



CITY OF GERVAIS

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GERVAIS CITY COUNCIL AGENDA

The Gervais City Council will hold a Regular Council Meeting starting at 7:00 PM on Thursday, April 6, 2023. This meeting will be held in person, with an option to participate by Zoom due to COVID-19 Restrictions. If anyone wants to participate with Zoom, the instructions for accessing the meeting are below.

Meeting Sign-in Instructions:

Topic: April 6, 2023 City of Gervais Council Meeting

Time: April 6, 2023 at 7:00 PM Pacific Time (US and Canada)

TO JOIN THE MEETING VIA WEBSITE/TABLET/MOBILE:

<https://us06web.zoom.us/j/84547785955?pwd=NmRiWFRLbnFaSWZ2UVJOU0Q2WVJJOQT09>

Meeting ID: 845 4778 5955

Passcode: 031726

TO JOIN THE MEETING VIA TELEPHONE ONLY:

1-253-215-8782 US (Tacoma)

Meeting ID: 845 4778 5955

Passcode: 031726

NOTE: A link will also be on the City of Gervais home page at www.gervaisoregon.org.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Announcements/Additions
 - a. Tree City USA Proclamation
 - b. Gervais Cougars Spirit Day Proclamation
5. Public Comment: This is a business meeting of the City Council. The City values and welcomes public input on matters of City concern. Please address the Council as a whole rather than individual Council Members or City staff. Council action on items brought up in Public Comment is limited by the Oregon Open Meeting Law. The Council may direct Staff to study the matter and reschedule for further consideration at a later date. Public

Gervais is a charming, dynamic rural community with a rich cultural heritage, valuing the past and anticipating the future...a wonderful and tranquil place to work, play and live.

The City of Gervais is an Equal Opportunity Provider and Employer. Complaints of discrimination should be sent to: USDA, Director, Office of Civil Rights, Washington, DC 20250-9410

comment is limited to three (3) minutes per person with an optional two (2) minutes for Council questions and answers. If you wish to address Council please come forward to the podium and identify yourself for the record.

6. Consent Calendar:

- a. Minutes of the January 5, 2023 Regular Session
- b. Minutes of the February 2, 2023 Regular Session
- c. Bill List for February 23 – March 29, 2023
- e. Treasurers Report for period ending March 29, 2023

Requested Action: Motion to approve the April 6, 2023 consent calendar as presented.

7. Committee Reports

8. Presentations

- a. City - School District Partnerships (Gervais School Board and Students)

9. Old Business

- a. Update on New Website
- b. Update on Spring Clean-up
- c. Activity Tracker

10. Action Items

- a. Resolution 23-002, a Resolution Adopting the City of Gervais Representation in the Updates to the Marion County Multi-Jurisdictional Hazard Mitigation Plan
- b. Resolution No. 23-003, a Resolution Transferring Contingency in State Tax Street Fund
- c. Resolution No. 23-004, a Resolution to Adopt an Americans with Disabilities Act Public Accommodation Policy
- d. Approve Agreement between City of Gervais and Doc Titus for 4th of July Entertainment

11. New Business

12. Staff Reports:

- a. City Manager
- b. Police Department
- c. Public Works

13. Business from the Mayor or Council

14. Executive session pursuant to ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

- a. Resolution 23-001, a Resolution to Adopt the Amended City of Gervais Employee Handbook

15. Adjourn

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*** OFFICIAL PROCLAMATION ***

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Annie Gilland, Mayor of the City of Gervais, do hereby proclaim April 22, 2023 as **ARBOR DAY** In the City of Gervais, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS _____ day of _____, _____
Mayor _____

CITY OF GERVAIS
****PROCLAMATION****

Whereas, The citizens of Gervais honor the students and staff of Gervais High School for their commitment to emphasize academics in the classroom, and skill and respect for their opponents on the court or on the field, and,

Whereas, The success of the GHS girls varsity basketball team is indicative of GHS's overall commitment to athletic and academic excellence, and emphasis on sportsmanship, and,

Whereas, On Saturday, March 4, 2023, the Cougar girls' varsity basketball team, under the leadership of head coach Enrique Sandoval, assistant coach Charmayne Robinson, and volunteer coach Molly McCargar, captured the OSAA 2022-23 2A state girls basketball championship by defeating the Stanfield Tigers at the Pendleton Convention Center by a score of 37-21 and,

Whereas, The girls varsity basketball team won their first OSAA state championship in 29 years, with the prior championship being in 1994, and,

Whereas, The 2022-2023 Gervais Cougars girls basketball team finished the season with an overall record of 26-4 and Tri-River Conference record of 14-0,

Whereas, The 2022-2023 Cougar girls basketball team showed courage, resilience, commitment, determination and competitive drive throughout the season with their success on the floor bringing positive exposure to the City of Gervais, Gervais School District and Gervais High School,

Now, therefore, the Mayor of the City of Gervais proclaims **April 6, 2023** as

"GERVAIS COUGARS SPIRIT DAY"

*Gervais commends the passion, enthusiastic support and sportsmanship demonstrated by Gervais High School students, parents and community members, and congratulates each and every member of the 2022-23 girls varsity basketball team for their outstanding performances in bringing home the state championship. **Go Cougars!***

In witness whereof, I hereunto set my hand and cause the seal of the city of Gervais to be affixed this _____, 2023.

Annie Gilland, Mayor of Gervais

**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL
COUNTY OF MARION, STATE OF OREGON
HELD AT GERVAIS CITY HALL WITH ZOOM ALTERNATIVE AT 7:00 PM ON JANUARY 5, 2023**

1. Call to Order

Mayor Annie Gilland called the meeting to order at 7:00 pm

2. Pledge of Allegiance

Councilor Gonzalez led the Pledge of Allegiance

3. Roll Call

Mayor Annie Gilland	Present
Councilor Pamela Foreman	Present
Councilor Baltazar Gonzalez	Present
Council President Micky Wagner	Present
Councilor Michael Gregory	Present
Councilor John Harvey	Present

Staff Present: City Manager Susie Marston, City Recorder Denise Dahlberg, Police Chief Mark Chase, and Public Works Superintendent Kyle Jentzsch

Others Present: None

4. Council Oaths of Office

Oaths of Office for Mayor Annie Gilland and Councilors Michael Gregory and John Harvey were administered by City Recorder Denise Dahlberg

5. Elect Council President

Councilor Gregory nominated John Harvey as Council President, seconded by Councilor Harvey. A roll call vote was taken. Gregory-Aye, Harvey- Aye, Gonzalez-Nay, Foreman-Nay, Wagner-Nay. Motion failed with 3 votes against and 2 votes in favor.

Councilor Foreman nominated Micky Wagner as Council President, seconded by Councilor Gonzalez. A roll call vote was taken. Harvey – Nay, Gonzalez- Aye, Gregory – Nay, Foreman – Aye, Wagner – Aye. Motion passed with 3 votes in favor and 2 votes against. Micky Wagner was elected as the Council President.

6. Announcements/Additions

Mayor Gilland made a change on the agenda by switching Items 7 and 9.

7. Committee Reports

Laura Clifton reported that City Manager Marston was checking into the National Guard website, and she hadn't heard back from her. Clifton explained that there wouldn't be a meeting until she has some information to report.

City Manager Marston noted she would report on this in her staff report.

8. Consent Calendar:

- a. Minutes of the December 1, 2022 Regular Session
- b. Bill list for November 23 – December 28, 2022
- c. Treasurers Report for period ending December 28, 2022

Requested Action: Motion to approve the January 5, 2023 consent calendar as presented.

Mayor Gilland asked about the bill to Beery, Elsner and Hammond for \$1,704.03 and also noted she had signed an \$11,000 check and wondered why it wasn't on the bill list. City Recorder Denise Dahlberg explained that the check the mayor signed was probably run after the bill list in the current consent calendar was generated. Dahlberg noted the bill list date was October 23rd – November 22nd and that the check she was referring to would be in the next bill list.

Councilor Harvey asked what the \$11,000 check was for. City Recorder Dahlberg referred the question to City Manager Marston. Marston explained that sometimes there is information on attorney invoices that is attorney-client privilege, meaning it is not subject to disclose to the public, especially in a public meeting. She explained that she wanted to be really careful on what she is allowed to share. Councilor Harvey and Mayor Gilland asked for more information on this bill. Marston said she would follow up with the council appropriately, but not in a public meeting. Mayor Gilland and Councilor Harvey agreed that it would have been nice to have been informed prior to the bill.

Harvey asked Manager Marston about \$13,569 to America Bank & Trust listed on the PD Vehicle Replacement Fund and why the vehicle was replaced. Marston replied that this is the annual lease payment on a police vehicle. Harvey was surprised to learn that the City is leasing a vehicle, but Marston explained that it was approved by the City Council. Councilor Harvey followed up by asking why the vehicle needed to be replaced. Manager Marston recalled a couple of vehicles that were involved in accidents that needed to be replaced. Harvey asked if she could tell him when that happened. He explained that the reason he was asking is because somebody had sent him a picture of one of the City's vehicles in a ditch about a month and a half ago and never heard about it from Marston or Chief Chase. Harvey went on to explain that the council should be informed of everything that goes on in order for them to do their job as councilors.

Councilor Wagner asked if Marston could email the information on the attorney bill to the council after the meeting. Mayor Gilland followed by stating she would like a briefing of what is going on in the City, and Councilor Harvey agreed. Marston responded that she would check with the city attorney on what she can disclose and follow up with an email, unless the city attorney advises

otherwise. Mayor Gilland stated that if Marston has a conversation with the city attorney that she would like to sit in on the meeting and proceeded to ask each councilor if they would like the same. All indicated 'yes'. In summary, Mayor Gilland stated that the council would like to have a briefing. For clarification, Marston asked what the council would like to have a briefing on. In response, Mayor Gilland would like to know why the City is incurring a lot of legal fees.

Councilor Foreman made a motion to approve the January 5, 2023 consent calendar as presented. Seconded by Council President Wagner. Motion carried and so moved.

9. Public Comment

- a. Public comment is limited to three (3) minutes per person with an optional two (2) minutes for Council questions and answers. If you wish to address Council please come forward to the podium and identify yourself for the record. Mayor Gilland added that council response was optional.

Douglas Lanphere, 940 Winfield Street. Mr. Lanphere shared that he purchased his property in Gervais in November, 2021 and owns several residences elsewhere. He explained that a majority of his time is not primarily spent at his Gervais residence. Mr. Lanphere addressed the council on how his neighbor, Gricel Malstrom, has vilified him as a stalker before the city council, claiming that Mrs. Malstrom has embarked on a campaign to defame, slander and liable him. Mr. Lanphere discussed a protective stalking order that Mrs. Malstrom pursued against him, the related trial and the City's involvement in providing information to Mr. Lanphere's attorney. Mr. Lanphere expressed his claim that Mrs. Malstrom fraudulently ran for Mayor of Gervais. Mr. Lanphere provided the council with a packet of information supporting his public comment.

Mayor Gilland asked Manager Marston if the council could be provided with information on the election process at the February council meeting.

Gricel Malstrom, 960 Winfield Street. [There was a verbal exchange between Malstrom and Lanphere]. Mrs. Malstrom congratulated Mayor Gilland on winning Mayor, and then pursued to ask her about comments she allegedly made against a member of the community, a city employee and Councilor Wagner, to which Mayor Gilland replied "no comment" and Malstrom replied "you did". Malstrom went on to air her grievances against Mayor Gilland and Mr. Lanphere, claiming they were trying to defraud the city and talk nonsense about her. Malstrom spoke about Mayor Gilland's claim that Malstrom committed voter fraud and that Mayor Gilland committed fraud by discouraging Malstrom to run for Mayor. Malstrom claimed that Councilor Harvey attended court and proceeded to talk about her ticket in the community. Malstrom claims they are just trying to smear and harass anyone they don't like. Malstrom displayed an image of Mayor Gilland's husband with feces. Malstrom also talked about a text message exchange she had with Councilor Harvey and how she felt his comments were racist.

10. Presentations

11. Public Hearing

a. SDR Application for the 5th Street Storage Units

- i. Open the hearing – Mayor Gilland opened the hearing at 7:38 pm. Holly Byram, City Planner, Mid-Willamette Valley Council of Governments introduced herself, described her role in helping the city council during a land use public hearing.
- ii. Ex-parte Contact or Declaration of Conflict of Interest – None noted.
- iii. Staff Report – Holly Byram presented her staff report to the city council on the proposed storage unit development on property located on 5th Street between Alder and Birch, currently undeveloped. The owner/applicant is Pacific Interiors, Attn: Fred Kasachev. It's a two story building with 146 units. The property is zone for industrial.

Byram included a map of the subject property and surrounding properties in her report. This property received approval a couple of years ago to consolidate the historic lots that were there with a vacated alley on the north side of it. A snapshot of the proposed site plan was included in the staff report and discussed the layout.

Byram reviewed the Light Industrial Zone standards and criteria. All of the public facilities improvements (water, sewer, storm, streets, street lights, fire hydrants, etc.) are required of the developer. The developer has proposed a three-quarter street improvement on 5th Street rather than a full street improvement, which the City's code allows leniency for. The developer is proposing half-street improvements on Alder and Birch, which the city engineer is supportive of and the code allows. Byram discussed parking spaces, loading zones and landscaping on the site.

The application was reviewed by Public Works, the City Engineer and Woodburn Fire District. Their comments are included in the staff report. The primary driveway needs to be moved from the corner of Birch and 5th to meet the City's access control standards (space between intersections).

Byram reviewed the conditions of approval to this application.

Byram also noted the options available to the council and stated the recommendation of staff to approve this Site Development Review and adopt the findings and recommended conditions in the staff report.

iv. Proponents Presentation

Jeff Bolton, Multi-tech Engineering, is the applicant's representative. They are in agreement with 98% of the staff report, stating there were some good ideas and they had no problem implementing. He asked for consideration of a deferral agreement on the building of half street improvements on Birch and Alder. They can add the parking spaces as needed and adjust loading zones to provide better access to building. He liked the ideas of fencing along Birch Street and putting landscaping on the outside of the fence.

Mayor Gilland asked what he meant by deferring. Bolton explained that depending on what adjacent projects the city was completing at that time, then at that time the applicant would be required to finish their street portion. If they are required to put in curbs and sidewalks, the applicant would do theirs at the same time. So instead of the developer putting up the cost to put half streets in now, Bolton asked for a consideration when the city is developing, then the applicant would be required to develop.

Councilor Wagner asked about parking for people stopping just to check their storage unit. Bolton explained they had an opportunity to add additional parking along the side.

Councilor Foreman asked if the 2% the applicant didn't agree with was the half street improvements. Bolton replied yes. Councilor Harvey did not agree with the deferral because of promises not being kept in the past. He gave an example of the housing development next to Black Walnut that was supposed to have an HOA and it never happened. Bolton explained that one of the conditions prior to any building would require a building permit issuance that would force them to work with city staff to work through it.

Councilor Gregory asked if Byram knew of the new development prior to this meeting because they currently had recommendations of the city engineer and planner to approve for both and now there is a change. Byram explained the last revised plan had ½ street improvements on it. Deferral agreements are not unheard of and the language could potentially say the owner will build the street when the other developer builds their piece. Byram would hesitate to make a decision without the City Engineer's feedback or from Public Works Superintendent Jentszch's feedback.

Lazor Kalugin, 11220 Portland Rd., Salem, OR. Kalugin noted Alder goes nowhere and expressed his interest in the property with Fred Kasachev. He said the side streets were becoming a financial hardship.

Councilor Harvey identified that Birch and Alder would connect in with 6th if they went all the way through. Bolton replied he was correct, but the problem

was it was city right-of-way and when the single family homes went in along 6th Street, there were improvements done along 6th but no improvements on Birch or Alder, even doing a half or three-quarter street. He explained that it was a city cost down the road to have those streets further extended to 6th Street. Bolton explained they are paying for the water line down Birch Street to serve their site and bringing water to their property and taking care of some storm drainage on 5th street, as well. Bolton explained, in the future the city would be responsible for paving those sections of the road on the half street side adjacent to the single family homes.

Fred Kasachev, 2995 Mollala Rd, Woodburn. Kasachev asked why the residential houses on 6th Street didn't have to develop and he has to develop his commercial property. He explained it didn't make sense to develop the half street because it wouldn't do anything. If the residential houses made the street improvements, then he would have connected, but since they didn't have to make the improvements, then he doesn't see why he has to.

Councilor Wagner suggested the applicant may want to have the half streets because otherwise his people going in would have to do a U-turn. Kasachev said they wouldn't be making a U-turn, they would loop around.

