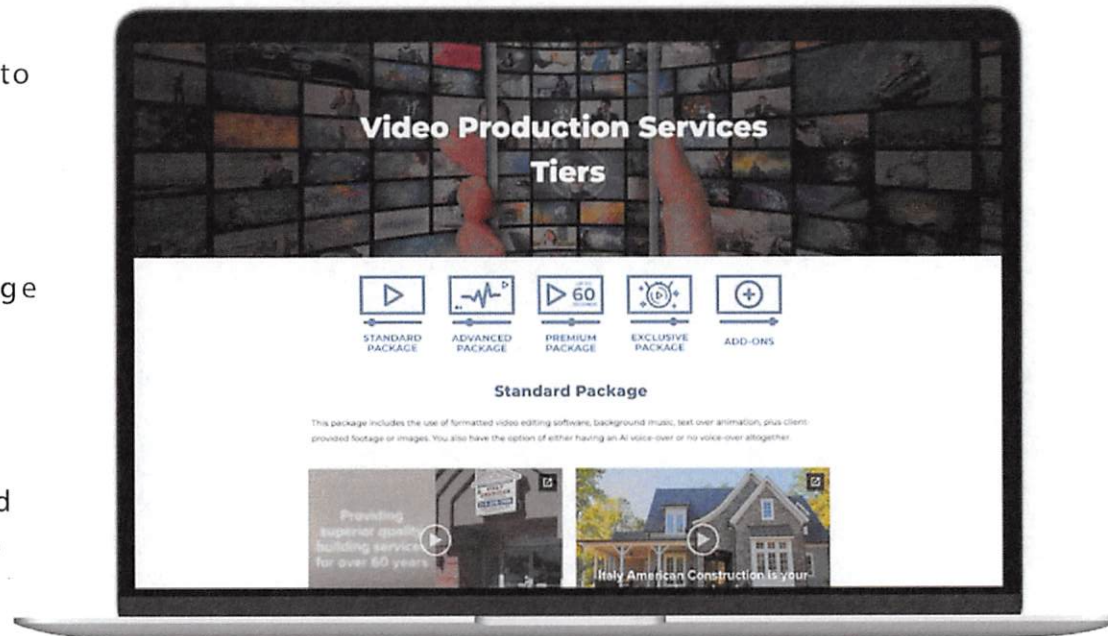
PAGE

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# VIDEO PRODUCTION SERVICES

## BRINGING YOUR BRAND TO LIFE WITH PROFESSIONAL AND CUSTOMIZED VIDEOS

We offer video production services to help you increase engagement across digital advertising tactics. Choose the custom video package that fits your needs, from professional voice-overs to our impressive stock library of images and clips. We are here to bring your brand to life!



THESE VIDEOS CAN BE UTILIZED FOR:



Pre-Roll & Mid-Roll Videos



Digital Out Of Home



YouTube TrueView



OTT



Facebook, Instagram, LinkedIn, TikTok and Snapchat



Website Branding Videos



NEW WAVE DIGITAL SOLUTIONS



# REPORTING & ANALYTICS

## SHOWCASING THE ROI FOR YOUR DIGITAL MARKETING CAMPAIGN



Easy-to-digest reporting dashboard

Includes everything from campaign goals to campaign performance

Monthly reports with Campaign Team insights

Get real-time reports on your metrics



NEW WAVE DIGITAL SOLUTIONS

# MEDIA PLAN RECOMMENDATION

This customized campaign recommendation was developed based on your goals and objectives. It is designed to maximize the impact of your campaign. You'll see a breakout of monthly impressions and investment according to each tactic.

PRODUCT	RATE TYPE	RATE	QUANTITY	30 Day Budget
Programmatic Display - Intent Targeting	CPM	\$12.00	110,833	\$700/mo
Geofence	CPM	\$12.00	79,166	\$500/mo
Programmatic Audio	CPM	\$40.00	9,500	\$200/mo
Pre-roll	CPM	\$25.00	76,000	\$1,200/mo
TOTAL				\$2,600/mo

Campaign Days: Total Days = 30

Campaign Start Date: 11/10/2022

Campaign End Date: 12/9/2022

Signature: \_\_\_\_\_



In order to run some digital media campaigns, advertiser must have appropriate business accounts/page access for all tactics selected and commit to implementation of required pixels.

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# BICOASTAL MEDIA

Proposal for Natures Coastal Holiday – September 29, 2022

Prepared by Larry Timpe

Cell 563-249-4589, Office 707-464-9561

# **Bicoastal Media Radio Markets**

**Medford, OR  
Grants Pass, OR  
Ashland, OR  
Coos Bay, OR  
Eureka, CA**

- **Radio ad campaign during the Holiday season promoting visits to Brookings/Curry County. Emphasis on shopping, eating, overnight stays and local events; Nature's Coastal Holiday Festival of Lights.**
- **Propose ad schedules first part of each week of campaign to help listeners plan their visit.**
- **Campaign target November 15<sup>th</sup> through December 20<sup>th</sup>.**

# Medford/Grants Pass/Ashland



Southern Oregon's Greatest Hits 70's & 80's.

