

**John Day City Council**  
**July 23, 2019**  
**6:00 PM**

**John Day Fire Hall, 316 S. Canyon Blvd., John Day**

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

**CONSENT AGENDA**

4. **ITEMS FOR APPROVAL ON CONSENT AGENDA**  
Attachments:
  - SkillBridge MOU
  - 2019 Collective Bargaining Agreement

**EXECUTIVE SESSION**

5. **EXECUTIVE SESSION – ORS 192.660(2)(e)**  
Attachments:
  - None
6. **EXECUTIVE SESSION – ORS 192.660(2)(i)**  
Attachments:
  - None

**ACTION ITEMS**

7. **RESOLUTION NO. 19-811-12-REVISION 1, A RESOLUTION TO REVISE THE SECTION 3 PLAN TO COMPLY WITH 24 CFR, PART 135 OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SECTION 3**  
Attachments:
  - Resolution No. 19-811-12-Revision 1
8. **CANTON STREET IMPROVEMENT PROJECT**  
Attachments:
  - Harney Rock & Paving Co. Bid
9. **CITY COUNCIL VACANCY/APPOINTMENT**  
Attachments:
  - Elliot Sky Application
  - Chris Labhart Application

**OTHER BUSINESS & UPCOMING MEETINGS**

10. **OTHER BUSINESS & UPCOMING MEETINGS**

- Community Cleanup Day & Code Enforcement
- July 24 – Oregon Association of Clean Water Agencies – Speaking Engagement
- August 13 – City Council Meeting, 7:00 P.M. @ Fire Hall
- August 27 – Joint PAC/TAC Meeting, 12:00 P.M. to 2:00 P.M. @ Fire Hall
- August 27 – Joint CC/Planning Commission Study Session, 5:00 P.M. @ Fire Hall
- August 27 – City Council Meeting, 7:00 P.M. @ Fire Hall

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** July 23, 2019

**SUBJECT:** Agenda Item #4: Items for Approval on Consent Agenda Attachment(s)

- SkillBridge MOU
- 2019 Collective Bargaining Agreement (Redline)

## **BACKGROUND**

We have two items to review and approve on the consent agenda.

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**Item 1) SkillBridge MOU.** Each year approximately 200,000 members of the U.S. Armed Forces, stationed in over 140 military installations in the U.S. and overseas, separate from active duty and re-enter the civilian work force or pursue higher education.

Through the SkillBridge program industry partners benefit from gaining early access to the extensive experience, skills, and unmatched work ethos Service members bring to the workforce. Employers craft SkillBridge programs to meet their specific workforce needs, matching those needs to the skills and abilities of highly motivated Service members, all at no cost.

We have been approached by a retiring service member who is interested in working in the greenhouse under the SkillBridge program. The Department of Defense will pay 100 percent of the employee's costs. The program will last approximately six months and requires the City to sign and submit an MOU.

**Recommended Action:** Approve City Manager to sign the DoD SkillBridge MOU, enclosed.

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**Item 2) 2019 Collective Bargaining Agreement.** The police officer's have ratified the enclosed update to the collective bargaining agreement. City staff and the city council administrative committee participated in the bargaining process and reviewed all changes to the agreement. Significant changes include:

- Removed all language related to the Telecommunications/9-1-1 department
- Reduces requirement for leave donation from 80-hours to 40-hours pre-donation (Article 8)
- Increases probationary period to 18-months for new hires who are not DPSST certified (Article 13)
- Revises and clarifies grievance procedures (Article 14)
- Increases accrued Comp Time limits from 40 to 80 hours (Article 15)
- Adds the day after Thanksgiving as a paid holiday (Article 16)
- Increases officer pay by \$1.50 in FY20, then 4% in FY21 and 4% in FY22 (Article 22)
- Extends agreement through June 30, 2022

**Recommended Action:** Approve City Manager to sign the updated Collective Bargaining Agreement.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** July 23, 2019

**SUBJECT:** Agenda Item #5: Executive Session – ORS 192.660(2)(e)  
Attachment(s)

- None

**NOTICE**

The John Day City Council will meet in executive session at 6:10 p.m. on July 23, 2019 at the John Day Fire Hall, 316 S. Canyon Blvd, John Day, Oregon 97845. This executive session will be held pursuant to ORS 192.660(2)(e), which permits the council to meet in executive session to conduct deliberations with persons designated by the governing body to negotiate real property transactions. Representatives of the news media and designated staff will be permitted to attend the executive session. All other persons will not be permitted to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as announced. No decision will be made during the executive session.

**RECOMMENDED MOTIONS**

“I move to enter Executive Session under ORS 192.660(2)(e).”