Opponents Presentation- None

- v. Proponents Rebuttal – None
- vi. Staff Summary – Holly Byram, Associate Planner, Mid-Willamette Valley COG
- vii. Prior to the close of the hearing, Sandra Foote-Gregory, 680 Douglas Ave., approached the council. Foote-Gregory explained that Alder, between 5th and 7th wasn't really used unless it's an emergency and only a few houses were over there. She opined that it wasn't something that needed to be developed extensively. She said it could wait for future development, if they wanted to go ahead with this.

Councilor Harvey commented that after looking at the proposed site plan on page 4, he sees now that there wouldn't be a problem in not asking them to pave the streets.

Superintendent Kyle Jentzsch explained that it would be in the City's best interest to have them improved now versus down the road. He would like to see at least one of the streets improved in the event that there is a larger vehicle that cannot turn around without a paved street.

Councilor Harvey changed his mind and opined that maybe at least pave Birch.

Mayor Gilland closed the public hearing at 8:24 pm.

viii. Council Discussion – There was a council discussion about potentially splitting the difference; paving one and not the other. Byram commented that the City Engineer thought that half street was generous. Jentzsch followed by pointing out that he believed the code required three-quarter improvements, supporting that the engineer was being generous with half-street improvements. Councilor Wagner suggested that this be deferred until after the building was built. Byram suggested some very clear and objective criteria on what would trigger the improvement if it was deferred. Jentzsch suggested the Birch improvement for parking and turn around at a minimum. Councilor Gonzalez asked Jentzsch what the fire department was recommending for fire trucks. Based on the plans, the inside radius was 24' and the outside radius was 48'.

ix. Council Motion, second and vote

Councilor Harvey made a motion to approve the site development file with the changes that have been made here tonight, as to the half street on Birch and site review file number SDR 22-01 and adopt the findings and recommended conditions of approval contained in the staff report to the City Council, as amended by the City Council stating the desired revisions, and that is for the applicant to do a half street on Birch. Seconded by Councilor Wagner. Mayor took a roll call vote. With 5 ayes motion is carried and so moved.

12. Old Business

a. Schedule a worksession for parking

Mayor Gilland has met with some constituents and one lady has submitted some ideas, which Mayor Gilland will submit to Marston and Dahlberg before the meeting. The council discussed possible dates and scheduled the worksession for February 13th at 6:00 pm.

b. Activity Tracker

Mayor Gilland asked if there were updates made. Susie asked Mayor Gilland to explain how she would like for it to look and suggested meeting with her about it. Mayor Gilland said she would get with Marston to discuss changes.

Councilor Foreman asked where we were with grant writer and projects. Marston replied there were no projects underway, however there were some small community grant opportunities where the deadlines have passed and we didn't have any projects ready at that time. She explained that in order to pursue grants there needs to be eligible projects such as park lights, skate park, entertainment venue, or gazebo in community park. Marston noted that she had been in contact with PGE about a proposed plan with park lights. She stated that we need projects that are ready in order to pursue grants.

Councilor Foreman asked where we were in regards to the new website and wanted to conclude within the quarter. Marston apologized for the delay, and explained they are still looking at a couple of vendors and she would have something by the end of March.

Councilor Foreman asked if the Love INC contract was being publicized. Marston reported information went out to the public on their water bills, letting them know the resource was available to them.

Councilor Wagner acknowledged CERT Training on the activity tracker and asked for staff to adjust dates to reflect classes starting on February 27th for five Mondays, and the final date of April 1st.

Douglas Lanphere (from the audience) asked that if someone was previously certified, should they take a refresher course. Wagner said yes, they could come back and would need to attend three refresher courses.

13. Staff Reports

a. City Manager – Susie Marston

Marston provided a written report.

She mentioned working with the developer about the apartments that are going up between Ivy Woods and Winfield Ranch. They are in the process of submitting permits for getting the infrastructure in the ground and working in the right-of-way.

Marston reported that she logged on to the National Guard website and established an account for the City to start pursuing help from the National Guard with the skate park. She is not yet in meat of it, but she anticipates asking the Ad Hoc committee for more information on what their ideas are.

Councilor Harvey asked if we're having a problem with getting information on the city's website. Harvey indicated that people were looking for some videos, like Zoom. Marston confirmed that the December Zoom was online. There was a suggestion from the audience that perhaps using a different browser would resolve the issue.

b. Police Department – Chief Mark Chase

Chief Chase provided a written report and clarified there were actually three arrests and not zero.

Councilor Harvey asked Chase if one of the vehicles had an accident, because he had a picture of the vehicle in the ditch. Chase clarified that it was not a reportable accident. It was partially in the ditch. The officer was doing a U-turn, and his tire went into the mud and didn't damage

anything. Councilor Harvey felt it should have been reported to the council. Chase told Councilor Harvey that he reports to the City Manager about City business.

Manager Marston stated that the expectations of what the council would like to be informed of are not clear. Having no damage or injuries, staff didn't understand that this might be a reportable event to the city council. Councilor Harvey read an essential job function from the City Manager job description, which was to oversee day to day operations of the City, keep council apprised of current activities, recent events, changing requirements and fiscal status. By this reading, Councilor Harvey's thoughts are that the council should be notified of anything that happens in the city.

[There was a comment made by Gricel Malstrom from the audience in response to what Councilor Harvey was saying. Mayor Gilland gave a warning that if she does not settle down and be quiet, she is to be removed. Malstrom spoke again, and Mayor Gilland asked that Malstrom be removed. Malstrom left on her own, and upon exiting, she said, "It doesn't matter. You're a piece of shit, both of you."]

Councilor Harvey believes that the council is entitled to the information unless it is prohibited by law. According to him, that hasn't been happening and thinks we need to make some more changes.

Councilor Foreman agreed that if there is something that happened that costs the City money, then the council needs to be appraised of it. She doesn't think that someone turning around in a piece of dirt is something that's of interest to the city council since it didn't cost the City any money and didn't damage anything else. She feels that it's important to let Marston do her job and not get into the minutia of what goes on within the City.

Mayor Gilland agreed with Councilor Foreman somewhat. However, she countered that when they get phone calls about a police car in the ditch, they're not aware that somebody wasn't hurt. Mayor Gilland agreed with Councilor Harvey that they don't get appraised of anything as far as she is concerned.

Manager Marston expressed that it would help staff out if council would contact staff if they are getting concerns from citizens. Oftentimes what staff sees is not seen in the same way that somebody else does, but we can still take it seriously and still care about it. Marston explained that staff is not hiding anything and that sometimes staff needs to be made aware too and not blow it all up in the middle of a council meeting in a public forum. It would be helpful for council to let staff know what they are hearing too in order for staff to help alleviate any concerns.

Councilor Wagner followed what Councilor Foreman and Manager Marston are saying. In her view, if the council wants miniscule things like this to be reported, then it should be in writing. She also said that she's seen enough harassment of city employees, the police department and public works and herself. She reminded the council that they all have taken an oath to follow

the rules, be impartial and to do their jobs. She stated that if council members are being contacted by people, then those people need to be sent to the City Manager or police department. Identities shouldn't be hidden.

Mayor Gilland then spoke about how people are afraid of some individuals and used Gervais Community Progress Team as an example. Mayor Gilland brought to everyone's attention of what is allegedly on Reddit about her and asked Chief Chase if he has seen it. Chief Chase acknowledged that this is not part of his report and that we're going down a rabbit trail. He added that he does not pay attention to Facebook, but they have reports regarding comments made. He suggested that if the Mayor would like an agenda item on those kinds of comments, then he could provide a report to the council, but it should be an agenda item.

Councilor Harvey stated that the council has the right to ask questions and it's not considered abuse. He went back to his question to Chief Chase about why he didn't think he should notify the council, and he told Harvey the answer and Marston followed up. Councilor Harvey's point was that whether or not it cost the City, it is an accident and it needs to be put on record so that if the same thing happens again, then maybe they need to deal with it.

Chief Chase asked Councilor Harvey why he didn't just call him and ask about it. Councilor Harvey would rather deal with anything he wants to know from staff in public forum so that everybody can hear what's going on. He does not want to be talking behind the scenes about things.

Laura Ladd spoke from the audience and gave her opinion on the vehicle.

Doug Lanphere spoke from the audience and gave his opinion on recording incidences.

c. Public Works – Superintendent Kyle Jentszch

Jentszch updated the council that the flashing beacons for the crosswalks on Douglas will be installed January 10th.

He has an electrician helping work through the issues that they are having with the PLC at the water plant.

Mayor Gilland thanked public works for the basketball hoop.

In response to a question from Councilor Gregory, Jentszch reported how they got through the power outage from the recent ice storm. They were able to use the new generator that was recently delivered installed at the lagoons.

14. Business from the Mayor or Council

Mayor Gilland opened by stating that for two years, she has been cyber-stalked by two citizens. She has had fake posts put about her, and read into record here; fake ethics charges, noting she

has every right to have her city email checked when she is afraid that there is a virus or a threat. She mentioned to Chief Chase that she is being bullied online. He says it's a civil matter, and has told other citizens they are civil matters. Mayor Gilland says it has progressed to cyber-stalking and bullying beyond her husband was made to be a pedophile by these people. She said it is harassment and she is not here in the City daily. She stated that she is afraid to come in here and utilize her office. She let Manager Marston know on December 13th that she is not feeling safe having Heather Lagaso come in here and archive. Mayor Gilland stated that this woman has terrorized her and her family. She has been spit on, called names in public and she knows for a fact that staff was told about Reddit, where the lies have been told. She can prove it. They were sent information and never informed her at all. Secondly, Mayor Gilland stated, she has a right to come in this building and feel safe, and she does not feel safe using her office to meet with constituents or people in other communities. Addressing the council, she said she has every right to feel that way. She also does not like the Gervais Community Progress Team, who the Council President is affiliated with, meeting here; throwing meet-n-greets for the staff. The same people that they know have been harassing her are invited in left to mingle. One or more of them loaded things into her car because her husband didn't realize that the person that painted him as a pedophile was one of them.

Councilor Wagner asked Mayor Gilland not to attack the Gervais Community Progress Team. The Gervais CPT has been around for 30 years and they do not have any issues with the Department of Justice, the Secretary of State, the IRS. They have done nothing but good. Wagner reported that they just recently gave out a \$1,000 grant to a small business. They also gave out a \$500 grant. Councilor Wagner said she sees a lot of what people say on Facebook, but she chooses to disengage because it is not worth her time.

There was an exchange with Councilor Wagner and Mayor Gilland regarding comments said between individuals.

There was a lasting discussion and argument about comments posted on social media.

Chief Chase, acting as Sergeant at Arms, advised Mayor Gilland that the topic is way out of line.

Linda Jensen spoke from the audience about her opinion on the matter.

Brian Wagner spoke from the audience about his opinion on the matter.

JR Lopez spoke from the audience about his opinion on the matter.

Kathy Harvey spoke from the audience about her opinion on the matter.

17. Adjourn

Mayor Gilland adjourned the meeting at 9:28 pm.

I, DENISE DAHLBERG, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON JANUARY 5, 2023 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Susie Marston, City Manager

Annie Gilland, Mayor

► RECEIVED ◀
MAR 3 1 2023

Minutes for January 5th. 2023

- Discussion where Jr. is asked about if he knew why he had signed the check for the attorneys and his response is missing (See video 9 min 23 seconds in)
- Picture of Mayors husband mentioned but not a true reflection of what that picture showed. Mayor's husband Keith and a piece of shit. Held up to audience by volunteer Brian Wagner. Who assisted Grisel Malstrom.
- Douglas Lanpheres public comment missing what he said about chief Chase and his involvement is missing.
- Lanphere mentions tax dollars being wasted missing.
- Grisel argued with Lanphere missing, mayor warning her to address council missing. Lanphere interruptions noted shows bias toward him vs. Malstrom.
- Mayors comments trying to maintain order when Grisel being disruptive missing.
- The mayor telling chief chase that Lanphere is not the problem she is referring to Grisel.
- Exchange between Harvey and Malstrom missing.(Harvey stated not worth his time.)
- Grisel interrupting during the meeting not mentioned.
- At counter time on video 1 hour 45 seconds Grisel interrupted, mayor properly warned Grisel(Missing) Grisel then does it again interrupting with unwarranted comments. Mayor directs Chief Chase to remove her. All missing no accounting or reflection noted in minutes.
- Conversation from Mayor and council about denouncing the HATE missing entirely.
- Anne Saalfeld was called a coward by Council President Micky Wagner all missing.
- Citizen's statements all missing. No content of what they said. About the discussion at the end.

**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL
COUNTY OF MARION, STATE OF OREGON
HELD AT GERVAIS CITY HALL WITH ZOOM ALTERNATIVE AT 7:00 PM ON FEBRUARY 2, 2023**

1. Call to Order

Mayor Annie Gilland called the meeting to order at 7:00 pm

2. Pledge of Allegiance

3. Roll Call

Mayor Annie Gilland	Present
Councilor Pamela Foreman	Present
Councilor Baltazar Gonzalez	Present
Council President Micky Wagner	Present
Councilor Michael Gregory	Present
Councilor John Harvey	Present

Staff Present: City Manager Susie Marston, City Recorder Denise Dahlberg, Police Chief Mark Chase, and Public Works Superintendent Kyle Jentzsch

Others Present: None

4. Announcements/Additions

Mayor Gilland read announcement explaining that the council values public engagement and explained the need to balance the public engagement to do their work. She asked the audience to refrain from speaking unless at the podium during designated public comment periods. She explained the council would not tolerate disruptive members and the potential of disruptive members being removed.

Councilor Harvey objected to Item 10(a), Council Consideration of Holding Electronic Meetings. Harvey stated there were several things wrong in the paperwork and asked for it to be moved to a work session. Harvey asked where it stated that meetings would sometimes be electronic only in the council rules or the charter. City Attorney, Ashley Driscoll replied that Item 10(a) was appropriately placed as an action item on the council agenda and would address any questions about that item then.

5. Public Comment

Kathy Harvey, 1080 7th St., thanked the council for everything they do. She acknowledged they had disagreements and worked very hard for the city and that is why they were elected by the citizens. Kathy Harvey spoke about something she disagreed with at a council meeting and thanked Mayor Gilland for coming to her house to talk about it because it changed her mind

and she volunteered at the 4th of July celebration. She thanked Keith Gilland for the meals on wheels driver during the ice because he went out of his way to help.

Sandra Gregory, 345 7th St, expressed wanting to meet with city council in person, not liking Zoom and noted that people have the right to congregate.

Dandy Stevens, Superintendent of the Gervais School District, announced the Gervais School District Board of Directors was considering a resolution to go for another bond in May. They are putting information about the bond to the public and receiving feedback. She provided a packet of information on projects that will be covered with the primary focus of finishing the middle school. Also, creating a community service space including a full service kitchen, cafeteria and restrooms that can serve as a staging area in times of crisis or celebration. Each building will receive security and HVAC upgrades. They will receive a \$4 million grant from the state if the bond is passed. Stevens spoke about a grant offering low income families that qualify to receive up to \$200 a year towards their property tax.

Keith Gilland, 280 3rd St. stated he had been coming to council meetings for 2 ½ years and has been called a pedophile, racist and been pictured with a piece of shit, and death threats on the internet. Keith stated if anyone should be afraid to come to the council meeting it should be him and seeing the meeting from his phone isn't going to work for him. Keith Gilland noted he was against meetings going to Zoom only.

Council President Wagner noted Keith Gilland mentioning at a council meeting that he was a concealed carry and asked if he was carrying in the building. Keith Gilland replied "no". Mayor Gilland clarified that it was after the council meeting. Keith Gilland stated he was told that Brian Wagner was a concealed carry as well.

Sue Fessler, 1020 6th Street, expressed not liking the idea of Zoom meetings and that this would be her last meeting if they went Zoom because she doesn't own a computer. Fessler stated she has enjoyed coming to the meetings.

Douglas Lanphere, 940 Winfield St., spoke about being slandered and defamed by Grisel Malstrom and that she fraudulently ran for Mayor. Lanphere complained that Malstrom used profanity toward the Mayor and city council. Lanphere suggested the elected officials denounce and condemn any hateful speech about someone in the community. Lanphere closed by announcing that city council deserves the respect of the community.

Grisel Malstrom, asked a police officer to stand between her and Lanphere. City Attorney Driscoll asked him to do that. Mayor Gilland asked Malstrom to put her phone away and Malstrom explained that she needed to read what she typed up from the phone. Malstrom spoke about a "pedazo de mierda" (piece of shit) wasting 10's of thousands of dollars in Gervais city money, committing multiple false police reports and missing court dates on purpose. Malstrom was asked to abstain from using profane language by City Attorney Driscoll. Mayor Gilland asked Malstrom to put her cell phone away. Malstrom asked why there was other

surveillance and Mayor Gilland said they asked her permission. Malstrom stated she would ask for permission next time. Malstrom asked the city council to look into false police reports and take appropriate penalties and played a video for the council.