Target 25 - 54

- Total of 30 ads @ \$12 per ad
- Ads scheduled in Morning Drive, Midday and Afternoon
- Total Investment - \$360



Top 40 (Today's Hits)

Target 18 - 34

- Total of 30 ads @ \$12 Per ad
- Ads scheduled in Morning Drive, Midday and Afternoon.
- Total Investment - \$360



Hot Country

Target 18 - 54

- Morning Drive ads 5a-10a  
5 x \$35 = \$175
- Midday ads 10a - 3p  
10 x \$25 = \$250
- Total Investment - \$425





## Coos Bay

Today's Hits  
Target 18 - 45

- Total of 30 ads @ \$12 per ad.  
(Plus 1 free ad per 2 purchase)
- Ads scheduled in Morning Drive, Midday and Afternoon
- Total Investment - \$360



Top 40 (Today's Hits)  
Target 18 – 34  
(KSHR)

- Total of 30 ads @ \$13 Per ad.  
(Plus 1 free ad per 2 purchase)
- Ads scheduled in Morning Drive, Midday and Afternoon.
- Total Investment - \$390

## Eureka, CA



Hot Country  
Target 18 - 54

- Total of 20 ads @ \$22 per ad.
- Ads scheduled in Morning Drive, and Afternoon
- Total Investment - \$440



BICOASTAL  
MEDIA

- Campaign Investment
- Medford/Grants Pass/Ashland total - \$1145
- Coos Bay total - \$750
- Eureka total - \$440
- Proposal total - \$2335

- Ad copy and actual dates of ad runs will be determined by the Bicoastal Media representative and person designated by Natures Coastal Holiday.

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Natures Coastal Holiday

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Date

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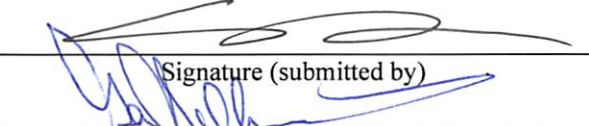
Bicoastal Media

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: October 24, 2022

Originating Dept: PWDS

  
\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

---

Subject:

2022-23 Streets Paving Projects Change Order

Recommended Motion:

Authorize City Manager to proceed with the Tidewater Contractors change order #1 in the amount of \$102,660 and continue the 2022-23 streets paving projects.

Financial Impact:

Tidewater estimates the change order at \$62,160 for the streets portion that will be budgeted from fuel tax revenues. Additional costs associated with the Kidtown parking lot are estimated at \$40,500 and will be budgeted from the Capital Projects Reserve Fund.

Background/Discussion:

During the course of constructing the 2022-23 street paving projects, several unforeseen poor subgrade conditions have been discovered and corrected. In some case's additional quantity of asphalt was required due to poor subgrade.

The bid from Tidewater Contractors for the 2022-23 Street Paving Projects was \$709,720 and included the Kidtown parking lot rehabilitation project (\$206,925). The parking lot project is funded through an Oregon Parks and Recreation Local Government Grant. The city's match portion (20%) of the grant is funded through the Capital Projects Reserve Fund. Poor subgrade in the Kidtown parking lot project was also discovered and required additional subgrade stabilization. Change Order 1 includes the additional work on the parking lot.

Attachments:

- a. Tidewater Change Order #1 - 2022-23 Streets Paving Projects

# City of Brookings – Contract Task Order

Contract Title: As Needed Contract Services

Contractor: Tidewater Contractors, Inc.

Contract #: 16-037 TO # 11 CO # 1 Project Manager: Anthony Baron

This Contract Task Order, described under the terms below, is made and entered into this  
12<sup>th</sup> day of October, 2022 by and between the City of Brookings,  
hereinafter referred to as “City,” and Tidewater Contractors, Inc.  
hereinafter referred to as “Contractor,” with an effective date of October 12, 2022

**The terms of this Change Order are: increase streets portion that will be budgeted from fuel  
tax revenues \$62,160. Increase costs associated with the Kidtown parking lot \$40,500 for a  
total increase of \$102,660.**

Original Contract Estimate \$ 709,720

Streets Change Order #1 \$ 62,160

Kidtown Parking Lot Change Order #1 \$ 40,500

New Contract Amount \$ 812,380

Completion Date (if applicable) : October 31, 2022

## **TIDEWATER CONTRACTORS, INC.**

## **CITY OF BROOKINGS**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Cassie Fitzhugh

Name: Gary Milliman

Title: Contract Admin

Title: City Manager Pro Tem

Address: PO Box 1956

Address: 898 Elk Drive

Brookings, OR 97415

Brookings, OR 97415



# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: October 24, 2022

Originating Dept: PW/DS

  
\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

---

Subject: Land Development Code Revisions – Short Term Rentals

Recommended Motion: approve file LDC-3-22 and adopt ordinance 22-O-802 amending the Brookings Municipal Code Chapter 17, amending Chapter 17.24.040, 17.28.040, 17.52.040 and 17.56.040 Conditional Uses and 17.124.170 Specific Standards Applying to Conditional Uses for Short Term Rentals.

Financial Impact: None

Background/Discussion: The Planning Commission expressed concerns regarding the trend of short term rentals. Common concerns addressed during public hearings is density, transient nature of short term rentals, contributing to the degradation of neighborhoods, on site nuisances including loud parties, animal control and parking. A concern has emerged as there is a perception in the community that much of the remaining available long term rental property is being converted to vacation rentals.

After a joint City Council and Planning Commission workshop held August 8, 2022 staff received direction to prepare revisions to the Brookings Municipal Code to include:

1. Restrict short term rentals to any existing dwelling in the R-1, C-3, C-4 and I-P zones.
2. Property owner shall register the dwelling with the City as a short-term rental.
3. Minimum of two off-street parking spaces required for a three bedroom dwelling; one additional off-street parking space required for each additional bedroom. Recreational Vehicles (RV's) and travel trailers prohibited.
4. Dwelling subject to an annual inspection to verify in compliance with permit.

