

**John Day City Council
June 24, 2014
7:00 PM
Council Chambers
AGENDA**

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIL MINUTES OF JUNE 10, 2014.**
3. **APPEARANCE OF INTERESTED CITIZENS – At this time Mayor Lundbom will welcome the general public and ask if there is anything they would like to add to tonight’s agenda.**

ACTION ITEMS:

4. **DISCUSS AND APPROVE THE RECOMMENDATION FROM THE CITIZENS ADVISORY COMMITTEE FOR THE NEW JOHN DAY FIRE STATION**
Attachment:
 - Agreement between the City of John Day and Pinnacle Architecture, Inc.
 - Letter from PARC
5. **DISCUSS FOR ADOPTION RESOLUTION NO. 14-723-09, A RESOLUTION TO ADOPT FISCAL YEAR 2014 - 2015 BUDGET**
Attachment:
 - Resolution No. 14-723-09
6. **DISCUSS FOR ADOPTION RESOLUTION NO. 14-724-10, A RESOLUTION TO APPROPRIATE FISCAL YEAR 2014 - 2015 BUDGET**
Attachment:
 - Resolution No. 14-724-10
7. **DISCUSS FOR ADOPTION RESOLUTION NO. 14-725-11, A RESOLUTION TO IMPOSE AND CATEGORIZE TAXES FOR FISCAL YEAR 2014-2015 BUDGET**
Attachment:
 - Resolution No. 14-725-11
8. **DISCUSS FOR SIGNATURE DISPATCH CONTRACT AGREEMENTS WITH GRANT COUNTY SHERIFF’S OFFICE AND GRANT COUNTY AMBULANCE FOR FY 2015**
Attachments:
 - Dispatch Agreements for the Sheriff’s Office and Grant County Ambulance

9. DISCUSS FOR SIGNATURE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF JOHN DAY AND OSTER PROFESSIONAL GROUP

Attachment:

- Draft Professional Services Agreement between the City of John Day and Oster Professional Group

10. DISCUSS RECOMMENDATION FROM THE AWARDS COMMITTEE

Attachment:

- Employee Award Nomination

11. DISCUSS FOR ADOPTION RESOLUTION NO. 14-726-12, A RESOLUTION OF THE JOHN DAY CITY COUNCIL APPROVING AND ADOPTING THE AMENDED AND RESTATED EMPLOYEE HANDBOOK DATED EFFECTIVE JULY 1, 2014

Attachments:

- Resolution No. 14-726-12
- Red-line Employee Handbook

OTHER BUSINESS:

12. OTHER BUSINESS AND UPCOMING MEETINGS

Attachments:

- LOC Bulletin
- Letter from FEMA dated June 5, 2014 to Grant County Judge Scott Myers

ADJOURN

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss and Approve the Recommendation from the Citizens Advisory Committee for the New John Day Fire Station

Attachment:

- Agreement between the City of John Day and Pinnacle Architecture, Inc.
- Letter from PARC/Grant Writing Timeline

BACKGROUND:

Attached is a letter from Laura Prado of PARC reporting on the Eastern Oregon Nonprofit Conference in Ontario. Rural Fire Board Chair Rob Batten and I attended the conference with Ms. Prado and Mr. Foster. As you can read in the letter, we felt the response from the funders was very positive and we feel optimistic about the City's chances for fundraising.

The Citizens Advisory Committee met on Thursday, June 19, 2014 to meet with PARC Resources to develop a timing strategy and discuss options on how to approach the project. Mr. Foster recommends targeting mid September for bid release and receiving bids by mid-October, award by October-November with construction to begin at the latest early spring of 2015.

Gap-funding was discussed, can you bid a project if you don't have the commitments from the funders. Mr. Foster was very confident he City would receive the funds needed to complete the project. He proposes the following timeline to write to funders for assistance in completing the John Day Fire Station Project. This strategy is based on recent conversations with funders in needing to secure a portion of the remaining \$400,000 from other sources first. The proposed strategy will be to engage the Ford Family Foundation (FFF) to champion the project with a challenge grant, and ask Meyer Memorial Trust (MMT) to match it. Additional funders are listed to add supplementary support as needed and to fill the gap if either FFF or MMT do not fund at the level requested:

Ford Family Foundation (\$200,000) – Submit Stage 1 Application August 1, 2014
Meyer Memorial Trust (\$200,000) – Submit Initial Inquiry September 15, 2014
Collins Foundation (\$30,000) – October 15, 2014
Swindells Charitable Trust (\$30,000) – November 15, 2014
Shelk Foundation (apply through Oregon Community Foundation - \$30,000) – January 15, 2015
Trust Management Services (\$10,000) – May 1, 2015