Linda Jensen, 1060 8th St asked if there were rules about using profanity and showing pictures at a council meeting of our Mayor's husband with a shit pile underneath. She asked where the boundaries were and said that anyone coming to a council meeting should be respectful and there should be no name calling. She can't believe what has been aloud and that part of the city council won't denounce it. Part of the city council has told her this is okay and she was disappointed.

Mayor Gilland said there are rules against it.

Brian Wagner, 166 Hemlock Dr., stated he was Council President Wagner's husband. Brian Wagner encouraged the council and residents of Gervais to read the council rules that were posted on the website, especially sections 17, 18 & 19. He noted that there are strict rules that have been broken.

6. Consent Calendar:

- a. Bill list for November 23 – December 28, 2022
- b. Bill list for December 29 – January 25, 2023
- c. Treasurers Report for period ending January 25, 2023

Requested Action: Motion to approve the February 2, 2023 consent calendar as presented.

Councilor Gregory asked what the legal fees were for in the amount \$11,000. City attorney, Ashley Driscoll, asked Gregory if he was at the last council meeting. Gregory stated he was. Attorney Driscoll said she believed that was discussed and that Gregory received a follow up email from her office discussing those items. Attorney Driscoll asked if he received her email. Gregory said he received the first one but the second one he wasn't clear. Driscoll explained the attorney's invoice contains attorney-client privileged information, and in the previous council meeting the council requested detail about the specific bill. Her office, in an attorney client privileged email, provided each council member with detail about the specific bill. Councilor Harvey stated that information should've been given to Susie so that Susie could bring it back to the council and was unsure why it had to be given to the council in a legal format. Driscoll explained that she didn't understand Councilor Harvey's question because when the invoice from her office and when her office provides legal services to the city, it is attorney client privileged. Attorney Driscoll explained that her client is the city council as a body and that was explained at the last council meeting. Driscoll noted when Susie receives such a request from the council to explain attorney client privilege legal matters in an open public meeting, Susie did exactly what she was supposed to do which is to say, she needed to speak to the city attorney because she is not authorized to waive attorney client privilege and she would get back to you. Driscoll said in the email that any additional questions could be dealt with in an executive session and her advice would be to not deal with such matters in an

open public meeting. Harvey argued that the attorney gave Susie legal advice on other issues that were discussed in open public meeting and asked why the other stuff wasn't attorney client privilege. Driscoll's advice to the council is that they discuss the what's and why's in an executive session.

Councilor Foreman motioned to accept February 2, 2023 consent calendar as presented. Seconded by Council Wagner.

Councilor Harvey announced that according the rules, Susie should furnish the minutes from previous council meeting in consent calendar and asked why Susie didn't have them in this consent calendar.

With a point of order Councilor Foreman stated that they were in the middle of a motion and Harvey's question didn't have anything to do with the motion. Mayor Gilland disagreed with Foreman and asked Susie to answer Harvey's question. City Manager Marston explained that the minutes from the last council meeting were a challenge to type and there have been a lot of distractions during the month of January and they take extra time.

Mayor Gilland took a roll call vote for the February 2, 2023 consent calendar to see if the motion carries. Harvey – Nay, Gregory – Nay, Wagner – Aye, Gonzalez – Aye, Foreman – Aye. Motion is carried and so moved with 3 ayes and 2 nays.

7. Committee Reports

Laura Clifton, 1065 6th St. No parks and recs meeting for the while. Susie was looking into the website for National Guard and she hadn't heard anything. Clifton had nothing to report back on.

Mayor Gilland asked if City Manager Marston filled out the application on the National Guard's website. Marston replied that she had started the process. Marston explained she had been dealing with lots of distractions over the month and did not have time with daily duties to get back to that. Gilland asked if there was any reason she couldn't hand that back at some point. Clifton stated Marston was looking to see if there was any sensitive information. Marston will look into it and follow up.

Councilor Gregory asked about the both of the bill lists on the consent calendar. Gilland explained that one of the bill list's was already approved and there was a drag and drop mistake on the previous bill list and the consent calendar was updated. Gregory asked about the treasurers report for January 25th. Gilland said it was all in one.

8. Presentations

Chief Budge updated the council about the bond approved by voters for the building of the fire station. The Board of Directors has dedicated \$3.1 million to that project. Budge is asking for a Letter of Support from Gervais for a capital project request that will go to the state legislature to expand on the current project adding community room for the Gervais community, storage

facility for CERT equipment, above ground fuel tank, training tower and this will help with ISO rating, as well. The request will be for \$4 million to the state legislature.

In response to Mayor Gilland's question, the ISO rating is the insurance rating that determines premiums.

Council President Wagner made a motion to approve giving Chief Budge a Letter of Recommendation. Seconded by Councilor Foreman. Motion is carried and so moved.

9. Old Business

a. Activity Tracker

Mayor Gilland suggested goal setting with Susie and looking at activity tracker together to prioritize and potentially add some items.

10. Action Items

a. Council Consideration of Holding Electronic Council Meetings

Mayor Gilland read page 23 of the council rules. City Attorney, Ashley Driscoll began by reporting that she has been the City's attorney for a decade. Attorney Driscoll noted this was the first council meeting she has attended and that she has particular concerns about the conduct of the last city council meeting and some conduct and rhetoric that has been brewing at the city for quite some time now. Driscoll pointed out she is the City's advisor, and her client is not one individual member of the city, it is the city. She affirmed that it was her job to do everything she could to protect the city from liability, which is the main purpose of her being at the meeting. She reviewed last council meeting and noticed several items that jumped out at her regarding whether or not the Gervais city council was following its established rules. Driscoll went on to explain that the council rules are adopted by resolution and they are the council's agreed upon rules that the council should follow at every meeting. They are designed to implement fairness to make sure everyone on the council and in the audience participating are able to be heard in a fair and clear manner. They provide legal protection for the city. When those rules are not followed there are some concerns of general fairness and decorum for both city council, city staff, and members of the public and they generate legal risk. Driscoll explained she followed up in an attorney client privileged email going over some of the legal risks to the city. Driscoll established that because this was an open public meeting and because the city is her client, she would not go into those nor answer questions about those in this public meeting. When looking at this situation where multiple members of the audience are feeling unsafe attending council meetings, council members and city staff have those feelings, as well. One of the main tools of the city council is step back and hold electronic meetings. Attorney Driscoll answered Councilor Harvey's question about the holding electronic meetings. She explained that the rules state council meetings are held both in person and electronically. That does not mean you can't hold them only electronically. Driscoll explained during COVID all meetings were held electronically and the city should, under state law, be holding council meetings electronically. Attorney Driscoll's suggestion to the city is that meetings are held electronically until the matters cool down. Driscoll explained until the city gets to a place where audience members are speaking out of turn, there are multiple accusations of using

inappropriate language and multiple instances of using profane language at council meetings, then it is best to have an electronic meeting. Driscoll explained that in an electronic meeting everyone has the same access as they do in in-person meetings, however the city has more control over the meetings and there is less opportunity for people to shout out, less opportunity for altercations amongst council members and the audience. City Attorney Driscoll closed with suggesting that the Gervais city council hold electronic meetings.

Mayor Gilland took opponents' comment

Linda Jensen, 1060 8th St opined there was a handful of people causing the obscenities. She asked if there was a rule that wouldn't allow certain people to come until they change their behavior. Jensen pointed out that some people don't have computers and suggested taking care of the troublemakers rather than disciplining the whole city of Gervais.

Sandra Gregory, 345 7th St. agreed with Jensen. Whatever the problems may be they are small in number and suggested not making everyone else pay the price. Mayor Gilland asked if Sandra Gregory had ever seen a meeting like the last one. Gregory said no.

Laura Clifton, 1065, 6th St stated she had a problem with Zoom because she left early the last meeting and tried listening to it in the car and she was sitting in the lobby (Zoom lobby) and wasn't let in. She said the same thing has happened to her husband and they are unable to hear. Clifton stated Zoom doesn't work for the council meetings. Clifton understood freedom of speech and asked where the line is when people attack other people's characters. She did not believe Zoom was a good option. Gilland suggested other resources such as two officers and a sign with rules posted. Gilland stated she could be better at learning procedure.

Brian Wagner, 166 Hemlock, understood that Zoom meetings are hard to read and sometimes hard to listen and noted the reality of the situation. If the council and audience followed the council rules section 17, 18, and 19, they wouldn't have to worry about Zoom meetings.

Kathy Harvey, 1080 7th St. asked why Zoom was a viable option if it wasn't known how many could attend or people waiting in the waiting room on Zoom. Gilland stated that her mentor had to take Zoom out of his city because people were complaining to him and they turned it in to the higher-ups.

Erica , 725 3rd St., wanted meetings to be in person and disagreed with electronic meetings.

Councilor Harvey felt disruption shouldn't be dealt with by eliminating public meetings but with firm enforcement of the rules.

Mayor Gilland stated that tonight demonstrated the typical meeting and they won't be able to satisfy everyone procedurally. Gilland indicated that people should follow the rules or be asked to leave. Gilland communicated that there were calm people coming to meetings, not just

two on Facebook saying it will be fun to watch the mayor get attacked. Gilland claimed it was shameful and she denounced it. She couldn't make the co-council vote no but she says no to Zoom and she is here to be the voice of the people.

Doug Lanphere, 940 Winfield., read from a prepared statement speaking in opposition of Zoom meetings. Lanphere noted some Gervais community members didn't have computers. Lanphere opined that it was an attempt to censor or limit free speech.

Gricel Malstrom stated as a minority she was not offended having Zoom meetings. She stated there have been lies said about her and she fears coming to the meetings but she is still here and she planned on running again. Zoom meetings could be safer for a person with disabilities. She did not like that people were at the meetings with firearms or the firearms were in the vehicles. Malstrom said if it continues it should be Zoom meetings.

JR Lopez, 640 6th St., disagreed with Zoom because it takes away the rights of the people. The citizens need to know where their taxes are going and that is why they elected the council.

Keith Gilland, 280 3rd St., acknowledged Susie and Denise on Zoom and suggested people get the opportunity to choose whether they want to be in person or Zoom. Councilor Harvey replied that it may not work that way because if the Manager and Recorder aren't in person who would get the paperwork. Mayor Gilland suggested the Sergeant of Arms or she the presiding officer accept the paperwork.

Ashley Driscoll, City Attorney clarified that a Zoom meeting is a completely legal and legitimate public meeting and people are allowed to participate in the exact way they would in person, public comment, public hearing.. What does not happen is the other distractions at Gervais and frankly at this meeting. Although it was addressed it has not stopped, public meeting to air personal grievances. Through Zoom they are less likely to misuse the public process. For over two years, people held Zoom meetings to the extent the Oregon Legislature changed the public meetings laws to require every jurisdiction also have an electronic component. City council has several issues to balance. First, whether or not people feeling comfortable. The people present at this meeting feel comfortable attending meetings. Second issue, decorum and regulation of the public meeting according to the council rules. City Attorney Driscoll stood by her concern especially after hearing some of the comments that there will still not be a uniform application of who gets to speak when and who gets to attend meetings and who does not. She emphasized that she was at the council meeting to represent this position and so that the council could make a decision in a fully formed fashion.

Councilor Gregory stated Gervais has held council meetings for 144 years and suggested administration help with the conduct in meetings. Gregory claimed that over the 17 years he was on council they saved money for the building so that people could come to meetings. Constituents want to have public meetings in person, said Councilor Gregory.

Councilor Foreman communicated that in good conscience it was difficult for her to go against the advice they pay attorneys to give them as a council. She believed the attorney's concerns were valid but that the citizens' concerns were more valid. Foreman agreed that there hasn't been a consistent procedural process for several months. Foreman expressed that if the council could control and have consistent procedures applied regardless of who gives comment then there should be an option to be in person or Zoom. While sitting at the Dias, she personally has been insulted by members of the current audience and others that have attended. The procedures to be interrupted were not done. If the council, mayor and audience are unable to do what the rules stipulate, she doesn't believe in person meetings are an option.

Council President Wagner agreed with Councilor Foreman. Wagner noted there wasn't a cost to attend a Zoom meeting and a lot of people can attend. Council President Wagner believed that both meeting types should be available because the people deserve to be here to ask questions, get solutions and problem-solve.

Councilor Harvey asked to make a motion to revisit the topic in two months. Councilor Foreman wanted the opportunity to have a productive professional council meeting on a consistent basis by having procedures followed carefully every time and thought it was a great idea for a month or two. But if things get to the point of what was experienced on January 5th it should be revisited.

Councilor Harvey made a motion to revisit this topic quarterly for discussion and decide which way to go regarding Zoom. Seconded by Council President Wagner. Mayor Gilland took a roll call vote Gregory-Aye, Harvey-Aye, Wagner-Aye, Gonzalez-Aye, Foreman-Aye. Motion is carried and so moved with 5 ayes and 0 nays.

Mayor Gilland communicated that everyone on the council work on procedure and that she would be training and working with her mentor. Mayor Gilland recommended staff support and asked that two officers be made available when larger crowds attended in person. Chief Chase honored her request. Gilland asked for rules to be posted. City Attorney Driscoll will work with City Manager Marston on that. Mayor Gilland instituted having a plotter and stated she would print it herself.

b. WVCC Dispatch Agreement

Councilor Harvey asked if there had been any changes to the current agreement. Chief Chase responded no major changes, however the current issue being discussed about whether or not to charge for after-hours LED services.

Councilor Harvey made a motion to accept the WVCC Dispatch Agreement. Seconded by Council President Wagner. Motion is carried and so moved.

11. New Business

a. Schedule Goal Setting Workshop

City Manager Marston has spoken with Scott Dadson with the MWVCOG to facilitate work session. There was a council discussion about potential dates. City Manager Marston will check with Scott Dadson about March 23rd or April 11th and bring it back to the council.

b. Discussion about Annual City Clean Up

Council agreed that to have Annual City Clean Up on April 22, 2023.

12. Staff Reports

a. City Manager

City Manager Marston provided a written report. She informed the council of the COG's annual dinner meeting held on February 15th in Newberg and offered to assist with registration if they wanted to attend.

Marston reported having the handbook ready to update and is waiting for the Police Union to review it and she will bring to March meeting. Marston noted the revised employee hand book shall be adopted by resolution of the council.

City Manager Marston encouraged everyone to come see the kiosk that would be delivered to city hall on February 6th.

Marston reported the Winfield Apartment project was moving along and currently in the review process and soon to be in the permit review process.

Marston was notified by the planner that Oregon Parks and Rec has some grant opportunities available and one is for the Veterans Wall. Marston communicated she would apply for grant if there was still an interest. She asked the council to let her know and the deadline was March 31st to apply.

If there is an antagonistic email sent to all council members, Marston asked for the council's support in directing those types of emails back to her. Marston provided an example of communication between an individual and Denise about a public records request with an antagonistic response cc'd to the council.

City Manager Marston informed the mayor and council of training, team building and coaching opportunities provided by League of Oregon Cities. She mentioned Mayor McArdle of Independence and Scott Lazenby, retired city manager from Lake Oswego traveling around providing help to councils in different capacities and they would be doing the goal setting session for Woodburn. Marston offered the resources and stated she would be happy to facilitate something if council was interested.

b. Police Department

Chief Chase provided a written staff report. Chase provided crime statistics for December 2022.

He thanked the Mayor for agreeing to attend the DARE graduation and appreciated the support from community.

Chase informed the council that DARE DOT training was canceled because many law enforcement agencies were facing significant staffing shortages. Chase explained the benefits of sponsoring the training saving significant costs and they are currently planning how to adjust moving forward.

Mayor Gilland complimented Lt. West. Michael Gregory complimented the Gervais Police Department for their community engagement. Councilor Wagner appreciated the speedy follow up on a call. Councilor Foreman thanked Officer Camacho for a timely response on a neighborhood concern.

Chase spoke about Gervais Police Association and scheduling an executive session for council feedback before entering into negotiations.

Chase recommended residents write a letter about their suggestions for ordinance enforcement in regards to yard parking and noted he would share those ideas in the upcoming work session and asked for any other direction the council may want for the staff report. Mayor Gilland wanted a report of how many violations and to whom because some people get tickets and some don't. Chief Chase pointed out outlining the procedure of ordinance enforcement in previous council reports and stated he would clarify what the process was for work session.

Chase reported on an alleged election fraud complaint they received and providing the complainant with the process needed to file with the Secretary of State. Mayor Gilland asked City Manager Marston for the City's step by step election process when someone asks to be the Mayor.

Chief Chase briefed the council on mental health policies relating to law enforcement officers and the annual estimated cost of \$2800, which is under \$200 per person. Chase asked for council consensus to bring in a mental health consultant.