Staff presented proposed code amendments to the Planning Commission on October 3, 2022 and they approved LDC-3-22 with a recommendation to Council for adoption of ordinance 22-O-802.

Staff recommends adoption of ordinance 22-O-802 amending the Brookings Municipal Code Chapter 17, amending Chapter 17.24.040, 17.28.040, 17.52.040 and 17.56.040 Conditional Uses and 17.124.170 Specific Standards Applying to Conditional Uses for Short Term Rentals.

Attachment(s):

- a. Ordinance 22-O-802

**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 22-O-802**

**IN THE MATTER OF ORDINANCE 22-O-802, AN ORDINANCE AMENDING THE BROOKINGS MUNICIPAL CODE CHAPTERS 17.24.040, 17.28.040, 17.52.040, 17.56.040 CONDITIONAL USES AND 17.124.170 SHORT TERM RENTALS.**

Sections:

Section 1. Ordinances Identified.

Section 2. Amends Chapter 17.24.040, 17.28.040, 17.52.040, 17.56.040 Conditional Uses

Section 3. Amends Chapter 17.124.170 Short Term Rentals

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends the Brookings Municipal Code Chapter 17.24.040, 17.28.040, 17.52.040, and 17.56.040 Conditional Uses, and 17.124.170 Short Term Rentals

Section 2. Amends the Brookings Municipal Code Chapter 17.24.040, 17.28.040, 17.52.040, and 17.56.040 Conditional Uses. to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

Section 3. Amends Chapter 17.124.170 Short Term Rentals. to read as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

First Reading: \_\_\_\_\_ Passage: \_\_\_\_\_

Second Reading: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2022

Attest:

\_\_\_\_\_  
Mayor Ron Hedenskog

\_\_\_\_\_  
City Manager Pro Tem Gary Milliman

## EXHIBIT A

### Changes to BMC:

(additions are **bold and underlined**, deletions are ~~**bold and strikeout**~~)

#### Chapter 17

#### LAND DEVELOPMENT CODE

##### 17.24 Two Family Residential (R-2) District

###### 17.24.040 Conditional Uses

~~**R. Short-term rentals pursuant to the provisions of BMC [17.124.170](#);**~~

**S R.** Poultry farms and eggeries, subject to the provisions of BMC [17.124.040](#);

~~**T S.**~~ Temporary living quarters for caretakers, subject to the provisions of BMC [17.124.200](#);

~~**U T.**~~ Cottage industries, subject to BMC [17.124.220](#);

~~**V U.**~~ Amateur radio facilities, accessory to a dwelling, subject to the provisions of BMC [17.124.230](#);

~~**W V.**~~ Benevolent meal services, as a primary use or in combination with another use permitted outright or conditionally, subject to BMC [17.124.050](#). [Ord. 21-O-795 § 2 (Exh. A); Ord. 16-O-752 § 3; Ord. 14-O-722 § 3; Ord. 08-O-613 § 2; Ord. 01-O-446.MM; Ord. 95-O-446.Y § 2; Ord. 95-O-446.X § 4; Ord. 93-O-446.L § 3; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]

##### 17.28 Multiple- Family Residential (R-3) District

###### 17.28.040 Conditional Uses

~~**R. Short-term rentals pursuant to the provisions of BMC [17.124.170](#);**~~

**S R.** Temporary living quarters for caretakers, subject to the provisions of BMC [17.124.200](#);

**T S.** Amateur radio facilities, accessory to a dwelling, subject to the provisions of BMC [17.124.230](#);

**U I.** Benevolent meal services, as a primary use or in combination with another use permitted outright or conditionally, subject to BMC [17.124.050](#). [Ord. 21-O-795 § 2 (Exh. A); Ord. 16-O-752 § 3; Ord. 14-O-722 § 3; Ord. 08-O-613 § 2; Ord. 01-O-446.MM; Ord. 95-O-446.Y § 2; Ord. 95-O-446.X § 4; Ord. 93-O-446.L § 3; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]

## 17.52 General Commercial (C-3) District

### 17.52.040 Conditional Uses

J. Short-term rentals **in existing single family dwellings** pursuant to the provisions of BMC [17.124.170](#);

## 17.56 Tourist Commercial (C-4) District

### 17.56.040 Conditional Uses

I. Short-term rentals **in existing single family dwellings** pursuant to the provisions of BMC [17.124.170](#);

## 17.124 Specific Standards Applying to Conditional Uses

### 17.124.170 Short-term rentals

Any existing dwelling in **a single family residential (R-1) any of the residential zones, and in the general commercial (C-3) zone, tourist commercial (C-4) zone and industrial park (I-P) zone** can be used for short-term rental purposes as set forth in that zone and pursuant to certain regulations as follows:

A. The property owner or holder shall **obtain a business license from the city of Brookings and register the dwelling with the City as a short-term rental** on a separate form.



B. A transient room tax will be applied pursuant to Chapter [3.10](#) BMC.

C. The property owner shall provide the name, address and telephone number of a local representative, either a property management business or an individual living within the Brookings urban growth boundary, who has the authority to make or have repairs made, resolve disputes and/or terminate occupancy if necessary.

D. Representative's name and telephone number shall be posted within the dwelling **and provided to all adjacent neighboring property owners.**

E. Applicant shall subscribe to a scheduled waste collection service and provide garbage receptacles on the property.

F. Short-term rental conditional use permits are specific to the owner of the dwelling unit and shall not run with the land. To continue with the use, within six months of the sale of the property, the new owner shall submit an minor change application pursuant to BMC [17.116.090](#) to address the criteria in this section. If the minor change is not approved by the planning commission or no application is submitted, the approval shall terminate. [Ord. 16-O-766 § 2; Ord. 08-O-616 § 2; Ord. 01-O-446.MM.]