Total: \$500,000

Mr. Foster also informed the Committee that he has contacted both Bob Wiles of WC Construction and Mike Becker of Becker Construction about their respective interest in a design-build bid for the fire station. They both are interested and thought the fall bid window was excellent. However, in the course of the conversation, they suggested a modified "delivery

method” which is the CMGC process – Construction Management General Contractor process. This would still require an architect, but the approach would be to only pay for those services absolutely necessary for the construction document approval. For example the steel building will be engineered by the supplier therefore this design expense can be reduced from the architect fee, the mechanicals (AC-Heat) will be designed by the subcontractor who provides a bid to the General, the electrical will be designed by the subcontractor electrician, etc...each reflecting an area which can be a savings on design costs. This would be a hybrid of the straight design-bid process as we would probably have a Gross Maximum Price (GMP) bid which all parties would have to work together to make final decisions to keep the project with the GMP.

Peter Baer of Pinnacle Architecture, Inc was present at the meeting to discuss his fees and explain the different types of approaches for the delivery of the project. Mr. Baer explained there are three different ways to deliver the project:

1. Design/build
2. Contract Manager General Contractor (CMGC)
3. Design/bid/ build

The Committee discussed using some interim financing (interfund borrowing) to at least look at our engineering costs and construction bids in order to be ready for early spring construction. Mr. Baer stated he would be interested in working with the GMGC approach and thought that he could reduce his costs by utilizing this approach. Please see the attached proposal; Mr. Baer proposes \$113,905 to coordinate with CMGC project delivery.

RECOMMENDATION:

The Advisory Committee appreciated Mr. Baer’s comments and his commitment to see this project through. According to the City’s Public Contracting Regulations 1-13-8 Subsection I (2) Personal Service Contracts; contracts for the continuation of work by a contractor who performed preliminary studies, analysis or planning for the work under a prior contract may be awarded without competition if the prior contract was awarded under a competitive process and the board determines that use of the original contractor will significantly reduce the cost of, or risks associated with, the work.

It is the consensus of the Advisory Committee to use the CMGC approach for the delivery of the fire station using the firm of Pinnacle Architecture, Inc. I recommend the John Day City Council allows City Manager Gray to sign the Agreement with Pinnacle Architecture, Inc. subject to legal review and any revisions made by City Attorney Jeremy Green.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss for Adoption Resolution No. 14-723-09, a Resolution to Adopt Fiscal Year 2014 - 2015 Budget
Attachment:
• Resolution No. 14-723-09

BACKGROUND:

This resolution adopts Fiscal Year 2014-2015 budget in the amount of \$6,085,275.

RECOMMENDATION:

The Council adopts Resolution No. 14-723-09.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss for Adoption Resolution No. 14-724-10, a Resolution to Appropriate Fiscal Year 2014 - 2015 Budget
Attachment:
• Resolution No. 14-724-10

BACKGROUND:

This resolution appropriates Fiscal Year 2014-2015 budget.

RECOMMENDATION:

The John Day City Council adopts Resolution No. 14-724-10.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss for Adoption Resolution No. 14-725-11, a Resolution to Impose and Categorize Taxes for Fiscal Year 2014-2015 Budget

Attachment:

- Resolution No. 14-725-11

BACKGROUND:

This resolution imposes and categorizes taxes for Fiscal Year 2014-2015 budget.

RECOMMENDATION:

The John Day City Council adopts Resolution No. 14-725-11.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss for Signature Dispatch Contract Agreements with Grant County Sheriff's Office and Grant County Ambulance for FY 2015

Attachments:

- Dispatch Agreements for the Sheriff's Office and Grant County Ambulance

BACKGROUND:

Included in your council packets are the dispatch agreements for the Sheriff's Office and Grant County Ambulance for FY 2015. These contracts are included in the FY 2015 budget.

RECOMMENDATION:

The John Day City Council allows Mayor Lundbom to sign the dispatch contracts for the Grant County Sheriff's Office and the Grant County Ambulance for FY 2015.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss for Signature Professional Services Agreement between the City of John Day and Oster Professional Group

Attachment:

- Draft Professional Services Agreement between the City of John Day and Oster Professional Group

BACKGROUND:

In November 2010, the City of John Day entered into an agreement with Oster Professional Group to perform the duties of the City Recorder's position. The original agreement expired June 30, 2012; on June 21, 2013 we extended the agreement for one year as per Section 4.1 of the agreement which states the agreement may be extended for one or more additional terms of one year each upon the parties' mutual written agreement not less than ninety (90) days prior to the expiration of the applicable term.

During this year's budget process, we budgeted \$44,100 for Oster Professional Group services. This is a 5% increase from the current year of \$42,000. This is the first cost increase since November 2010.