Councilor Wagner asked if (?) was included in the mental health support. Chase said yes. Councilor Harvey asked if the consultant was a specialist in the field of mental health. Chase said yes David Raburn and Associates speaks internationally and is top notch. Harvey wondered if a psychiatrist was included in mental health training. Chase replied no and explained in previous trainings they have had professional psychiatrists or chaplin. Officers aren't required to do wellness checks but it will be discussed at the 2023 legislative session. Part of a mental health wellness program that officers may utilize. Chase explained there is a diffusing process for officers after experiencing traumatic issues. Gregory asked if it was

something the officers wanted to attend. Voluntary for spouses – Chase replied same price regardless of who attends. Lunch cost would change, but the cost for speaker stays the same.

There was a council consensus to allow Chief Chase to move forward with mental health training.

Chase provided a LEDS binder for the council on calls for service. He explained that data is how they make decisions on how to staff officers for coverage. Chase welcomed the council's questions when reviewing the data and explained how to read the data. Mayor Gilland asked for police scheduling history. Chase reported that current scheduling was from 7 am – 5 pm & noon to 10 pm. Councilor Wagner noticed a high call volume through months February July September and asked why. Chase responded that historically they haven't gathered data from previous years but he would look at it. Moving forward he would be providing his staff report and the graph showing data.

Chase attended Executive Leadership Training and one of the topics was conflicts on social media and he learned a lot. Chief Chase closed with his desire to be transparent about the police department's policies, procedures, data, information and decision making to the public, where the law allows. He encouraged the council to share with staff what information they would like to see in staff reports. He looks forward to sharing more information on the upcoming new website.

c. Public Works

Superintendent Jentzsch provided a written report for the council.

He reported crosswalks are up and functioning and they are working out the quirks.

The basketball hoop is installed and the bench has been prepped and repainted.

With shipping delays, the water plant level sensors are expected to arrive the middle of February.

In regards to parking issues and 'drop off' issues, signs have been ordered and will be installed within two weeks.

Superintendent Jentzsch reviewed his predecessors notes regarding lighting for the park and it appears to be an expensive undertaking with municipality grade. Mayor Gilland questioned expensive light poles on the bids and asked if it was because they would last a long time or because they would match what's here. Kyle explained that each vendor has their own proprietary pole and some have doubled and tripled in cost. There was a discussion about how many poles and lights. Gilland asked Marston about available grants for light poles. Marston said she would look into it and would follow up with PGE. Mayor Gilland suggested the new joint grant writer taking on this project for the city. Superintendent Jentzsch noted he was

approaching budget season, the importance of the park lighting and his desire of wanting to get out in front of it.

13. Business from the Mayor or Council

Councilor Gregory wants to be the chair of the 4th of July committee.

14. Adjourn

Mayor Gilland adjourned meeting at 9:28 pm.

I, DENISE DAHLBERG, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON FEBRUARY 2, 2023 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Susie Marston, City Manager

Annie Gilland, Mayor

66

City of Gervais
Bill List
February 23, 2023 - March 29, 2023

Advance Auto Parts	3/22/2023	Battery for 2019 F250	General Fund	Streets	54.04
	3/22/2023	Battery for 2019 F250	Water Fund	Water	54.04
	3/22/2023	Battery for 2019 F250	Sewer Fund	Sewer	54.05
				TOTAL:	162.13
Amazon Capital Services	3/13/2023	headset micro foam covers	General Fund	Admin	25.97
	3/22/2023	writing pads, goosneck mic	General Fund	Admin	178.89
	3/14/2023	Clorox Wipes & Kleenex	General Fund	Admin	133.87
	3/22/2023	hand sanitizer	General Fund	Admin	35.66
	3/13/2023	copy paper, ppr plts, fan d	General Fund	Admin	251.08
	3/16/2023	towels for shop/office0210	General Fund	Streets	31.55
	3/22/2023	Judge's Robe Zipper	General Fund	Court	9.95
	3/16/2023	towels for shop/office0210	Water Fund	Water	31.55
	3/16/2023	towels for shop/office0210	Sewer Fund	Sewer	31.55
	3/16/2023	Gloves for cleaning genera	Sewer Fund	Sewer	49.00
				TOTAL:	779.07
Backflow Management	3/16/2023	Letters mailed	Water Fund	Water	28.50
	3/14/2023	Backflow Svcs	Sewer Fund	Sewer	600.00
				TOTAL:	628.50
Beery, Elsner & Hammond LLP	3/14/2023	Legal Services	General Fund	Admin	9,872.20
				TOTAL:	9,872.20
Bretthauer Oil Co.	3/14/2023	February 2023 Fuel Charges	General Fund	Police	834.92
	3/14/2023	February 2023 Fuel Charges	General Fund	Streets	162.94
	3/14/2023	February 2023 Fuel Charges	Water Fund	Water	162.94
	3/14/2023	February 2023 Fuel Charges	Sewer Fund	Sewer	162.95
				TOTAL:	1,323.75
CDW Government	3/13/2023	DELL 5000-1512500	General Fund	Police	1,996.18
				TOTAL:	1,996.18
CIS Trust	3/1/2023	EMPLOYEE MEDICAL INSURANCE	General Fund	Admin	156.43
	3/1/2023	EMPLOYEE/FAMILY MED INS	General Fund	Admin	295.17
	3/1/2023	KAI/WILL/CH	General Fund	Admin	413.78
	3/1/2023	LIFE INSURANCE	General Fund	Admin	1.55
	3/1/2023	MEDICAL/DENTAL B/C COPAY B	General Fund	Police	6,000.42
	3/1/2023	EMPLOYEE MEDICAL INSURANCE	General Fund	Police	921.05
	3/1/2023	EMPLOYEE/FAMILY MED INS	General Fund	Police	2,089.68
	3/1/2023	KAI/WILL/CH	General Fund	Police	413.80
	3/1/2023	KAI/WIL/E&S	General Fund	Police	1,509.45
	3/1/2023	LIFE INSURANCE	General Fund	Police	21.18
	3/1/2023	EMPLOYEE/FAMILY MED INS	General Fund	Court	196.78
	3/1/2023	KAI/WILL/CH	General Fund	Court	103.45
	3/1/2023	LIFE INSURANCE	General Fund	Court	0.31
	3/1/2023	EMPLOYEE/FAM MEDICAL INS	State Tax Street F	Street Improvement	954.91
	3/1/2023	EMPLOYEE MEDICAL INSURANCE	State Tax Street F	Street Improvement	422.11
	3/1/2023	EMPLOYEE MED INSURANCE	State Tax Street F	Street Improvement	364.47
	3/1/2023	KAI/WILL/CH	State Tax Street F	Street Improvement	206.90
	3/1/2023	LIFE INSURANCE	State Tax Street F	Street Improvement	2.52
	3/1/2023	EMPLOYEE/FAM MEDICAL INS	Water Fund	Water	477.46
	3/1/2023	EMPLOYEE MEDICAL INSURANCE	Water Fund	Water	344.87
	3/1/2023	EMPLOYEE MED INSURANCE	Water Fund	Water	182.23
	3/1/2023	EMPLOYEE/FAMILY MED INS	Water Fund	Water	688.73
	3/1/2023	KAI/WILL/CH	Water Fund	Water	413.80
	3/1/2023	LIFE INSURANCE	Water Fund	Water	2.81
	3/1/2023	EMPLOYEE/FAM MEDICAL INS	Sewer Fund	Sewer	477.46
	3/1/2023	EMPLOYEE MEDICAL INSURANCE	Sewer Fund	Sewer	344.87
	3/1/2023	EMPLOYEE MED INSURANCE	Sewer Fund	Sewer	182.23
	3/1/2023	EMPLOYEE/FAMILY MED INS	Sewer Fund	Sewer	688.73
	3/1/2023	KAI/WILL/CH	Sewer Fund	Sewer	413.80
	3/1/2023	LIFE INSURANCE	Sewer Fund	Sewer	2.81
	3/1/2023	EMPLOYEE/FAM MEDICAL INS	Storm Drainage	Storm Drainage	212.20
	3/1/2023	EMPLOYEE MEDICAL INSURANCE	Storm Drainage	Storm Drainage	115.03
	3/1/2023	EMPLOYEE MED INSURANCE	Storm Drainage	Storm Drainage	81.00

City of Gervais
Bill List
February 23, 2023 - March 29, 2023

	3/1/2023	EMPLOYEE/FAMILY MED INS	Storm Drainage	Storm Drainage	98.38
	3/1/2023	KAI/WILL/CH	Storm Drainage	Storm Drainage	103.47
	3/1/2023	LIFE INSURANCE	Storm Drainage	Storm Drainage	0.81
				TOTAL:	18,904.65
Capital Trophy	3/14/2023	MGregory- Nameplate	General Fund	Council	29.75
				TOTAL:	29.75
City Sweepers, LLC	3/16/2023	Street Sweeping02012023	State Tax Street F	Street Improvement	675.00
				TOTAL:	675.00
City of Salem	3/13/2023	3 Qtr 2022-23	General Fund	Police	11,672.50
				TOTAL:	11,672.50
City of Woodburn	3/22/2023	4th Qtr 2022 I.T. Svcs	General Fund	Admin	403.75
	3/22/2023	4th Qtr 2022 I.T. Svcs	General Fund	Police	106.25
	3/22/2023	4th Qtr 2022 I.T. Svcs	General Fund	Streets	7.08
	3/22/2023	4th Qtr 2022 I.T. Svcs	Water Fund	Water	7.08
	3/22/2023	4th Qtr 2022 I.T. Svcs	Sewer Fund	Sewer	7.09
				TOTAL:	531.25
Columbia Bank Cardmember Services	3/14/2023	Zoom online Svcs	General Fund	Admin	12.74
	3/14/2023	Misc Interest	General Fund	Admin	46.54
	3/14/2023	Vista Print- Bus. Cards -	General Fund	Police	95.19
	3/14/2023	Carwash- Unit 4	General Fund	Police	11.00
	3/14/2023	Auto glass- Ford Expl 202	General Fund	Police	439.97
	3/14/2023	Wellness Training PD&CH st	General Fund	Police	222.40
	3/14/2023	Business Cards - Klentzsch	General Fund	Streets	14.00
	3/14/2023	Parts to repair splash pad	General Fund	Parks Department	975.00
	3/14/2023	Fees for Aquatic Structure	General Fund	Parks Department	19.50
	3/14/2023	OAPA Network Meeting	General Fund	Council	20.00
	3/14/2023	Radarsign Battery	State Tax Street F	Street Improvement	199.98
	3/14/2023	Business Cards - Klentzsch	Water Fund	Water	14.00
	3/14/2023	Chemical pump	Water Fund	Water	309.37
	3/14/2023	Business Cards - Klentzsch	Sewer Fund	Sewer	13.99
	3/14/2023	Chemical pump	Sewer Fund	Sewer	309.37
				TOTAL:	2,703.05
Creation Electric, Inc.	3/22/2023	Level Sensors for Reservoir	Water Fund	Water	5,517.00
				TOTAL:	5,517.00
DataVision Cooperative	3/16/2023	Feb 2023 Telephone Chrgs	General Fund	Admin	521.16
	3/16/2023	Feb 2023 Telephone Chrgs	General Fund	Police	283.29
	3/16/2023	Feb 2023 Telephone Chrgs	General Fund	Streets	46.16
	3/16/2023	Feb 2023 Telephone Chrgs	Water Fund	Water	46.16
	3/16/2023	Feb 2023 Telephone Chrgs	Sewer Fund	Sewer	46.16
				TOTAL:	942.93
Davison Auto Parts	3/16/2023	Gopher control/bsttbl crt	Parks Fund	Parks	12.64
				TOTAL:	12.64
Fraternal Order of Police	3/16/2023	lodge dues & legal defense	General Fund	Police	351.00
				TOTAL:	351.00
G.W. Hardware	3/22/2023	Water Plant Keys	Water Fund	Water	15.92
				TOTAL:	15.92
GT Excavating, LLC	3/16/2023	Emrgncy Rplcmnt 270 Alder	Water Fund	Water	2,257.00
	3/16/2023	Sewer lateral repair 720 A	Sewer Fund	Sewer	3,100.00
				TOTAL:	5,357.00

City of Gervais
BII List
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Garten Services, Inc.	3/13/2023	65 Gal Shred	General Fund	Police	60.00
				TOTAL:	60.00
Gillespie Graphics	3/22/2023	Police Kit	PD Vehicle Replace	PD Vehicle Replacement	720.00
				TOTAL:	720.00
Grove, Mueller & Swank	3/16/2023	Financial Statements 06/30	General Fund	Admin	3,000.00
				TOTAL:	3,000.00
HRA VEBA Plan	3/1/2023	HRA VEBA Contribution	General Fund	Admin	19.38
	3/1/2023	HRA VEBA Contribution	General Fund	Police	83.97
	3/1/2023	HRA VEBA Contribution	General Fund	Court	5.25
	3/1/2023	HRA VEBA Contribution	State Tax Street F	Street Improvement	54.23
	3/1/2023	HRA VEBA Contribution	Water Fund	Water	50.73
	3/1/2023	HRA VEBA Contribution	Sewer Fund	Sewer	50.73
	3/1/2023	HRA VEBA Contribution	Storm Drainage	Storm Drainage	15.71
				TOTAL:	280.00
Hubbard Cleaners	3/14/2023	PD Dry Cleaning	General Fund	Police	60.00
				TOTAL:	60.00
Industrial Source	3/22/2023	Fire Exting, Inspec, Chemf	General Fund	Admin	443.46
				TOTAL:	443.46
Internal Revenue Service	3/1/2023	FICA	General Fund	Admin	213.79
	3/1/2023	MEDICARE	General Fund	Admin	50.01
	3/1/2023	FICA	General Fund	Police	2,816.00
	3/1/2023	MEDICARE	General Fund	Police	658.58
	3/1/2023	FICA	General Fund	Court	65.12
	3/1/2023	MEDICARE	General Fund	Court	15.23
	3/1/2023	FICA	State Tax Street F	Street Improvement	483.24
	3/1/2023	MEDICARE	State Tax Street F	Street Improvement	113.02
	3/1/2023	FICA	Water Fund	Water	474.26
	3/1/2023	MEDICARE	Water Fund	Water	110.93
	3/1/2023	FICA	Sewer Fund	Sewer	474.26
	3/1/2023	MEDICARE	Sewer Fund	Sewer	110.93
	3/1/2023	FICA	Storm Drainage	Storm Drainage	144.22
	3/1/2023	MEDICARE	Storm Drainage	Storm Drainage	33.69
				TOTAL:	5,763.28
John Deere Financial	3/16/2023	Rplcmnt pin for mow deck	General Fund	Streets	103.69
	3/16/2023	Rplcmnt pin for mow deck	Sewer Fund	Sewer	103.70
				TOTAL:	207.39
Kodiak Pacific Construction	3/14/2023	Juniper/Douglas/Seventh	General Fund	Streets	3,243.68
	3/14/2023	Juniper/Douglas/Seventh	State Tax Street F	Street Improvement	86,562.82
	3/14/2023	Juniper/Douglas/Seventh	State Tax Street F	Street Improvement	6,033.00
	3/14/2023	Juniper/Douglas/Seventh	Storm Drainage	Storm Drainage	973.00
				TOTAL:	96,812.50
Lexipol, LLC	3/22/2023	Annl Lw Enfrcmnt Mnl	General Fund	Police	2,872.80
				TOTAL:	2,872.80
Mark Chase	3/16/2023	MChase- Reimburse for training	General Fund	Police	76.50
				TOTAL:	76.50
Mission Square - 306717	3/13/2023	457B Contribution	General Fund	Police	500.02
	3/13/2023	457B Contribution	General Fund	Police	500.02
				TOTAL:	1,000.04