**G. A minimum of two off street parking spaces are required for a three bedroom dwelling with one additional off street parking space required for each additional bedroom. Recreational Vehicles (RV's) and travel trailers are prohibited.**

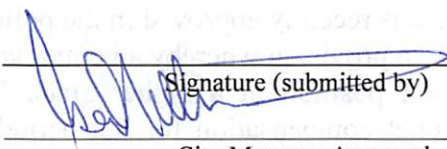
**H. The dwelling will be subject to an annual inspection by the city manager or designee on or around the anniversary date of the approved conditional use permit.**

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: October 24, 2022

Originating Dept: City Manager

  
Signature (submitted by)

City Manager Approval

---

### Subject:

Management Compensation Plan

### Recommended Motion:

Motion to approve Management Compensation Plan dated October 24, 2022

### Background/Discussion:

Compensation and other conditions of employment are established in four basic documents: collective bargaining agreements with the Brookings Police Association and the Teamsters Local 223, the Employee Handbook and the Management Compensation Plan.

The Management Compensation Plan addresses compensation and benefit administration for employees who are “exempt” from collective bargaining under the federal Fair Labor Standards Act. These employees include department managers, mid-managers, confidential and other employees who are not a part of a collective bargaining unit. In this Plan the compensation of management/exempt employees is adjusted to coincide with compensation adjustments approved for the collective bargaining units (i.e. police management/Police Association, other management/exempt/Teamsters Local 223).

The new salary schedules reflect the same adjustments for the current fiscal year that will be applicable to members of the two collective bargaining groups. This avoids union/non-union disparities and compression (i.e. narrowing the compensation gap between management and non-management employees) within the departments.

In the past, the salary increases for of the management/exempt group was tied to the police union contract. Because it was the Council’s intent to address the retention issue in that department, police employees received a 5+1.0 per cent salary increase, whereas Teamsters employees received a 5.0 per cent increase. This past practice should be reviewed going forward as the City Manager Pro Tem is advised that there are growing retention and succession concerns among management/exempt employees also.

The Management Compensation Plan was last updated in February 2018. In addition to the base compensation changes, the City Manager is recommending the following changes:

1. Deletion of the word “treatment” from all water and wastewater job titles as this function is now performed by a private contractor and no such positions exist.

2. Revising the Salary Classifications list to reflect changes that have occurred over the last four years.
3. Updating certain criteria for receiving education enhancements to reflect changes in various certificate programs.
4. Conforming the longevity incentive for police management employees to reflect that which was recently approved in the police agreement.
5. Adding a provision whereby an employee is temporarily assigned to perform the duties in a vacant position in a higher grade for a period of more than two weeks receives additional compensation for the period during which they are serving in the “acting” capacity.

The City Manager position is not included in the Management Compensation Plan as compensation for that position is provided by separate contract, although that contract often refers to and incorporates certain benefits provided for in the Management Compensation Plan, such as health insurance.

Several management and exempt employees have raised concerns that their compensation is no longer comparable to employees performing like duties in other cities of like size, and noting that the 5.0 per cent proposed salary adjustment for non-police employees is well below the current inflation rate. The last salary comparison review for these employees was conducted in 2009, and the City Manager Pro Tem recommends that the City retain consulting services to conduct a salary and classification review in early 2023 to address this concern, so that this can become a part of the 2023-24 budget discussion.

**Attachments:**

- a. Financial Comparison
- b. Management Compensation Plan

**Management Compensation Plan Increase Cost Compared to Budget:**

	<b>2021-22</b>	<b>2022-23</b>	<b>2022-23</b>	
	<b><u>Budgeted</u></b>	<b><u>Budgeted</u></b>	<b><u>Proposed MCP</u></b>	<b><u>Increase</u></b>
Total Public Safety Mgmt	\$ 792,183	\$ 810,929	\$ 840,407	\$ 29,478
Total Other	<b><u>\$ 1,271,063</u></b>	<b><u>\$ 1,287,845</u></b>	<b><u>\$ 1,298,704</u></b>	<b><u>\$ 10,859</u></b>
Total All MCP Positions	\$ 2,063,246	\$ 2,098,774	\$ 2,139,111	\$ 40,337



**City of Brookings**

**Management Compensation Plan**

(Management, Supervisory, Exempt, Confidential and  
Non-represented Employees)

Adopted by City Council — February 12, 2018

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# Section 1. The Management Team

## 1.1 Management Team

The City of Brookings's (City's) Management Team is comprised of the Executive Management Team, Middle Management and Supervisory Employees. The Management Team's job duties include: City governance and management of governmental accounting; budget; records management; public safety and law enforcement; public works including street construction, water ~~treatment~~/distribution, wastewater ~~treatment~~/collection, storm water and flood hazard; land use and urban planning; municipal code management; building code administration; website management; parks maintenance; human resources management; risk management and facilities management.

The City's Management Team is comprised of professional employees who have a number of years of experience working in their profession or in local government. At a minimum, most positions in the management team require a bachelor's degree or equivalent experience and training. These jobs are professional level positions that require specialized training, certification and/or extensive knowledge and experience.

**1.2 Executive Management Team** members report directly to the City Manager and include the Finance and Human Resources Director, Public Works and Development Services Director, and Public Safety Director.