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** July 23, 2019

**SUBJECT:** Agenda Item #6: Executive Session – ORS 192.660(2)(i)  
Attachment(s)  
• None

**NOTICE**

The John Day City Council will meet in executive session at approximately 6:40 p.m. on July 23, 2019 at the John Day Fire Hall, 316 S. Canyon Blvd, John Day, Oregon 97845. This executive session will be held pursuant to ORS 192.660(2)(i), which permits the council to meet in executive session to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. Representatives of the news media and designated staff will be permitted to attend the executive session. All other persons will not be permitted to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as announced. No decision will be made during the executive session.

**RECOMMENDED MOTIONS**

“I move to enter Executive Session under ORS 192.660(2)(i).”

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** July 23, 2019

**SUBJECT:** Agenda Item #7: Resolution No. 19-811-12-Revision 1, A Resolution to Revise the Section 3 Plan to Comply With 24 CFR, Part 135 of The United States Department of Housing and Urban Development Section 3 Attachment(s)

- Resolution No. 19-811-12-Revision 1

## **BACKGROUND**

This resolution revises the City's Section 3 Plan, which was passed by the council on May 21, 2019. The original Section 3 plan was a 25-page document based on the CDBG model resolution. It included numeric goals for Section 3 Employment & Training, Contracting Activities and Hiring Requirements, with fees in the event of non-compliance.

## **DISCUSSION**

After further review, city staff have determined the original Section 3 plan is unenforceable and cannot be implemented with the City's current resources. Any city engineer who could not meet the Section 3 compliance requirements was also required to make a financial contribution on a sliding scale for failure to meet Section 3 hiring guidelines. In order to receive said funds, the City would have had to create a new Education Fund and the total receipts would likely have been insufficient to create a training program adequate to meet the intent of the resolution.

Staff discussed options for amending the Section 3 plan with Business Oregon, who has approved the revised Section 3 Plan included in this resolution. The revised plan requires a Good Faith Effort and documentation of that effort but does not levy fees on the contractors who cannot meet the requirements and removes the financial burden on the city of creating new programs under the Section 3 Plan.

## **RECOMMENDED MOTION**

"I move to approve Resolution No. 19-811-12-Revision 1, A Resolution to Revise the Section 3 Plan to Comply With 24 CFR, Part 135 of The United States Department of Housing and Urban Development Section 3."

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** July 23, 2019  
**SUBJECT:** Agenda Item #8: Canton Street Improvement Project  
Attachment(s)

- Harney Rock & Paving Co. Bid

**BACKGROUND**

The City solicited informal bids for the Canton Street paving project from Tidewater and Harney Rock & Paving Company. Tidewater did not submit a bid. Harney Rock & Paving bid \$39,640. This would complete the Canton Street Improvement Project.

**RECOMMENDED MOTION**

“I move to approve the bid from Harney Rock & Paving for a not-to-exceed price of \$39,640 and authorize the city manager to sign the appropriate construction services agreements.”

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** July 23, 2019

**SUBJECT:** Agenda Item #9: City Council Vacancy/Appointment Attachment(s)

- Elliot Sky Application
- Chris Labhart Application

## **BACKGROUND**

Applicants were solicited for the vacancy in City Council Position #6 under the provisions of Ordinance 82-29-01, which describes procedures for filling a vacancy in the city council by appointment of the remaining councilors. This position is scheduled for re-election in November 2020, the appoint will therefore run through December 31, 2020.

Elliot Sky and Chris Labhart have applied to fill the vacancy.

## **DISCUSSION**

Council should evaluate and ask questions of each candidate. To assist in the appointment, Council may wish to consider criteria such as:

- **Motivation** (reasons for applying and why they wish to serve as city councilor)
- **Diversity** (unique background of the applicant, constituents they may represent, diverse viewpoints);
- **Civic Engagement** (activity in the community, attendance and involvement in public functions);
- **Commitment** (prior participation and attendance at city council meetings, willingness to attend council meetings and meet with constituents); and
- **Qualifications** (understanding of local governance and public policies such as municipal finance and the budgeting process, the City's strategy and planning processes, etc.)

## **NOMINATION**

"I move to appoint \_\_\_\_\_ to fill the vacancy in Council Position 6."

Chapter VI, Section 28 of the 1993 City of John Day Charter states before assuming city office, an officer shall take an oath or shall affirm that he or she will faithfully perform the duties of the office and support the constitution and laws of the United States and of the state of Oregon.

The Oath of Office may be given by the Mayor. The Oath form will need to be signed in front of a notary.



**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** July 23, 2019  
**SUBJECT:** Agenda Item #10: Other Business and Upcoming Meetings  
Attachment(s)

- None

**OTHER BUSINESS**

- Community Cleanup Day & Code Enforcement

**UPCOMING MEETINGS**

- July 24 – Oregon Association of Clean Water Agencies – Speaking Engagement
- August 13 – City Council Meeting, 7:00 P.M. @ Fire Hall
- August 27 – Joint PAC/TAC Meeting, 12:00 P.M. to 2:00 P.M. @ Fire Hall
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