City of Gervais
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NW Natural Gas	3/14/2023	2564507-8 CH Heating	General Fund	Admin	254.41
	3/14/2023	2553221-9 PD - Heating	General Fund	Police	16.30
				TOTAL:	270.71
Northstar Chemical	3/13/2023	Sod Hypochlor-115 Douglas	Water Fund	Water	658.00
	3/13/2023	Sod HypoChlor.- off 99 Far	Sewer Fund	Sewer	1,080.20
	3/22/2023	Sdm Bslft 38%-off 99 W Frm	Sewer Fund	Sewer	729.78
				TOTAL:	2,467.98
OHA Cashier	3/16/2023	Water Training- Klentzsch	Water Fund	Water	125.00
				TOTAL:	125.00
Oregon Department of Motor Vehicles	3/13/2023	Record Inquiry	General Fund	Police	64.05
				TOTAL:	64.05
Oregon Department of Revenue	3/1/2023	SUTA	General Fund	Admin	24.13
	3/1/2023	WORKERS COMP	General Fund	Admin	0.92
	3/1/2023	SUTA	General Fund	Police	317.94
	3/1/2023	WORKERS COMP	General Fund	Police	12.72
	3/1/2023	SUTA	General Fund	Court	7.35
	3/1/2023	WORKERS COMP	General Fund	Court	0.29
	3/1/2023	SUTA	State Tax Street F	Street Improvement	54.57
	3/1/2023	WORKERS COMP	State Tax Street F	Street Improvement	2.51
	3/1/2023	SUTA	Water Fund	Water	53.54
	3/1/2023	WORKERS COMP	Water Fund	Water	2.39
	3/1/2023	SUTA	Sewer Fund	Sewer	53.54
	3/1/2023	WORKERS COMP	Sewer Fund	Sewer	2.39
	3/1/2023	SUTA	Storm Drainage	Storm Drainage	16.30
	3/1/2023	WORKERS COMP	Storm Drainage	Storm Drainage	0.72
				TOTAL:	549.31
Oregon PERS	3/1/2023	PERS TIER 2	General Fund	Admin	117.93
	3/1/2023	PERS TIER 2	General Fund	Admin	117.93
	3/1/2023	PERS OPSRP GENERAL	General Fund	Admin	146.75
	3/1/2023	PERS OPSRP GENERAL	General Fund	Admin	146.75
	3/1/2023	PPE 01/25 & 02/24/23 UAL C	General Fund	Admin	461.00
	3/1/2023	PERS TIER 2	General Fund	Police	577.80
	3/1/2023	PERS TIER 2	General Fund	Police	577.80
	3/1/2023	PERS OPSRP GENERAL	General Fund	Police	315.80
	3/1/2023	PERS OPSRP GENERAL	General Fund	Police	237.74
	3/1/2023	PERS OPSRP POLICE	General Fund	Police	3,033.94
	3/1/2023	PERS OPSRP POLICE	General Fund	Police	3,241.83
	3/1/2023	PERS PICKUP	General Fund	Police	1,887.25
	3/1/2023	PERS PICKUP	General Fund	Police	1,843.62
	3/1/2023	PERS RETIREE	General Fund	Police	583.02
	3/1/2023	PERS RETIREE	General Fund	Police	583.02
	3/1/2023	PPE 01/25 & 02/24/23 UAL C	General Fund	Police	11,217.77
	3/1/2023	PERS OPSRP GENERAL	General Fund	Court	58.96
	3/1/2023	PERS OPSRP GENERAL	General Fund	Court	58.96
	3/1/2023	PPE 01/25 & 02/24/23 UAL C	General Fund	Court	102.69
	3/1/2023	PERS TIER 2	State Tax Street F	Street Improvement	57.64
	3/1/2023	PERS TIER 2	State Tax Street F	Street Improvement	57.64
	3/1/2023	PERS OPSRP GENERAL	State Tax Street F	Street Improvement	430.14
	3/1/2023	PERS OPSRP GENERAL	State Tax Street F	Street Improvement	430.14
	3/1/2023	PPE 01/25 & 02/24/23 UAL C	State Tax Street F	Street Improvement	849.53
	3/1/2023	PERS TIER 2	Water Fund	Water	129.69
	3/1/2023	PERS TIER 2	Water Fund	Water	129.69
	3/1/2023	PERS OPSRP GENERAL	Water Fund	Water	409.77
	3/1/2023	PERS OPSRP GENERAL	Water Fund	Water	409.77
	3/1/2023	PPE 01/25 & 02/24/23 UAL C	Water Fund	Water	939.54
	3/1/2023	PERS TIER 2	Sewer Fund	Sewer	129.69
	3/1/2023	PERS TIER 2	Sewer Fund	Sewer	129.69
	3/1/2023	PERS OPSRP GENERAL	Sewer Fund	Sewer	409.77
	3/1/2023	PERS OPSRP GENERAL	Sewer Fund	Sewer	409.77
	3/1/2023	PPE 01/25 & 02/24/23 UAL C	Sewer Fund	Sewer	939.54
	3/1/2023	PERS TIER 2	Storm Drainage	Storm Drainage	28.83
	3/1/2023	PERS TIER 2	Storm Drainage	Storm Drainage	28.83
	3/1/2023	PERS OPSRP GENERAL	Storm Drainage	Storm Drainage	126.36

City of Gervais
Bill List
February 23, 2023 - March 29, 2023

	3/1/2023	PERS OPSRP GENERAL	Storm Drainage	Storm Drainage	126.36
	3/1/2023	PPE 01/25 & 02/24/23 UAL C	Storm Drainage	Storm Drainage	270.30
				TOTAL:	31,753.25
Oregon Secretary of State, Division of	3/13/2023	2021-22 Audits Division	General Fund	Admin	250.00
				TOTAL:	250.00
PGE	3/14/2023	Multiple Meters	General Fund	Admin	686.67
	3/14/2023	Multiple Meters	General Fund	Streets	23.62
	3/14/2023	Multiple Meters	General Fund	Parks Department	17.14
	3/14/2023	Multiple Meters	State Tax Street F	Street Improvement	43.70
	3/14/2023	Multiple Meters	State Tax Street F	Street Improvement	21.75
	3/14/2023	Multiple Meters	State Tax Street F	Street Improvement	1,785.19
	3/14/2023	Multiple Meters	Water Fund	Water	1,386.17
	3/14/2023	Multiple Meters	Water Fund	Water	433.24
	3/14/2023	Multiple Meters	Sewer Fund	Sewer	996.02
	3/14/2023	Multiple Meters	Sewer Fund	Sewer	154.27
	3/14/2023	Multiple Meters	Sewer Fund	Sewer	2,280.57
	3/14/2023	Multiple Meters	Sewer Fund	Sewer	381.41
				TOTAL:	8,209.75
Pacific Office Automation	3/14/2023	Copier/Lease - CH	General Fund	Admin	206.00
	2/25/2023	Lease Copier/ PD	General Fund	Police	155.36
	3/14/2023	Lease/Copier	General Fund	Police	155.36
				TOTAL:	516.72
Pamplin Media Group	3/22/2023	1 Year Print Subscription	General Fund	Admin	52.00
				TOTAL:	52.00
Pitney Bowes	3/13/2023	Postage Refill	General Fund	Admin	10.50
	3/13/2023	Postage Refill	General Fund	Police	94.50
				TOTAL:	105.00
Rabiner Resources, Inc.	3/13/2023	Staff Wellness Program	General Fund	Police	2,500.00
				TOTAL:	2,500.00
StopStick, Ltd.	3/13/2023	Cord Reel, Sleeve, Stop Stl	General Fund	Police	302.00
				TOTAL:	302.00
Tangent Computer	3/14/2023	Spam Filter 1/1122-1/11/23	General Fund	Admin	501.73
	3/14/2023	Spam Filter 1/1122-1/11/23	General Fund	Police	163.11
	3/14/2023	Spam Filter 1/1122-1/11/23	General Fund	Court	135.28
	3/14/2023	Spam Filter 1/1122-1/11/23	Water Fund	Water	66.03
	3/14/2023	Spam Filter 1/1122-1/11/23	Sewer Fund	Sewer	66.17
	3/14/2023	Spam Filter 1/1122-1/11/23	Storm Drainage	Storm Drainage	62.68
				TOTAL:	995.00
Tetra Tech, Inc.	3/22/2023	City Engngng Svcs	General Fund	Streets	1,565.11
	3/14/2023	Tetra Tech, Inc.	General Fund	Streets	1,132.02
	3/22/2023	City Engngng Svcs	State Tax Street F	Street Improvement	240.80
	3/14/2023	Tetra Tech, Inc.	State Tax Street F	Street Improvement	503.12
	3/14/2023	Tetra Tech, Inc.	Water Fund	Water	125.78
	3/22/2023	City Engngng Svcs	Sewer Fund	Sewer	30,098.75
	3/14/2023	Tetra Tech, Inc.	Sewer Fund	Sewer	12,181.77
	3/14/2023	Tetra Tech, Inc.	Storm Drainage	Storm Drainage	1,006.24
	3/22/2023	City Engngng Svcs	Sewer SDC Fund	Sewer SDC	12,715.98
	3/14/2023	Tetra Tech, Inc.	Sewer SDC Fund	Sewer SDC	5,146.50
				TOTAL:	64,716.07
Theresa Schlechter- TNT Nursery	3/9/2023	2023 Flower Baskets	General Fund	Streets	1,820.00
				TOTAL:	1,820.00

City of Gervais
Bill List
February 23, 2023 - March 29, 2023

USDA - Rural Development	3/22/2023	2022-23 Water Loan Pymnt	Debt - Water	Debt - Water	12,916.00
	3/22/2023	2022-23 Water Loan Pymnt	Debt - Water	Debt - Water	7,080.00
				TOTAL:	19,996.00
Verizon Wireless	3/13/2023	Jan 02-Feb 01 Phone Charge	General Fund	Police	444.89
	3/22/2023	Feb 02-Mar 01 Telephone Ch	General Fund	Police	456.33
	3/13/2023	Jan 02-Feb 01 Phone Charge	General Fund	Streets	54.97
	3/22/2023	Feb 02-Mar 01 Telephone Ch	General Fund	Streets	58.19
	3/13/2023	Jan 02-Feb 01 Phone Charge	Water Fund	Water	54.97
	3/22/2023	Feb 02-Mar 01 Telephone Ch	Water Fund	Water	58.19
	3/13/2023	Jan 02-Feb 01 Phone Charge	Sewer Fund	Sewer	54.97
	3/22/2023	Feb 02-Mar 01 Telephone Ch	Sewer Fund	Sewer	58.20
				TOTAL:	1,240.71
Waterlab Corp.	3/16/2023	Water/Wastewater Testing	Water Fund	Water	70.00
	3/22/2023	Water/Wastewater Testing	Water Fund	Water	70.00
	3/16/2023	Water/Wastewater Testing	Sewer Fund	Sewer	700.00
	3/22/2023	Water/Wastewater Testing	Sewer Fund	Sewer	700.00
				TOTAL:	1,540.00
Willamette Valley Security, Inc.	3/22/2023	04/01/23-06/30/23 Security	General Fund	Admin	209.70
	3/22/2023	04/01/23-06/30/23 Security	General Fund	Police	29.95
	3/22/2023	04/01/23-06/30/23 Security	Water Fund	Water	59.90
				TOTAL:	299.55
				GRAND TOTAL	310,543.59
		FUND TOTALS			
	100	General Fund	92,808.18		
	110	State Tax Street Fund	100,548.93		
	200	Water Fund	16,371.05		
	210	Sewer Fund	58,780.18		
	215	Storm Drainage	3,444.13		
	310	PD Vehicle Replacement Fund	720.00		
	320	Parks Fund	12.64		
	335	Sewer SDC Fund	17,862.48		
	500	Debt - Water	19,996.00		
		GRAND TOTAL	310,543.59		

CITY OF GERRAIS
REVENUE & EXPENSE REPORT (UNAUDITED)
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100-General Fund
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY					
General Gov't Tax Rev	1,018,435.00	8,082.07	939,109.84	92.21	79,325.16
Fees for Services	35,000.00	668.87	18,759.06	53.60	16,240.94
Fines & Forfeitures	60,000.00	4,682.17	31,750.86	52.92	28,249.14
Licenses & Permits	9,250.00	0.00	6,875.49	74.33	2,374.51
Intergovernmental Rev	179,615.00	5,152.09	46,032.11	25.63	133,582.89
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	245,766.00	0.00	0.00	0.00	245,766.00
TOTAL REVENUES	1,548,066.00	18,585.20	1,042,527.36	67.34	505,538.64
EXPENDITURE SUMMARY					
General Government	434,087.00	8,694.69	162,189.03	37.36	271,897.97
Police Department	1,024,238.00	45,045.96	747,837.71	73.01	276,400.29
Street Department	34,778.00	7,132.06	24,816.80	71.36	9,961.20
Parks Department	25,414.00	17.14	7,494.59	29.49	17,919.41
Municipal Court	26,321.00	759.62	15,623.96	59.36	10,697.04
Mayor & City Council	3,228.00	0.00	2,682.82	83.11	545.18
TOTAL EXPENDITURES	1,548,066.00	61,649.47	960,644.91	62.05	587,421.09
REVENUES OVER/(UNDER) EXPENDITURES	0.00	(43,064.27)	81,882.45	(81,882.45)

CITY OF GERVASIS
 REVENUE & EXPENSE REPORT (UNAUDITED)
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110-State Tax Street Fund
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	254,500.00	13,012.91	247,488.45	97.24	7,011.55
Fees for Services	0.00	0.00	0.00	0.00	0.00
Intergovernmental Rev	383,000.00	0.00	50,000.00	13.05	333,000.00
Fund Balance	<u>809,855.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>809,855.00</u>
TOTAL REVENUES	<u>1,447,355.00</u>	<u>13,012.91</u>	<u>297,488.45</u>	<u>20.55</u>	<u>1,149,866.55</u>
<u>EXPENDITURE SUMMARY</u>					
Street Improvement	<u>1,447,355.00</u>	<u>99,203.39</u>	<u>879,363.77</u>	<u>60.76</u>	<u>567,991.23</u>
TOTAL EXPENDITURES	<u>1,447,355.00</u>	<u>99,203.39</u>	<u>879,363.77</u>	<u>60.76</u>	<u>567,991.23</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (86,190.48)(581,875.32)		581,875.32

CITY OF GERVASIS
 REVENUE & EXPENSE REPORT (UNAUDITED)
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200-Water Fund
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	900.00	0.00	4,967.37	551.93 (	4,067.37)
Fees for Services	401,850.00	32,083.17	314,342.13	78.22	87,507.87
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>232,964.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>232,964.00</u>
TOTAL REVENUES	635,714.00	32,083.17	319,309.50	50.23	316,404.50
<u>EXPENDITURE SUMMARY</u>					
Water	527,914.00	16,343.42	206,437.83	39.10	321,476.17
Water System Improvement	100,000.00	0.00	2,298.60	2.30	97,701.40
Water Backflow	<u>7,800.00</u>	<u>0.00</u>	<u>3,161.50</u>	<u>40.53</u>	<u>4,638.50</u>
TOTAL EXPENDITURES	635,714.00	16,343.42	211,897.93	33.33	423,816.07
REVENUES OVER/(UNDER) EXPENDITURES	0.00	15,739.75	107,411.57	(107,411.57)

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210-Sewer Fund
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	650.00	0.00	2,406.27	370.20 (	1,756.27)
Fees for Services	526,510.00	35,959.22	320,813.74	60.93	205,696.26
Intergovernmental Rev	1,000,000.00	0.00	0.00	0.00	1,000,000.00
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>161,113.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>161,113.00</u>
TOTAL REVENUES	<u>1,688,273.00</u>	<u>35,959.22</u>	<u>323,220.01</u>	<u>19.15</u>	<u>1,365,052.99</u>
<u>EXPENDITURE SUMMARY</u>					
Sewer	<u>1,688,273.00</u>	<u>44,613.53</u>	<u>377,556.51</u>	<u>22.36</u>	<u>1,310,716.49</u>
TOTAL EXPENDITURES	<u>1,688,273.00</u>	<u>44,613.53</u>	<u>377,556.51</u>	<u>22.36</u>	<u>1,310,716.49</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (8,654.31)(54,336.50)		54,336.50

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215-Storm Drainage
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	100.00	0.00	426.11	426.11 (	326.11)
Fees for Services	65,960.00	5,766.47	52,242.91	79.20	13,717.09
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>28,582.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>28,582.00</u>
TOTAL REVENUES	<u>94,642.00</u>	<u>5,766.47</u>	<u>52,669.02</u>	<u>55.65</u>	<u>41,972.98</u>
<u>EXPENDITURE SUMMARY</u>					
Storm Drainage	<u>94,642.00</u>	<u>2,437.89</u>	<u>55,811.25</u>	<u>58.97</u>	<u>38,830.75</u>
TOTAL EXPENDITURES	<u>94,642.00</u>	<u>2,437.89</u>	<u>55,811.25</u>	<u>58.97</u>	<u>38,830.75</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	3,328.58 (3,142.23)		3,142.23

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300-Water Reserve
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	100.00	0.00	505.28	505.28 (	405.28)
Other	15,000.00	0.00	0.00	0.00	15,000.00
Fund Balance	<u>30,185.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>30,185.00</u>
TOTAL REVENUES	45,285.00	0.00	505.28	1.12	44,779.72
<u>EXPENDITURE SUMMARY</u>					
Water Reserve	<u>45,285.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>45,285.00</u>
TOTAL EXPENDITURES	45,285.00	0.00	0.00	0.00	45,285.00
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	505.28	(505.28)