**1.3 Middle Management Employees** report to a Department Director and include the positions of Police Lieutenant, Deputy Finance and Human Resources Director, Deputy Public Works and Development Services Director.

**1.4 Supervisory Employees** report to Middle Management employees and include the positions of Police Sergeant, Public Works Supervisor, Building Official, Operations Fire Chief, Fire Captain, and Communications Supervisor.

**1.5 Non-represented, Non-management Employees** include the Building Inspector, Payroll/Accounts Payable Specialist, Human Resources/Accounting Specialist, IT Manager, and Deputy Recorder/**Community Engagement Coordinator**.

This Plan shall not cover any position in a collective bargaining unit or anyone with an individual employment agreement.

## Section 2. Management Compensation

### 2.1 Management Compensation Plan – Strategic Purpose

The purpose of having a written management compensation plan is to develop a compensation strategy that is tied to the mission and the goals of the City of Brookings (City) and the City Strategic Plan. The compensation plan must be fair, legal, consistent, and understood by all. Having a written compensation plan should minimize the likelihood of inconsistencies, or perceived or real discrimination.

### 2.2 Compensation Philosophy

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

#### 2.2.1 Principles

- ~~Management~~ Pay ranges will be determined, in part, by using the market average for the appropriate labor market as a target. Individual pay within the range will be merit-based and performance-driven.
- Benefits will include adequate health insurance at a reasonable cost to employees, and other benefits that promote a comfortable, secure workforce and encourage dedication to the City.
- Incentives will include deferred compensation, health reimbursement arrangements, longevity pay, and paid time off.

#### 2.2.2 Strategies

- Because the City's success is dependent on capable and dedicated employees, ~~our~~ compensation goals will strive to attract and retain individuals who share the mission and vision of the City.
- ~~Our~~The total compensation will be industry competitive and appeal to the type of professional employees we wish to attract and retain.
- We will adequately pay all management employees but ~~we~~ will reward those who go above and beyond in the furtherance of ~~our~~the mission.
- ~~We will hold m~~Management and exempt employees will be held accountable for the duties and responsibilities of their positions. Regular and meaningful evaluations will be conducted to gauge accomplishments and assess deficiencies.



- ~~WeThe City~~—will endeavor to provide benefits that offer the most value to, and are appreciated by, ~~our~~City employees.
- ~~WeThe City~~—will promote dedication by providing growth and development opportunities to employees at all levels.
- ~~WeThe City~~—will strive to cultivate and promote future management employees from within the organization whenever it is practicable to do so.
- ~~WeThe City~~—will embrace an organizational culture that rewards excellent service to the citizens of Brookings.

**2.3 This compensation plan is NOT A CONTRACT. This plan and the salary and benefits outlined herein may be changed at anytime with approval of the City Council.**

## **Section 3. Plan Structure**

### **3.1 Salaries**

Management ~~and exempt employee's~~ pay is determined by the position, individual qualifications, and market comparisons. The City Manager ~~determines placement within the salary range for each class~~~~sets the parameters of a salary range established for each position or position class.~~ The City Council approves the salary ranges. All management ~~and exempt~~ employees receive pay in the form of a monthly salary which will be within the approved minimum and maximum set for the position or position class.

### **3.2 Establishing Ranges**

Each management ~~and exempt~~ employee's pay will be established on a scale that includes a minimum and maximum range for the position or position class. ~~Ranges will be proposed by the City Manager.~~

The salary range for each position or position class may be adjusted by the City Manager not more than once each fiscal year and, generally, any change in either the minimum or maximum of the range shall not cause the range to deviate from the average minimum or maximum by more than 10%. Any changes to the salary ranges shall be brought to the City Council for approval in the form of a resolution setting forth the employee compensation plan.

### **3.3 New Positions**

Any new management positions shall be brought before the City Council. The Council shall be provided a job description and proposed salary range for the new position and Council approval shall be required prior to filling the position. New positions that are

designated as management positions will be covered under this Plan and shall be incorporated into the Plan in the first revision of the Plan following Council approval of the position.

### **3.4 Initial Placement on Salary Ranges**

Management employees will be placed within the approved salary ranges for their position according to their qualifications, competencies, and the relative value of those qualifications and competencies to the position and to the City, as determined by the City Manager. Factors to be considered in determining individual pay within the established range include, but are not limited to:

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

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

#### **3.4.1 Initial Placement upon Promotion**

In the event an employee is promoted from a non-management position to a management position, the employee shall be placed on the salary range for the new position in accordance with this plan. The employee's pay at the time of promotion, including any incentive pay, shall be considered when determining the initial placement on the salary range for the new position, but in all cases, no initial placement shall cause the manager's pay to fall outside of the approved salary range for that position or position class. Incentive pay received by a bargaining unit employee prior to promotion shall be considered in respect to competency, credentials, and experience as set forth above, but shall not be continued as incentive pay.

#### **3.4.2 Advancement within Salary Range**

Employees are eligible for advancement 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. If the anniversary date is the 15<sup>th</sup> of the month or earlier, the pay change shall be effective the first day of said month. If the anniversary date is the 16<sup>th</sup> of the month or later, the pay change shall be effective the first day of the following month.

### 3.5. 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:

#### 3.5.1 Salary Classifications

Classification	Position
NR	Deputy Recorder/ <b>Community Engagement Coordinator</b>
NR	IT Manager (part-time)
NR	Human Resources/Accounting Specialist
NR	Payroll/Accounts Payable Specialist
NR	Building Inspector
SE	Communications Supervisor
SE	Fire Captain
SE	Operations Fire Chief
SE	Building Official
SE	Public Works Supervisor
SE	Police Sergeant
MM	Deputy Public Works and DS Director
MM	Deputy Finance and HR Director
MM	Police Lieutenant
EM	Public Works and DS Director
EM	Finance and Human Resource Director
EM	Public Safety Director

"EM" - Executive Management Team

"MM" - Middle Management Employee

"SE" - Supervisory Employee

"NR" - Non-represented, Non-management Employee

Salary Ranges tied to the above classifications are contained in Appendix A.