Bob Armstrong of Oster Professional Group has agreed to a three-year agreement with a two-year extension. However, at the time of the agenda, I was not able to discuss the details of the new agreement with City Attorney Jeremy Green or Bob Armstrong. Jeremy and I have scheduled a conference call on Monday to discuss further details of the agreement and I hope to have a final draft by the time of the council meeting.

The services provided by Oster Professional Group have been consistent with my expectations and I hope the John Day City Council agrees.

RECOMMENDATION:

The John Day City Council allows City Manager Gray to sign the Professional Services Agreement extension between the City of John Day and Oster Professional Group.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss Recommendation from the Awards Committee
Attachment:
• Employee Award Nomination

BACKGROUND:

It is the policy of the City of John Day to provide recognition to employees for outstanding achievements, adopting improvement suggestions, or significant length-of-service with the City.

Attached is an Employee Award Nomination for a cash award by Public Works Director David Holland on behalf of his employee Wastewater Treatment Plant Operator Shelby Essex. A cash award may be granted to an employee for achievement recognitions or from employee improvement suggestions that have a significant monetary value to the City.

RECOMMENDATION:

The John Day City Council accepts the recommendation of the Awards Committee.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: June 20, 2014

SUBJECT: Discuss for Adoption Resolution No. 14-726-12, a Resolution of the John Day City Council Approving and Adopting the Amended and Restated Employee Handbook Dated Effective July 1, 2014

Attachments:

- Resolution No. 14-726-12
- Red-line Employee Handbook

BACKGROUND:

The City's resolution adopting personnel rules, policies and procedures for the City of John Day was first adopted in 1979 and has been updated periodically to reflect current law or polices as approved by the City Council.

However, the updates have not addressed issues such as Family Medical Leave (OFLA/FMLA); city credit card use, cell phone use; are some examples just to name a few. Currently we have a policy/procedures manual and a resolution adopting personnel rules. This new Amended and Restated Employee Handbook puts all the personnel rules, policies and procedures for the City of John Day into one Employee Handbook.

On June 2, 2014 I sent an electronic copy of the handbook to all the city employees who have email addresses and gave hard copies to those who do not have email addresses. I also sent an electronic copy to the Mayor and City Councilors asking for everyone to review the handbook in its entirety and to please send me any comments by June 20, 2014.

The following comments were received:

- Page 14 – Section e. Expense Reimbursement. A department head was concerned that the first paragraph under Section e could be misunderstood by an employee to think that all expenses incurred by an employee that is directly related to the employee's performance services would be reimbursed by the City.

Response: City Attorney Jeremy Green reworded the section to make it clear that only pre-approved expenses will be reimbursed. Examples of this would be a reimbursement for out-of-pocket expenses.

- Page 24 – Section h. Alcohol Abuse. An employee read this paragraph to mean that even if an employee is on a day off he would not be able to drink alcohol.

Response: The language in this paragraph was written and included because in other entities there have been issues with certain employees thinking it was alright for them to drink during their lunch break. This does not mean that an employee cannot have a drink on his day off.

- Page 25 – Section b. Performance Evaluations. A department head would like to see language that states who performs the evaluations. Currently the direct supervisor of each department performs the annual employee evaluation.

Response: City Attorney Jeremy Green included language stating the annual evaluations will be conducted by the employee's direct supervisor.

Exhibit B, the Employee Complaint Procedure Form is still a work in progress; I will have it available at the city council meeting.

RECOMMENDATION:

There is no anticipated financial impact by making the updates to the City's personnel policy; all employee benefits remain the same. The purpose of this update is to comply with pertinent Federal and State laws; and to also provide systematic and equitable procedures and regulations relating to personnel matters which will make the City service attractive as a career and to encourage each employee to give his best service to the City of John Day.

I recommend the John Day City Council adopts Resolution No. 14-726-12, adopting the Amended and Restated Employee Handbook of the City of John Day effective July 1, 2014.

TO: John Day City Council
FROM: Peggy Gray, City Manager
DATE: June 20, 2014
SUBJECT: Other Business and Upcoming Meetings
Attachments:

- LOC Bulletin
- Letter from FEMA dated June 5, 2014 to Grant County Judge Scott Myers

OTHER BUSINESS:

1. Attached is the June 13, 2014 LOC Bulletin for your information and review.
2. In April 2014 the John Day City Council adopted a resolution adopting the NE Oregon Multi-Jurisdictional Natural Hazards Mitigation Plan. The attached letter from FEMA states the City of John Day is eligible to apply for the Robert T. Stafford Disaster Relief and Emergency Assistance Act's hazard mitigation project grants through June 4, 2019.

UPCOMING MEETINGS AND EVENTS:

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| July 4, 2014 | City Hall Closed | 4 th of July Holiday |
| July 8, 2014 | 7:00 p.m. Council Chambers | Regular City Council meeting |