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305-D.A.R.E. Fund
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	70.00	0.00	169.99	242.84 (	99.99)
Fees for Services	0.00	0.00	0.00	0.00	0.00
Fines & Forfeitures	12,500.00	0.00	0.00	0.00	12,500.00
Other	1,500.00	0.00	2,520.00	168.00 (	1,020.00)
Fund Balance	<u>7,805.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>7,805.00</u>
TOTAL REVENUES	<u>21,875.00</u>	<u>0.00</u>	<u>2,689.99</u>	<u>12.30</u>	<u>19,185.01</u>
<u>EXPENDITURE SUMMARY</u>					
D.A.R.E. Fund	<u>21,875.00</u>	<u>0.00</u>	<u>1,050.40</u>	<u>4.80</u>	<u>20,824.60</u>
TOTAL EXPENDITURES	<u>21,875.00</u>	<u>0.00</u>	<u>1,050.40</u>	<u>4.80</u>	<u>20,824.60</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	1,639.59	(1,639.59)

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310-PD Vehicle Replacement
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	120.00	0.00	421.10	350.92 (	301.10)
Fees for Services	650.00	43.50	463.50	71.31	186.50
Intergovernmental Rev	0.00	0.00	0.00	0.00	0.00
Other	15,000.00	0.00	0.00	0.00	15,000.00
Fund Balance	<u>35,945.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>35,945.00</u>
TOTAL REVENUES	<u>51,715.00</u>	<u>43.50</u>	<u>884.60</u>	<u>1.71</u>	<u>50,830.40</u>
<u>EXPENDITURE SUMMARY</u>					
PD Vehicle Replacement	<u>51,715.00</u>	<u>1,195.00</u>	<u>19,544.00</u>	<u>37.79</u>	<u>32,171.00</u>
TOTAL EXPENDITURES	<u>51,715.00</u>	<u>1,195.00</u>	<u>19,544.00</u>	<u>37.79</u>	<u>32,171.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (1,151.50)(18,659.40)		18,659.40

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312-Capital Reserve Fund
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	350.00	0.00	1,287.41	367.83 (	937.41)
Fees for Services	15,615.00	1,300.00	11,700.00	74.93	3,915.00
other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>70,149.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>70,149.00</u>
TOTAL REVENUES	<u>86,114.00</u>	<u>1,300.00</u>	<u>12,987.41</u>	<u>15.08</u>	<u>73,126.59</u>
<u>EXPENDITURE SUMMARY</u>					
Capital Reserve Fund	<u>86,114.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>86,114.00</u>
TOTAL EXPENDITURES	<u>86,114.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>86,114.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	1,300.00	12,987.41	(12,987.41)

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314-PW Vehicle Replacement
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	0.00	0.00	0.00	0.00	0.00
Other	10,500.00	0.00	0.00	0.00	10,500.00
Fund Balance	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUES	10,500.00	0.00	0.00	0.00	10,500.00
<u>EXPENDITURE SUMMARY</u>					
PW Vehicle Replacement	<u>10,500.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10,500.00</u>
TOTAL EXPENDITURES	10,500.00	0.00	0.00	0.00	10,500.00
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	0.00		0.00

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315-Bike Path Construction
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	65.00	0.00	174.84	268.98 (	109.84)
Other	1,000.00	0.00	0.00	0.00	1,000.00
Fund Balance	<u>10,448.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10,448.00</u>
TOTAL REVENUES	<u>11,513.00</u>	<u>0.00</u>	<u>174.84</u>	<u>1.52</u>	<u>11,338.16</u>
<u>EXPENDITURE SUMMARY</u>					
Bike Path Construction	<u>11,513.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>11,513.00</u>
TOTAL EXPENDITURES	<u>11,513.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>11,513.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	174.84	(174.84)

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320-Parks Fund
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	300.00	0.00	1,251.29	417.10 (	951.29)
Fees for Services	2,500.00	0.00	254.75	10.19	2,245.25
Fines & Forfeitures	0.00	0.00	0.00	0.00	0.00
Licenses & Permits	0.00	0.00	0.00	0.00	0.00
Intergovernmental Rev	15,000.00	0.00	0.00	0.00	15,000.00
Other	50,000.00	0.00	0.00	0.00	50,000.00
Fund Balance	<u>71,950.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>71,950.00</u>
 TOTAL REVENUES	 139,750.00	 0.00	 1,506.04	 1.08	 138,243.96
<u>EXPENDITURE SUMMARY</u>					
Parks	<u>139,750.00</u>	<u>0.00</u>	<u>781.29</u>	<u>0.56</u>	<u>138,968.71</u>
 TOTAL EXPENDITURES	 139,750.00	 0.00	 781.29	 0.56	 138,968.71
 REVENUES OVER/(UNDER) EXPENDITURES	 0.00	 0.00	 724.75	 (724.75)

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325-City Hall Fund
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	0.00	0.00	0.00	0.00	0.00
Fees for Services	0.00	0.00	0.00	0.00	0.00
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>EXPENDITURE SUMMARY</u>					
City Hall	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	0.00		0.00

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330-Water SDC Fund
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	720.00	0.00	4,464.62	620.09 (	3,744.62)
Fees for Services	41,206.00	0.00	18,730.00	45.45	22,476.00
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>248,621.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>248,621.00</u>
TOTAL REVENUES	<u>290,547.00</u>	<u>0.00</u>	<u>23,194.62</u>	<u>7.98</u>	<u>267,352.38</u>
<u>EXPENDITURE SUMMARY</u>					
Water SDC	<u>290,547.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>290,547.00</u>
TOTAL EXPENDITURES	<u>290,547.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>290,547.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	23,194.62	(23,194.62)

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335-Sewer SDC Fund
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	3,000.00	0.00	13,706.73	456.89 (	10,706.73)
Fees for Services	63,569.00	0.00	21,395.00	33.66	42,174.00
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>814,099.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>814,099.00</u>
TOTAL REVENUES	<u>880,668.00</u>	<u>0.00</u>	<u>35,101.73</u>	<u>3.99</u>	<u>845,566.27</u>
<u>EXPENDITURE SUMMARY</u>					
Sewer SDC	<u>880,668.00</u>	<u>12,715.98</u>	<u>35,756.87</u>	<u>4.06</u>	<u>844,911.13</u>
TOTAL EXPENDITURES	<u>880,668.00</u>	<u>12,715.98</u>	<u>35,756.87</u>	<u>4.06</u>	<u>844,911.13</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (12,715.98)(655.14)		655.14

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340-Storm Water SDC
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	660.00	0.00	3,526.05	534.25 (	2,866.05)
Fees for Services	18,557.00	0.00	8,435.00	45.45	10,122.00
Fund Balance	<u>202,551.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>202,551.00</u>
TOTAL REVENUES	221,768.00	0.00	11,961.05	5.39	209,806.95
<u>EXPENDITURE SUMMARY</u>					
Storm Water SDC	<u>221,768.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>221,768.00</u>
TOTAL EXPENDITURES	221,768.00	0.00	0.00	0.00	221,768.00
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	11,961.05	(11,961.05)

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342-Parks SDC

FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	750.00	0.00	4,167.51	555.67 (	3,417.51)
Fees for Services	18,557.00	0.00	11,780.00	63.48	6,777.00
Fund Balance	<u>237,630.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>237,630.00</u>
TOTAL REVENUES	256,937.00	0.00	15,947.51	6.21	240,989.49
<u>EXPENDITURE SUMMARY</u>					
Parks SDC	<u>256,937.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>256,937.00</u>
TOTAL EXPENDITURES	256,937.00	0.00	0.00	0.00	256,937.00
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	15,947.51	(15,947.51)

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345-4th of July
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	20.00	0.00	0.00	0.00	20.00
Fees for Services	300.00	0.00	60.00	20.00	240.00
Other	4,350.00	0.00	993.47	22.84	3,356.53
Fund Balance	<u>394.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>394.00</u>
TOTAL REVENUES	5,064.00	0.00	1,053.47	20.80	4,010.53
<u>EXPENDITURE SUMMARY</u>					
4th of July	<u>5,064.00</u>	<u>0.00</u>	<u>4,689.91</u>	<u>92.61</u>	<u>374.09</u>
TOTAL EXPENDITURES	5,064.00	0.00	4,689.91	92.61	374.09
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	(3,636.44)		3,636.44

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350-Special Events

FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	20.00	0.00	25.16	125.80 (	5.16)
Fees for Services	0.00	0.00	0.00	0.00	0.00
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>919.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>919.00</u>
TOTAL REVENUES	<u>939.00</u>	<u>0.00</u>	<u>25.16</u>	<u>2.68</u>	<u>913.84</u>
<u>EXPENDITURE SUMMARY</u>					
Special Events	<u>939.00</u>	<u>0.00</u>	<u>146.00</u>	<u>15.55</u>	<u>793.00</u>
TOTAL EXPENDITURES	<u>939.00</u>	<u>0.00</u>	<u>146.00</u>	<u>15.55</u>	<u>793.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00 (120.84)		120.84

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360-American Rescue Fund
 FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	307,768.00	0.00	316,261.40	102.76 (	8,493.40)
Other	0.00	0.00	0.00	0.00	0.00
Fund Balance	<u>307,923.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>307,923.00</u>
TOTAL REVENUES	<u>615,691.00</u>	<u>0.00</u>	<u>316,261.40</u>	<u>51.37</u>	<u>299,429.60</u>
<u>EXPENDITURE SUMMARY</u>					
Capital Outlay	<u>615,691.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>615,691.00</u>
TOTAL EXPENDITURES	<u>615,691.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>615,691.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00	316,261.40	(	316,261.40)

CITY OF GERVAIS
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: MARCH 29th, 2023

PAGE: 1

500-Debt - Water
FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	100.00	0.00	362.76	362.76 (	262.76)
Other	20,000.00	0.00	0.00	0.00	20,000.00
Fund Balance	<u>21,657.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>21,657.00</u>
TOTAL REVENUES	<u>41,757.00</u>	<u>0.00</u>	<u>362.76</u>	<u>0.87</u>	<u>41,394.24</u>
<u>EXPENDITURE SUMMARY</u>					
Debt - water	<u>41,757.00</u>	<u>19,996.00</u>	<u>19,996.00</u>	<u>47.89</u>	<u>21,761.00</u>
TOTAL EXPENDITURES	<u>41,757.00</u>	<u>19,996.00</u>	<u>19,996.00</u>	<u>47.89</u>	<u>21,761.00</u>
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (	19,996.00)(	19,633.24)		19,633.24

CITY OF GERVAS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: MARCH 29th, 2023

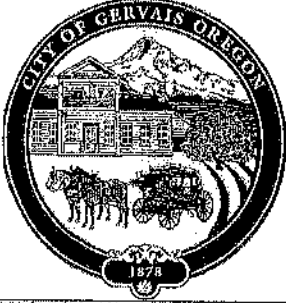
PAGE: 1

510-Debt - Sewer

FINANCIAL SUMMARY

75.00% OF FISCAL YEAR

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>					
General Gov't Tax Rev	250.00	0.00	589.96	235.98 (	339.96)
Other	60,000.00	0.00	0.00	0.00	60,000.00
Fund Balance	<u>65,898.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>65,898.00</u>
TOTAL REVENUES	126,148.00	0.00	589.96	0.47	125,558.04
<u>EXPENDITURE SUMMARY</u>					
Debt - Sewer	<u>126,148.00</u>	<u>0.00</u>	<u>60,158.93</u>	<u>47.69</u>	<u>65,989.07</u>
TOTAL EXPENDITURES	126,148.00	0.00	60,158.93	47.69	65,989.07
REVENUES OVER/(UNDER) EXPENDITURES	0.00	0.00 (	59,568.97)		59,568.97

	Agenda Item No.:	Topic:
	9 a	Update on New Website
	Agenda Type:	
	Old Business	
	Meeting Date:	
	April 6, 2023	
		Prepared by:
		Susie Marston

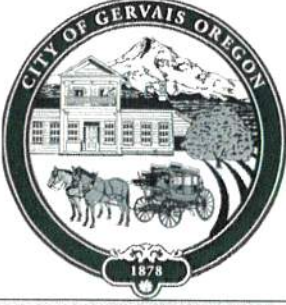
Shortly after last month's council meeting, we met with Civic Plus, and we are now in the beginning of working on a new website. The entire process will take 3-4 months to complete, and most of the migration from our current website to the new website will be done by a team at Civic Plus. Our job will be to verify information that is being transferred. This will be an exciting transformation!

During our meeting with Civic Plus, it was suggested that we consider adding a "Meetings" component to our website package. These are some of the things that it could do for us:

- Manages a meetings directory
- Can build council packets
- Aides in the taking of minutes
- Loads meeting video and timestamps agenda and minutes (you can click anywhere on the agenda or minutes and it will take you to that spot in the video)
- Automatically pushes ordinances to Municode (since we're already a customer)

Having this component would automate most of the process of assembling packets, posting agendas, preparing minutes, posting audio and video and codifying ordinances. It could be very helpful to staff as well as those members of the community who are interested in viewing council meeting video and minutes. The cost of having this would be an extra \$2,000 per year.

If the council approves adding the Meetings component, I would just ask for a consensus to add it to our website package.

	Agenda Item No.:	Topic:
	9 b	Update on Spring Clean-up
	Agenda Type:	
	Old Business	
	Meeting Date:	
	April 6, 2023	
		Prepared by:
		Susie Marston

Everything is set in place for the annual Spring Clean-Up, taking place on April 22nd from 8 am to 4 pm in the area of 5th and Birch. We reserved one porta potty and Republic Services will be delivering the containers.

Separate from the clean-up event, but on the same day, the School District will be providing free lunch and family activities around lunch time. More details will follow on this.



Celebrating Arbor Day

CITY OF GERVAIS ANNUAL CLEAN- UP

Douglas Avenue and Fifth Street - Dumpsters

Saturday, APRIL 22 , 2023

8:00 AM – 4:00 PM

**YARD DEBRIS, NON-TREATED LUMBER, METAL,
APPLIANCES, FURNITURE, ELECTRONIC TRANSFER ITEMS ACCEPTED**

TIRES – First 3 free- \$2.00 per tire thereafter

NO HOUSEHOLD GARBAGE, NO Toxic Waste

NO Batteries, Oil, etc.

Open only to Gervais residents with proof of 97026 zip code

(Valid ID Required)

VOLUNTEERS NEEDED AND APPRECIATED THROUGHOUT THE DAY

*If you'd like to volunteer please call 503-792-4900 or sign up at the front desk at City Hall, – Thank you
We need help at dumpster sites and street litter patrol volunteers.*

KEEPING GERVAIS FAMILY FRIENDLY, HEALTHY, AND LIVEABLE

Make it a family activity by picking up street litter in front of your home every Wednesday prior to garbage pick-up day.

9c

City of Gervais
Activity Tracker - In progress

As of 3/30/2023

Annual Spring Clean-up

Date: 1/26/2023 **Summary:** Annual clean-up for Earth Day

Staff: Denise

Progress Report (Most recent listed first)

- Council set April 22nd for the clean-up date. Students for schools will be volunteering on the day.
- Council to discuss on February 2nd.

New city website

Date: 05/2021 **Summary:** Update city's website

Staff: Abby/Susie

Progress Report (Most recent listed first)

4/6 Update Council approved CivicPlus for new website at 3/2/23 Council Meeting

Process is started and project should be done in 3-4 months.

- Proposals and recommendation are included in this council packet.
- Staff will recommend a vendor at the March council meeting.
- Denise and Susie have looked at one demo from Civics Plus/Municode. Will look at a couple more.
- Starting to schedule meetings to demo.
- In FY 2022-23 budget.
- Will budget for new website in 2022-23.
- Should pick this back up and research more costs/companies for follow-up discussion.
- Introduced at 5/6/21 council meeting.

Wastewater Transfer Pump, Forced Main and Aeration Upgrades

Date: 3/19/2022 **Summary:** Upgrade wastewater treatment

Staff: Susie/Kyle

Progress Report (Most recent listed first)

- Design is nearly complete and will be going out to bid soon.
- In design.
- Council to approve award agreement July 7th.
- Marion County is working on award contract so that City can begin project design.
- City awarded \$1 million from Marion County ARPA Round 1 to use for this project.

City of Gervais
Activity Tracker - In progress

As of 3/30/2023

Park Lighting

Date: 10/7/2021 **Summary:** Need deterrent for vandalism.

Staff: Susie/Kyle

Progress Report (Most recent listed first)

4/6 Update *At the 3/2 council meeting, council authorized working with PGE on getting 12 park lights installed.*

- Susie reached out to PGE for options. Waiting to hear back from PGE options.
- S & S Electrical - \$25,300.
- John has met with electrician to work on a base plan with cost estimate for the council to
- Estimate is \$5000 and should be budgeted for next year. In FY 2022-23 Budget.
- John will provide lighting options and pricing on 1/6.
- Susie to look at budget once approximate costs are known.
- Researching pricing and options. John R will report at 12/2/21 council meeting.