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.

### 3.5.2 Education And Experience Enhancements

Education and experience enhancements shall only be provided when the listed education and/or experience criteria exceeds that which is included in the basic requirements for holding a position of employment. All enhancements must be approved by the City Manager before being implemented.

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:

- Backflow Specialist Certificate
- Certified Municipal Clerk Certificate issued by the International Institute of Municipal Recordors.
- Licensed Land Surveyor
- **Management Certificate issued by the Oregon Department of Public Safety Standards and Training.**
- Local Government Management Certificate issued by the League of Oregon Cities
- Oregon Municipal Auditors License
- Professional Finance Officer Certification issued by the Oregon Government Finance Officers Association
- Wastewater Treatment Certificate Grade IV
- Wastewater Collection Certificate Grade IV
- Water Treatment Certificate Grade III
- Water Distribution Certificate Grade III

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:

- ~~Management Certificate issued by the Oregon Department of Public Safety Standards and Training.~~
- American Institute of Certified Planners Certificate
- Certified Public Accountant
- ~~Advanced Certificate issued by Oregon Dept. of Public Safety Standards and Training (Sergeants)~~
- 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.

- Licensed Architect
- Masters degree from an accredited college or university in public administration, business administration, or field appropriate to job assignment and development
- Registered Civil Engineer

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

### 3.5.3 Longevity

**Police Management e**Employees who have completed the following years of service as an employee with the City of Brookings will receive the following percent of their regular base pay:

<u>Years of Service</u>	<u>Percent</u>
8	1.0%
10	1.5%
12	2.5%
15	5.0%
20	7.5%

Note: The above percentages are not cumulative. Example: At 10 years of service, an employee receives a total of 1.5% of base pay for longevity; not 2.5%. Years of Service is on their anniversary date. ~~Effective November 1, 2022. If an employee's initial anniversary date is February 1, 2015, they would be eligible for 1.0% on February 1, 2023, the 8th anniversary.~~

Non-Police Management and exempt employees who have completed the following years of service as an employee with the City of Brookings will receive the following percent of their regular base pay:

<u>Years of Service</u>	<u>Percent</u>
11	.5%
12	1.0%
13	1.5%
14	2.0%
15	2.5%

Note: The above percentages are not cumulative. Example: At 12 years of service, an employee receives a total of 1.0% of base pay for longevity; not 1.5%. Years of Service is on their anniversary date.

## 3.6 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. A performance recognition is a lump sum payment of up to five percent (5.0%) of base salary. To qualify for a performance recognition, 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. The payment of a performance recognition is subject to an annual budget appropriation by the City Council for this program. The City Manager will inform the City Council of the amount and criteria used for any and all performance recognition under this section.

### **3.7 Substantiation of Performance-Driven Pay Changes**

Performance-driven pay changes will be based, in part, on the outcome of an annual performance evaluation. To qualify for any performance-driven pay increase, the management employee's final, annual performance evaluation score must be "above average" in all areas<sup>1</sup>. However, receiving above average scores alone shall not be an automatic basis for a pay increase. The City Manager shall be the sole grantor of pay changes for any manager, but the recommendation of the Department Director shall be considered prior to the City Manager making any pay changes. Any changes in pay must be justified in writing via the Personnel Action Form (PAF), and supported by the evaluation documentation.

### **3.8 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.

The length of the probationary period is the first 12 continuous months of employment. Periods of temporary employment do not count towards satisfying probationary requirements. When an employee is transferred or promoted, a new 12 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.

## **Section 4. Total Compensation Package**

In addition to the pay outlined in Section 3, the total management compensation package will consist of other benefits as detailed below.

### **4.1 Additional Compensation**

4.1.1 Retirement – PERS: The City will pay both the employer's and employee's contribution to the Public Employee Retirement System

4.1.2 Deferred Compensation: Management employees may participate in the City's deferred compensation "Section 457" program through participating vendors by having any or all monetary compensation contributed, pre-tax, into deferred compensation, subject to IRS rules.

At the discretion of the City Manager, management employees may receive as additional compensation a contribution by the City to their deferred compensation account. Such contributions may be one-time or ongoing, in recognition of exceptional performance or assuming additional duties.

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

4.1.4 Relocation Assistance At the sole discretion of the City Manager, relocation assistance may be negotiated during the job offer phase of hiring a new management employee from out of the area. Only those individuals who are relocating from more than 50 miles shall be eligible for relocation assistance, and the amount of the assistance benefit shall be limited to \$5,000. The maximum amount of relocation assistance shall only be made available to an individual who relocates to within City limits or within the City’s Urban Growth Boundary (UGB). The maximum amount of relocation assistance for a new management employee relocating to an area outside of City limits or City’s UGB shall be \$2,500. In the event a management employee receives relocation assistance and subsequently resigns from the position or is terminated for cause within two years of receiving the assistance, the assistance benefit amount shall be refunded to the City on a prorated basis as follows:

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

Refunding of relocation assistance shall apply only in the event of a voluntary resignation or termination for cause. Additionally, if relocation assistance is provided to relocate within the City limits or the City’s UGB and, within 2 years, the management employee subsequently moves outside the City limits or the City’s UGB, but remains in their management position, the amount of relocation assistance paid beyond \$2,500 shall be refunded to the City using the above pro rata scale. The management employee will be required to sign a relocation assistance agreement stipulating to this reimbursement arrangement as a condition of employment. Under certain circumstances, the City Manager may elect to not institute the reimbursement provision of this section of the Plan.