Generator for City Hall

Date: 3/4/2021 **Summary:** Need power to operate EOC in emergencies

Staff: Mark

Progress Report (Most recent listed first)

4/6 Update *Generator has been delivered to electric contractor. Installation will get scheduled.*

- Delivery delayed to March, 2023.
- Moving forward with getting one fit for the space. NW Natural changed out the meter to prepare for generator.
- Council approved purchase of generator on June 2nd; Chief Chase will work with vendor on getting it ordered and installed.
- Council to consider cost estimates for approval.
- Waiting on one electrical bid.
- Electrical work is expected to be completed by summer. Waiting for bids for the generator and electrical work.
- Waiting for cost information on some portable generators from Cummins.
- Received fully executed grant award. Quarterly reports are required.
- Researching installation options and final costs. Wait will be about 40 weeks once it is ordered, unless another option is available.
- Council approved grant agreement with OEM to award funding for the purchase of a generator on 11/04/21.

City of Gervais
Activity Tracker - In progress

As of 3/30/2023

WWTP Poplar Tree Crop Restoration

Date: Feb. 2021 **Summary:** Ice storm damaged tree farm - near total loss **Staff:** Susie/Kyle

Progress Report (Most recent listed first)

- Complete and working towards getting FEMA reimbursement.
- Fencing repair not complete and there is some site work left to be finished.
- Getting ready to submit for reimbursement for FEMA funding. Logs have been removed and burned.
- All irrigation zones are finished. Logs are being removed and fence is last to be repaired/replaced.
- Project is nearly finished with 2 zones left to finish and the fence repair/replacement.
- Two more zones have been completed and are near operational status.
- Work began on 2/22 and 8 of the 10 zones have trees cleared away. Zones 2-5 are operational, trees are planted and new irrigation is installed.
- The contract was signed and work is expected to begin in the next 3-4 weeks.
- An insurance claim has been submitted to CIS. The claim was approved.
- Funding provided by FEMA and Business Oregon. Onsite FEMA inspection 11/18/21.
- Bid opening was 10/27/21. Council gave intent to award contract to Advanced Land Management on 11/4/21 for \$228,000.

Share Grant Writer Services with Gervais School District

Date: 11/4/2021 **Summary:** Community development opportunities **Staff:** Susie

Progress Report (Most recent listed first)

- City needs to identify projects and make a plan in order to apply for grants.
- SD working on contract for services, Hilda researching T-Mobile grant for park lighting, lighting on SD walking trail, garbage cans, cameras, etc. T-Mobile grant deadline is June.
- Hilda Rosselli presented at the joint meeting with the SD. She has access to grant programs, but City needs to identify projects and have plans such as park lighting.
- Susie and Dandy met with a new potential grant writer who will provide a proposal for her work.
- Susie & Dandy were notified on 11/30 that she cannot commit to the work. Susie is checking with COG for same services.
- Council moved to partner with Gervais SD on grant writing services of Lisa Leslie 11/4/21 and contribute \$5,000.

City of Gervais
Activity Tracker - In progress

As of 3/30/2023

Grove/7th Sidewalk and Street Improvements

Date: 11/4/2021 **Summary:** Improve accessibility near Ivy Woods Sub **Staff:** Susie/Kyle

Progress Report (Most recent listed first)

- Completed and working through final reimbursement process.
- Contract awarded, Kodiak Construction will be mobilizing August 29th on 8th & Juniper.
- Project will be advertised for bid July 6, bid opening on July 27, council give intent to award on August 4th.
- Design has begun – city addressing property owner plants in right-of-way to properly design sidewalk.
- Grant award was approved, executed agreement from ODOT was received 12/8, along with Notice to Proceed. City engineer will start design soon.
- Notified that the City was awarded \$100,000 SCA Grant for this project.

Skate Park

Date: 10/20/2021 **Summary:** Youth requested council to build a skate park **Staff:** Susie/Kyle

Progress Report (Most recent listed first)

4/6 Update *Council authorized Laura Clifton to complete application with National Guard. Susie shared login information with Laura on 3/10/23.*

- Susie will propose that council or committee member complete the application to the National Guard for Community Assistance.
- Susie created an account on the National Guard website.
- Basketball tournament has been cancelled and may be rescheduled.
- \$3,000 raised from circus ticket sales.
- John cancelled fence rental for 4th St because the tournament has been moved to Sacred Heart.
- Ad Hoc committee to report progress on 3 on 3 basketball fundraiser. Tournament registration and flyer are on city's website and also available at City Hall.
- Waiting for response from Sacred Heart meeting on 01/18. Ad Hoc committee continues to provide updates to council.
- Laura Clifton provided an update on 12/2 council meeting on location possibilities. She will be attending a meeting with Sacred Heart on 1/18.
- Assigned to Ad Hoc Committee at the October council meeting.

City of Gervais
Activity Tracker - In progress

As of 3/30/2023

Douglas Crosswalks/Elementary Sidewalk (Safe Routes to School 2020)

Date: 08/2020 **Summary:** Student Safety

Staff: Susie/Kyle

Progress Report (Most recent listed first)

- Completed and working through final reimbursement process.
- Project is in progress.
- Staff is working with school district staff on timing and communication of traffic and student impacts.
- Contract awarded, Kodiak Construction will be mobilizing August 29th on 8th & Juniper. Anticipated to start work in the next couple of weeks.
- Project will be advertised for bid July 6, bid opening on July 27, council give intent to award on August 4th.
- Final design wrapping up, delay in getting comments back from County.
- Final design is in progress. Bidding anticipated in the spring.
- Marion County is currently reviewing the project as of 10/21/21.

Sam Brown House

Date: 2020 **Summary:** Relocate house inside Gervais city limits

Staff: CPT

Progress Report (Most recent listed first)

- Gervais CPT has taken this on as a project. Staff will work with that group.
- There's been some citizen interest, researching the project and sharing information with staff. More to come at 9/1 council meeting.
- Have not heard from owner. This has been on the back burner with so many other active projects happening.
- John talked with house owner. Owner will make a request for extension to move.
- Susie received email from somebody on restoration.
-

Waiting to hear back from owner and to figure out funding options for moving and restoration.

CERT Training

Date: Ongoing **Summary:** Emergency preparedness

Staff: Council

Progress Report (Most recent listed first)

- Councilor Wagner provided training dates coming up, starting on 2/27 and ending on 4/1.
- At the 9/1/22 council meeting, Councilor Wagner provided training dates for September.
- In progress. Training TBD.

City of Gervais
Activity Tracker - In progress

As of 3/30/2023

Partnership with Sacred Heart

Date: 2020 **Summary:** Opportunities for park land

Staff: TBD

Progress Report (Most recent listed first)

- Committee report on April 7th indicated a "no go" for skate park, but would be open to other ideas not involving permanent park implements.
- The committee decided to present the other options to city council.
- Mayor Gilland received advance notice that they did not want anything that permanent on the property.
- Parks and Rec meeting with Sacred Heart March 15th at 6:30 to hear their decision on leasing the property on the corner of 5th St.
- Waiting for response from Sacred Heart meeting on 01/18.
- City staff met with Sacred Heart in 2020 to discuss a possible partnership with the Church on providing land for a park.

Discussion on using ARPA Funds

Date: 04/2021 **Summary:** American Rescue Plant Act

Staff: Susie/Council

Progress Report (Most recent listed first)

- <https://www.orcities.org/resources/reference/arp/arp-webinar>
- Funds to be allocated by 12/31/24.
- Council needs to have a discussion on how funds should be used in accordance with US Treasury Guidance.
- Introduced at 4/1/21 council meeting. Received \$306,568 on 8/23/21 (first tranche). Total expected is \$562,000.

Veterans Memorial Wall

Date: 12/2/2021 **Summary:** Honor Veterans

Staff: Council

Progress Report (Most recent listed first)

- Councilor Gonzalez to give an update on May council meeting.
- Mayor Gilland indicated a committee would be formed and Councilor Foreman volunteered for the committee.
- There have been discussions on locations.
- Mayor Gilland and Laura Clifton watched a webinar.
- Councilor Gonzalez researching.

City of Gervais
Activity Tracker - In progress

As of 3/30/2023

Solids Collector @ Lagoons

Date: 6/2/2022 **Summary:** Aide in removing solids to preserve tmt system **Staff:** Susie/Kyle

Progress Report (Most recent listed first)

- Currently in design.
- Cost will be covered with Wastewater SDC funds.
- City Engineer is working on design.
- Council approved purchase of solids collector on June 2nd.

City of Gervais Activity Tracker - Items Completed


As of 3/30/2023

Date Initiated	Issue/Task	Summary	Staff	Completion Date
12/3/2020	Shared use building with Woodburn Fire	Provide fire apparatus in Gervais to decrease response times.	Susie/Mark	Change in plan
9/1/2022	Consider contracting with Love, Inc. for utility bill assistance	Offer help to citizens who have trouble paying utility bills	Susie/Council	12/2022
12/1/2020	Juniper/7th Street-Close 8th St entry/exit to Ivy (SCA 2020)	Traffic safety	Susie/Kyle	11/2022
11/4/2021	Look into costs of expanding concrete pad on Hemlock (east of 5th) to provide for another basketball hoop	Provide more hoops in town.	Kyle	1/26/23
10/21/2021	Ordinance updates: Parking, noise, livestock	Need updates for yard parking, noise and livestock.	Susie/Mark	04/07/22 (Ord No 22-001 and 22-002)
11/4/2021	Circus	Community entertainment	Susie/Council	May, 2022
11/4/2021	Update council rules	Review council rules for possible changes	Susie	5/5/2022
12/2/2021	Dial-a-Ride/Cherriots for senior citizens	Assisting seniors with transportation	Council	Cost Prohibit
Ongoing	Railroad Crossing on Ivy	Crossing is hazardous and in disrepair.	John	03/25/22
2020-21 Budget	Generator for lagoon	Replace old generator that doesn't operate	John	11/2022
11/4/2021	Putting audio on website	Availability of audio to the public.	Denise	12/3/2022
5/6/2021	Fencing around Ivy Woods retention pond	Presents a danger to children.	John	12/8/21
8/19/2021	Pay equity analysis	Compliance with Equity Act	Susie	12/2/21

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	Agenda Item No:	Topic:
	10 a	Resolution No. 23-002, Adopting the City of Gervais Representation in the Updates to the Marion County MJHMP
	Agenda Type:	
	Action Items	
	Meeting Date:	
	April 6, 2023	
		Prepared by:
		Susie Marston

In December, 2021, the city council approved an agreement between the City and the Oregon Department of Land Conservation and Development (DLCD) to participate in the Marion County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP). This project was funded by FEMA (Oregon Emergency Management and DLCD partnered to secure this funding).

Through most of 2022, Chief Chase and I participated in MJHMP steering committee meetings as part of this project, where we helped draft an Addendum to add Gervais to the HMP. The result of this work is that for the first time, Gervais is a part of the Marion County MJHMP. What this means for Gervais is that there are certain mitigation action items that are identified and will be eligible for FEMA Hazard Mitigation Funding Assistance. Those action items are listed on page GV-11 following this report. Actions items are as follows:

- Install backup generator at City Hall.
- Partner with Woodburn Fire on local fire house in Gervais.
- Coordinate evacuation planning with Marion County Emergency Management and Woodburn.
- Consider seismic retrofits and automatic shut-off valves at water treatment facilities.

Next Steps

The MJHMP was submitted to FEMA, which was approved on March 17, 2023. The approval letter is attached. The Marion County Board of Commissioners will be meeting April 5th to sign their resolution to adopt the Plan, and then all of the jurisdictions participating in the Plan adopt their own resolutions adopting the Plan after that date. All of these resolutions are submitted to FEMA, and once FEMA approves the Plan, all of the jurisdictions are eligible for Hazard Mitigation Funding for the priorities listed.

Recommendation

Adopt Resolution No. 23-002, Resolution 23-002, a Resolution Adopting the City of Gervais Representation in the Updates to the Marion County Multi-Jurisdictional Hazard Mitigation Plan

CITY OF GERVAIS ADDENDUM

Purpose

This document serves as the City of Gervais's Addendum to the Marion County Multi-Jurisdictional Hazards Mitigation Plan (MHMP, HMP). The purpose of this addendum is to guide the implementation of mitigation actions by Gervais to improve the resilience of the community. Please note that mitigation planning is a long-term endeavor—one that requires broad internal involvement and community engagement to be successful. Finally, please refer to the information contained in Volume I (Basic Plan) and Volume III (Appendices) of this HMP, which provides additional information (particularly regarding participation and mitigation strategy) and forms the basis of this addendum.

Plan Process, Participation, and Adoption

For the 2022 Hazard Mitigation Plan update, Marion County partnered with the Oregon Department of Land Conservation and Development to secure FEMA grant funding to support the multi-jurisdictional plan update. This effort included the City of Gervais and created the city's first addendum to the Marion County Hazard Mitigation Plan, as a new plan holder jurisdiction.

By developing this addendum to the Marion County HMP, locally adopting it, and having it approved by FEMA, the City of Gervais will gain eligibility for FEMA Hazard Mitigation Assistance (HMA) funding that includes three programs: Building Resilient Infrastructure & Communities (BRIC), formerly the Pre-Disaster Mitigation grant program, the Hazard Mitigation Grant Program (HMGP), and the Flood Mitigation Assistance (FMA) program. This project is funded through the Federal Emergency Management Agency's (FEMA) FY19 Pre-Disaster Mitigation Competitive Grant Program (PDMC-PL-10-OR-2019-003).

The City of Gervais joined the Marion County HMP update by executing an Intergovernmental agreement with DLCD in December 2021. On January 10, 2022, the City of Gervais City Manager Susie Marston, and Police Chief Mark Chase, met with Marion County Emergency Preparedness Coordinator Mike Hintz, and DLCD Planner Pam Reber to conduct a risk assessment meeting for the city that included a Hazard Vulnerability Assessment ranking. City staff met again with DLCD on March 14, 2022 to update this addendum.

The City of Gervais City Manager attended HMP Steering Committee meetings on 1/4/22, 3/1/22, 4/5/22, 5/4/22, 6/7/22, and 7/5/22, with the Gervais Police Chief in attendance at all meetings except for 1/4/22 and 7/5/22. Gervais staff promoted the HMP survey and outreach efforts throughout the plan update, including public posts on the city's website and Facebook page in January 2022 to distribute the plan update public survey to interested parties in the Gervais service area.

Risk Assessment

A risk assessment is intended to provide the “factual basis for activities proposed in the strategy to reduce losses from identified hazards.”¹ This section of the HMP addendum can serve as the factual basis for addressing Oregon Statewide Planning Goal 7 – Areas Subject to Natural Hazards.

Community Profile

This section provides information on city specific assets and populations. For additional information on the characteristics of the City of Gervais, in terms of geography, environment, population, demographics, employment and economics, as well as housing and transportation see Volume III, Appendix C, Community Profile. Many of these community characteristics can affect how natural hazards impact communities and how communities choose to plan for natural hazard mitigation. Considering the city-specific assets during the planning process can assist in identifying appropriate measures for natural hazard mitigation.

Community Characteristics

The City of Gervais is in Marion County, 4 miles south of the City of Woodburn and 16 miles north of the City of Salem along Highway 99E. Gervais is located in the central Willamette Valley, primarily surrounded by agricultural land, with elevations from 175 to 185 feet above sea level.² The terrain within the UGB is relatively impervious and level resulting in slow runoff and ponding during storm events. The city and surrounding agricultural lands drain into Sam Brown Creek and the northern tributary of the Pudding River. The Pudding River is a tributary to the Molalla River, which is a tributary to the Willamette River. These soils are characterized by a high-water table, moderate or slow permeability and low shear strength for building foundations.³

The Population Research Center at Portland State University lists the City of Gervais’s 2020 population at 2,624.⁴ This represents a 26.3% increase from 2000. Prior to 1990, population change was minimal, affected primarily by factors outside the community. The largest increase in population took place between 1990 and 2000 due to the development of two residential subdivisions—Winfield Ranch and French Prairie Meadows. Another subdivision, developed in 2007, and localized infill development have led to further growth since 2000.⁵ Gervais is a bedroom community with most working residents commuting to Salem, Portland or Woodburn. The city has experienced steady growth over the years as

¹ 44 CFR 201.6(2)(i)

² Totra Tech. (2019, July). City of Gervais Stormwater Master Plan.