#### 4.1.5 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 regularly scheduled to work 30 hours or more per week will participate on a pro-rated basis based on their regularly scheduled work hours.



All health insurance become effective on the first of the month the employee is employed on the first day of the month (i.e. If employee starts on November 5<sup>th</sup>, insurance starts December 1<sup>st</sup>).

The City pays 87.5% of the total premium (high deductible health plan (HDHP), dental, and vision), and the employee pays 12.5%. In addition to the employer portion of the premium, the City will pay the amount of the respective deductible into each employee's Health Savings Account (HSA) on a quarterly basis (the City may recover prorated contributions upon separation from service). Regular part-time employees regularly scheduled to work 30 hours or more per week will participate on a pro-rated basis based on their regularly scheduled work hours.

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 Finance and Human Resources Director of any qualifying events.

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

**4.1.6 Life Insurance** The City pays the premium for \$20,000.00 of life and AD & D (Accidental Death and Dismemberment) at no cost to the employee with an option to purchase 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.

**4.1.7 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, sister, brother, grandchild, grandparent or spouse's or domestic partner's parent, brother-in-law, sister-in-law 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 positions. Part-time employees (30 hours or more/week) will be on a prorated basis. 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.

**4.1.8 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.

**4.1.9 Cell phone allowance** A monthly stipend may be paid to management employees who are required to be available by phone while away from the office or outside of business hours, in accordance with City policy. Management employees who elect to use a City-owned cell phone are not eligible for this stipend.

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

**4.1.11 Other Benefits for Police Employees** The Public Safety Director, Police Lieutenant, and Police Sergeants may participate in the “gun buy” program, will be provided City-prescribed uniform and equipment including protective bullet resistant vest, and practice and duty ammunition.

Sergeants and Communications Supervisor will receive miscellaneous benefits that other police officers receive based on their current Collective Bargaining Agreement (CBA), **with the Brookings Police Association**. Examples include Boot Allowance, Bereavement Leave, K-9 Handler certification pay, and Language Differential Pay.

**4.1.12 De minimus use of City resources** De minimus use of City resources on a limited and occasional basis shall be considered part of the management employee’s total salary and compensation. Examples of such use may include photocopiers, printers, computers, phones and other technology, provided such use does not violate the acceptable use policy. Additionally, except for items such as portable information technology (i.e., laptop, iPad, etc.) such use of City resources shall not include taking items off of City

premises (i.e., this provision does not allow for taking tools or equipment home). **The City Manager shall prepare and enforce a written de minimus use policy.**

## 4.2 Paid Time Off

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

**4.2.1 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)	Labor Day (1 <sup>st</sup> Monday in September)
Martin Luther King Birthday (3 <sup>rd</sup> Monday in January)	Veterans Day (November 11)
President's Day (3 <sup>rd</sup> Monday in February)	Thanksgiving Day (4 <sup>th</sup> Thursday in November)
Memorial Day (Last Monday in May)	Day after Thanksgiving
Independence Day (July 4)	Christmas Day (December 25)

Part-time EEs are not eligible for holiday pay.

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 Administrative offices will be closed on the listed holidays.

Police Sergeants do not get paid holiday time off. In lieu of time off, 80 additional hours are included in their annual vacation accrual (as demonstrated in table 4.2.2.a.)

**4.2.2 Paid Vacation** Regular employees are eligible for vacation based on the schedule below. However, vacation time is earned, but not compensated, until after completion of the twelve (12) month probation period. 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.

**4.2.2.a. Accrual Rates** Employees will accrue vacation at the following rate:

Completed Years of	Vacation Earned	Vacation Earned
--------------------	-----------------	-----------------

Continuous Service	Non-Shift Work	Shift Work (Sergeant)
1 - 4	112 hours	192 hours
5 - 9	136 hours	216 hours
10 - 14	160 hours	240 hours
15 - 19	184 hours	264 hours
20 +	216 hours	296 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 136 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 (30 hours or more/per week) shall be credited with prorata vacation credits based on the accrual of a full-time employee. Part-time employees with less than 30 hours/week are not eligible for vacation pay.

4.2.2.b. *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.

4.2.2.c. *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 480 hours. Vacation benefits will not stop accruing once the maximum has been reached but hours in excess of 480 hours will be forfeited, unless otherwise approved by the City Manager. 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 Finance and Human Resources Director in extenuating circumstances (i.e. vacations planned during the probation period, prior to being hired). 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.

4.2.2.d *Conversion of paid leave.* Employees may request payment up to 40 hours per occasion twice per fiscal year for accrued vacation. Employee must provide two weeks' notice. (Payment may include employee election towards HSA contribution per payroll forms).

#### 4.2.3 Sick Leave

4.2.3.a *Accrual.* Full-time employees will earn eight (8) hours of sick leave with pay for each full month worked from date of hire. 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 hours 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 twenty (20) years, or more, 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.

4.2.3.b *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.

4.2.3.c *Family Illness.* Sick leave of three days per occurrence may be used in the event of serious illness or injury to the employee's spouse, child or parent, whether living in the employee's household or not, 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.

In the event of use of leaves in excess of three (3) days to care for family members under applicable medical leave law, the employee will first use all compensatory time, vacation time, and then sick leave. Employees with sick leave accumulation above 480 hours may use sick leave prior to other leaves first as long as the 300 hours accumulation is maintained.

4.2.3.d *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.

4.2.3.e *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.

4.2.3.f *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.

4.2.3.g *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.

4.2.3.h *Part-time Employees.* Part-time employees shall accrue sick leave based on Oregon's sick time law.

#### 4.2.4 Court Leave

4.2.4.a 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 or a subpoena. All payments to the employee by the court, except mileage, must be turned over to 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.* Employees may be granted a leave of absence with pay when required to serve as a juror in Federal, State, County or Municipal Court. 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. Employees shall request that they receive the customary payment from the court.

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.

- b. **Witness Duty.** 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.

#### **4.3 Changes in Benefits Upon Moving to a Management Position**

Management employees shall only receive benefits that are afforded to employees under this management compensation plan or approved City personnel policy. At any given time, an employee shall only have accrued time "on the books" that other employees in the same employee group accrue. When an employee changes from a bargaining unit position to a management position, accrued compensatory time and any leaves not also accrued in the new management position shall be paid out at the previous hourly rate at the time of the change and in accordance with the applicable bargaining agreement or policy. By way of example, a sworn employee in the police bargaining unit who changes to an exempt, management position shall have all accrued comp time and holiday leave bank time paid out upon changing positions because exempt management employees do not accrue comp time or holiday bank time. This provision shall apply to management employees appointed after adoption of this plan but shall not be applied retroactively to any current management employee.

#### **4.4 Work Time / FLSA Exemption**

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



Although exempt management employees are not required to keep track of their hours worked for the purpose of pay, they are required to keep track of their use of accrued or banked leaves. The general practice shall be that if the exempt employee is absent from work for more than a partial day, accrued or banked leave shall be used to account for all of the time away. It is understood that exempt management employees may, on occasion, trade time where appropriate, but this practice shall not result in an hour-for-hour trade of all time worked beyond a 40-hour workweek and shall be done only infrequently and under exceptional circumstances.

Any non-exempt position covered under this plan shall be eligible for overtime or compensatory time in accordance with the Fair Labor Standards Act and state law. Non-exempt management employees must record all hours worked and leave taken on an approved timesheet.

Although allowed, management employees utilizing flex time will notify a Department Director and or Middle Manager of the specific time to be flexed. This requirement is to assure adequate coverage and scheduled tasks will be completed with limited or no impact to operations.

## **Section 5. Wages**

### **5.1 Wages**

Police Management ~~W~~wages and Management Employees wages shall be in accordance with the wage schedules as set forth in ~~Schedule~~Appendix "A", attached hereto and by this reference incorporated herein.

Police Management Employees - Effective July 1, 2022, salary scales will be increased by 5%.

Management Employees – Effective July 1, 2022, salary scales will be increased by 5%.

~~Effective January 1, 2023 salary scales will be increase by 1%.~~

~~Effective July 1, 2023, salary scales will be increased by 1%.~~

~~Effective January 1, 2024, salary scales will be increased by 4%.~~

### **5.2 Acting in Capacity.**

An employee who is temporarily assigned the responsibilities and duties incident to a position higher than that of his regular grade for a continuous period longer than two (2) work weeks shall receive a five per cent (5.0%) pay differential for the duration of the assignment ~~be paid at the next higher rate of such position for the duration of the assignment~~. A temporary assignment to a higher position shall not result in a salary change for the employee required to assume the higher position unless such period of time exceeds two (2) weeks.

## Appendix A

Monthly Salary Ranges for Management, Supervisory, Exempt, Confidential and non-represented Positions effective July 1, 2022 :

Grade	Classification	Position	From	To
9	NR	Deputy Recorder/ <del>Community Engagement Coordinator</del>	3590	4810
9	NR	IT Manager (part-time)	2041	2735
11	NR	Human Resources/Accounting Specialist	3956	5301
11	NR	Payroll/Accounts Payable Specialist	3956	5301
11	NR	Building Inspector	3956	5301
<del>12</del>	<del>SE</del>	<del>Communications Supervisor</del>	<del>4153</del>	<del>5565</del>
13	SE	Fire Captain	4369	5855
14	SE	Operations Fire Chief	4578	6134
15	SE	Building Official	4905	6573
15	SE	Public Works Supervisor	4905	6573
<del>16</del>	<del>SE</del>	<del>Police Sergeant</del>	<del>5260</del>	<del>7049</del>
18	MM	Deputy Public Works and DS Director	5677	7608
18	MM	Deputy Finance and HR Director	5677	7608
<del>19</del>	<del>MM</del>	<del>Police Lieutenant</del>	<del>6090</del>	<del>8162</del>
20	EM	Public Works and DS Director	7049	9446
20	EM	Finance and Human Resource Director	7049	9446
<del>20</del>	<del>EM</del>	<del>Public Safety Director</del>	<del>7049</del>	<del>9446</del>

“EM” = Executive Management Team

“MM” = Middle Management Employee

“SE” = Supervisory Employee

“NR” = Non-represented, Non-management Employee

Monthly Salary Ranges for Police Management and Police Supervisory Positions effective July 1, 2022:

12	PSE	Communications Supervisor	4153	5565
16	PSE	Police Sergeant	5260	7049
19	PMM	Police Lieutenant	6090	8162
20	PEM	Public Safety Director	7049	9446

“PEM” = Police Executive Management Team  
“PMM” = Police Middle Management Employee  
“PSE” = Police Supervisory Employee