<http://nebula.wsimg.com/1e229ec1f511c1f70cb810572faefa06?AccessKeyId=F062AE05BD597D7A5ED5&disposition=0&alloworigin=1>

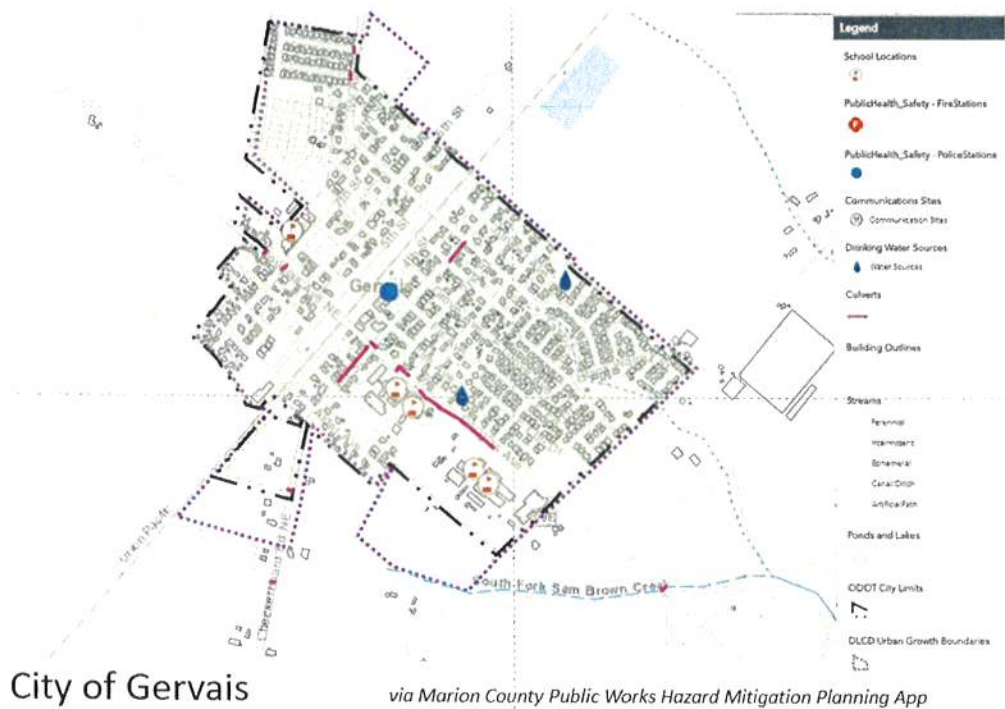
³ Ibid.

⁴ Population Research Center at the Portland State University College of Urban and Public Affairs. Coordinated Population Forecast for Marion County, Its Urban Growth Boundaries (UGB), and area outside UGBs 2021–2071. June 30, 2021.

⁵ Ibid.

developable land in the Portland metropolitan area has become more limited. Median household income in Gervais during the period 2015-2019 was \$74,191, a 31.4% increase from the previous 5-year period⁶. For more demographic and economic information, refer to Appendix C.

Figure GV-01. City of Gervais Map



Critical and Important Facilities

City of Gervais's critical and important facilities include the following:

Transportation

Road	Owner	Notes
OR-99E	ODOT	East of city
I-5	ODOT	A half-mile west of city
Railroad	Union Pacific	Operated by Union Pacific and Amtrak

Energy

- PGE and NW Natural Gas provide services to the City and its residents; No above or underground fuel tanks. City staff travels to Woodburn, Mt. Angel, and Salem to use local Pacific Pride cardlock facilities.
- The City is in the process of acquiring a generator for City Hall through a grant funded project, estimated completion 2023.

⁶ U.S. Census Bureau (n.d.). 2010-2014 & 2015-2019 American Community Survey 5-year estimates.

- Fuel storage tanks: none known. Pacific Pride in Woodburn or Mt Angel.

Water/ Wastewater

- Water treatment plant: Two city wells and two storage tanks, each with the capacity to hold 350,000 gallons. One storage tank built in 2014; the other original tank was built in the 1980s but refurbished in 2016.
 - Location of storage tanks: 115 E. Douglas Ave.
 - Location of wells: 115 Douglas Ave. and 35 Juniper St., both in Gervais.
- Wastewater treatment plant: City operates the plant; it is co-located with lagoons in an area north of city limits with two (2) lift stations in town.
 - Location of wastewater treatment plant: 13000 block of Portland Rd

Communications

- Police communication equipment is located at City Hall.
- Landline Phone Provider: Datavision
- Cable Provider: Wave Cable
- Cell Service: Verizon with a tower in the vicinity of 40 Alder Ave., Gervais, behind local elementary school.

Emergency Services

- Fire: Woodburn Fire District
- Police: Two locations: Operations at City Hall; Fleet at 115 E. Douglas
- Public Works: City of Gervais, 115 E. Douglas
- CERT: Yes
- Medical: No hospitals or clinics within city limits
- Emergency Operations Center: City Hall
- City Hall: Yes, built in 2012
- Shelter: No established cooling or warming centers.

Cultural/Historical Resources

- Historic homes as listed in Comprehensive Plan.
- Sam Brown House 12878 Portland Rd NE., Gervais, OR 97026 is on register, but not within the city limits.

Events/ Festivals

- 4th of July Celebration: approximately 1,500 people
- Annually in August, first Tuesday. National Night Out <https://natw.org/>
- May 22, 2022 Circus at Elementary School 4,000 to 5,000 attendees anticipated.
 - 150 Douglas St. Gervais, OR 97026

Environmental and Economic

- Bauman Farms: outskirts of city limits
- Small businesses: Gervais Market, Dollar General, Gervais Bar, and Summit Tile Roofing Inc.
- American Bath—largest commercial property within city limits.

- Woodburn Area Chamber of Commerce
- Amazon Fulfilment Center: 4 million sqft facility being sited approx. 1 mile north of town in Woodburn behind WinCo.
- Sam Brown Creek, a tributary of the Pudding River, has its headwaters near Gervais and runs through the community.
- A city-owned poplar farm is natural infrastructure used to address the city's wastewater. By irrigating the poplar farm instead of discharging to the creek, nutrients and elevated temperatures do not pollute the creek.

Functional and Access Needs (Vulnerable Populations)

- Schools/Day Cares: daycare/pre-k, elementary, middle, and high school (Gervais School District), Sacred Heart Catholic School
- Assisted-Senior Living/Medical-Hospitals Facilities/Medical Fragile
 - <10 residents at 837 Lantana Ln NE, Gervais, OR 97026
 - <10 residents at 830 Mesquite Ln NE, Gervais, OR 97026
- Non-English speaking
- People with low economic status
- County Senior Services
- Cherriots <https://www.cherriots.org/>
- Seniors/Retired
- Sacred Heart Food Bank

See hazard sections below for potential hazard-related vulnerabilities to these facilities.

Plans and Policies

Table 1. Plans and Policies of the City of Gervais

Document	Year
Gervais Comprehensive Plan	2015
Stormwater Master Plan	2019
Water System Master Plan	2019
Wastewater System Master Plan	2019
Economic Opportunities Analysis	2015
Housing Needs Analysis	2015

Note: Year is year acknowledged or last revision. Source: City of Gervais, 2022. Public Works website.

<http://www.gervaisoregon.org/public-works.html> DLCD, 2022. PAPA Database

<https://www.oregon.gov/lcd/CPU/Pages/Adopted-Plan-Amendments.aspx>

Hazard Profile

Figure 2. City of Gervais Hazard Profile

Community Overview							
Community Name		Population	Number of Buildings		Critical Facilities ¹	Total Building Value (\$)	
Gervais		2,620	719		3	247,297,000	
Hazus-MH Analysis Summary							
Hazard	Scenario	Potentially Displaced Residents	% Potentially Displaced Residents	Damaged Buildings	Damaged Critical Facilities	Loss Estimate (\$)	Loss Ratio
Flood ²	1% Annual Chance	0	0%	0	0	0	0%
Earthquake*	Mt Angel Mw 6.8 Deterministic	397	15%	266	4	55,400,740	22%
Exposure Analysis Summary							
Hazard	Scenario	Potentially Displaced Residents	% Potentially Displaced Residents	Exposed Buildings	Exposed Critical Facilities	Building Value (\$)	Exposure Ratio
Landslide	High and Very High Susceptibility	0	0%	0	0	0	0%
Channel Migration	Channel Migration Zone	0	0%	0	0	0	0%
Wildfire	High and Moderate Risk	0	0%	0	0	0	0%
Lahar	Medium Zone (1000 to 15000-year)	0	0%	0	0	0	0%

¹Facilities with multiple buildings were consolidated into one building complex.

²No damage is estimated for exposed structures with "First floor height" above the level of flooding (base flood elevation).

Source: Williams & Madin (2022)

Hazard Analysis

The methodology for assessing risk was the same for all jurisdictions and a detailed description of the BOLD planning methodology can be found in Volume I, a brief description is below. To complete the risk assessment, the jurisdiction representatives first updated the description, type, location, and extent of each hazard. Next, they updated the Hazard Vulnerability Analysis based on each hazard's potential impact on the community using a method developed by BOLD Planning⁷. This assessment method ranks the following factors to determine risk from the range of natural hazards identified:

1. Probability (frequency) of event
2. Magnitude of event
3. Expected warning time before event
4. Expected duration of event

Score	Probability	Warning Time	Magnitude/Severity	Duration
4	Highly Likely	Less than 6 hours	Catastrophic	More than 1 week
3	Likely	6-12 hours	Critical	Less than 1 week
2	Possible	12-24 hours	Limited	Less than 1 day
1	Unlikely	24+ hours	Negligible	Less than 6 hours

The assessment identifies three levels of risk: High, Moderate and Low.

High - High probability of occurrence; at least 50 percent or more of population at risk from hazard; significant to catastrophic physical impacts to buildings and infrastructure; major loss or potential loss of functionality to all essential facilities (hospital, police, fire, EOC and shelters).

Moderate - Less than 50 percent of population at risk from hazard; moderate physical impacts to buildings and infrastructure; moderate potential for loss of functionality to essential facilities.

Low - Low probability of occurrence or low threat to population; minor physical impacts.

IMPACT	Range Values	
	Low CPRI	High CPRI
High	3.0	4.0
Moderate	2.0	2.9
Low	1.0	1.9

A summary of the hazard vulnerability assessment findings and rankings is presented below.

⁷ BOLD Planning is a consulting firm specializing in the development of actionable emergency plans. For more information, visit: <http://www.boldplanning.com/>

Table 2. City of Gervais Hazard Vulnerability Assessment – Natural Hazards

Hazard Profile Summary for the City of Gervais Using Bold Planning Analysis Scoring						
Natural Hazard	Probability	Warning Time	Magnitude	Duration	CPRI	2022 Local Planning Significance
Weight Factor	0.45	0.15	0.3	0.1		
Earthquake	3	4	4	4	3.6	High
Severe Weather/Storm	2	1	3	4	2.4	Moderate
Flood (including dam failure)	2	3	2	4	2.4	Moderate
Extreme Weather - High Temperature	2	1	3	3	2.3	Moderate
Tornado	1	4	4	4	2.7	Moderate
Volcanic Eruption	2	3	2	4	2.4	Moderate
Wildland Interface Fire	1	3	2	3	1.8	Low
Drought	1	1	1	1	1.0	Low
Landslide	0	0	0	0	0.0	Not rated
Avalanche	0	0	0	0	0.0	Not rated

Source: Marion County Emergency Management and City of Gervais, 01/10/2022; revised 3/14/22.

Table 3. City of Gervais Hazard Vulnerability Assessment – Other Hazards

Man-Made/Technological Hazards Section					
Hazardous Materials Release – Transportation (Air, Interstate, Rail)	4	4	4	4	4.0
Public Health Emergency (Pandemic, Water Toxins)	4	1	3.5	4	3.4
Terrorism/Active Shooter/Workplace Violence	2	4	4	4	3.1
Hazardous Materials Release- Non-Transportation	2	4	4	4	3.1
Unauthorized Entry	2.5	4	3	3.5	3.0
Cyberterrorism	2	4	3	4	2.8
Civil Disturbance	1	4	4	4	2.7
Chemical Biological Radiological, Nuclear Explosive (CBRNE)	1	4	4	4	2.7
Agricultural Terrorism	2	4	2	4	1.5

Source: Marion County Emergency Management and City of Gervais, 01/10/2022.

Hazard Characteristics

Hazard History, Characteristics and Extent for Marion County apply also to the City of Gervais. Volume I, Section 2, Risk Assessment, adequately describes the characteristics of natural hazards, as well as the location and extent of potential events.

The following section identifies vulnerabilities specific to the City of Gervais, recent localized hazard events and impacts, and illustrates the basis for the city's HVA scores.

Avalanche

Events: n/a

Vulnerability: None

Drought

Events: n/a

Vulnerability: Water supply is in wells. No alternative water supplies, e.g., no reservoir. Two water storage tanks are each 350,000 gallons.

Earthquake

Events: No damaging earthquake events occurred during the previous five years. The 1993 Scotts Mills quake caused \$28 million in damages to cities throughout Marion County.

Vulnerability: Downtown Gervais has an older stock of unreinforced masonry buildings. One water reservoir that was built in the 1980s but refurbished has a higher vulnerability. The water treatment facility was also built in the late 1980s and likely needs reinforcement to withstand an earthquake. The water distribution system would be susceptible to breakage in an earthquake event. Wastewater lagoon dikes and underground lift stations are susceptible to failure in a seismic event.

Extreme Heat

Events: n/a

Vulnerability: No cooling center in the community.

Flood

Events: n/a

Vulnerability: Less than probable, but possible. The Pudding River floods downstream from the city but has not impacted the city.

Landslide

Events: n/a

Vulnerability: Gervais is very flat, there is no landslide risk.

Severe Weather

Events: 2021 Ice Storm

Vulnerability: Extended power outage impacted communications, internet, which included the Emergency Operations Center. Destroyed poplar tree farm that serves wastewater plant, the city's only natural infrastructure facility that filters the city's wastewater. Debris from tree damage.

Tornado

Events: n/a

Vulnerability: Scenario considered was Aumsville tornado December 14, 2010. Possible, would impact community for more than one week.

Wildfire

Events: n/a

Vulnerability: Gervais is surrounded by agricultural lands which are highly managed and pose low risk for wildfire.

Volcanic Eruption

Events: 1980 Mount St Helens eruption.

Vulnerability: The City would have 6 to 12 hours before ash from an eruption of Mt. Hood, etc. impacted the community; impacts could last more than a week.

Mitigation Strategy

During the 2022 Marion County Hazard Mitigation Plan and Gervais Addendum update process, the Oregon Department of Land Conservation & Development and Gervais city staff developed a list of priority actions. These actions were prioritized and then reviewed internally by staff and city council during the spring of 2022.

Table 4. City of Gervais Priority Action Items Table

#	Hazard	Mitigation Action	Priority	Timeline	Cost	Description	Status
22-MH-01	Multi-Hazard	Install a backup generator for the Emergency Operations Center (EOC) at the Gervais City Hall.	H	1-3 years	\$75k	The city was awarded a grant for a generator through Marion County Emergency Management and OEM. Construction is planned for Summer 2022.	New
22-MH-02	Multi-Hazard	Partner with Woodburn Fire on the construction of a local fire house in Gervais.	H	1-3 years	\$2.2 million	Fire District is currently looking for possible locations and plans to fund the structure with a renewal bond, grants, and loans. Land and some funding would be the city's role.	New
22-MH-03	Multi-Hazard	Coordinate evacuation planning with Marion County Emergency Management and Woodburn.	H	1-3 years	Staff time	The city would like to coordinate on regional efforts to improve emergency response or planning.	New
22-EQ-01	Earthquake	Consider seismic retrofits such as flexible pipe connectors for water treatment facilities.	M	5-10 years	TBD	In an earthquake event, it would be ideal to prevent water distribution lines from breaking. If flexible connectors are installed at key locations to be determined by a consultant, some sections of line could be more easily repaired, and water conserved.	New
22-EQ-02	Earthquake	Consider seismic retrofits such as automatic shutoff valves for water treatment facilities.	M	5-10 years	TBD	In an earthquake event, it would be ideal to prevent loss of water supply or discharge of waste.	New

Source: City of Gervais, 03/14/2022.



FEMA

March 17, 2023

Ms. Anna Feigum
State Hazard Mitigation Officer
Oregon Military Department
Office of Emergency Management
P.O. Box 14370
Salem, Oregon 97309

Dear Ms. Feigum:

The Federal Emergency Management Agency (FEMA) Region 10 completed a pre-adoption review of the draft Marion County Hazard Mitigation Plan. The attached Mitigation Plan Review Tool documents the Region's review and compliance with all required elements of 44 CFR Part 201.6, as well as identifies the jurisdictions participating in the planning process. This letter serves as Region 10's commitment to approve the plan upon receiving documentation of its adoption by participating jurisdictions.

Formal adoption documentation must be submitted to FEMA Region 10 by at least one jurisdiction within one calendar year of the date of this letter, or the entire plan must be updated and resubmitted for review. Once FEMA approves the plan, the jurisdictions are eligible to apply for FEMA Hazard Mitigation Assistance grants.

Please contact Erin Cooper, Regional Mitigation Planning Program Manager, at 202- 856-1927 or erin.cooper@fema.dhs.gov with any questions.

Sincerely,

WENDY L SHAW

Digitally signed by WENDY L
SHAW
Date: 2023.03.17 11:26:10 -07'00'

Wendy Shaw, P.E.
Risk Analysis Branch Chief
Mitigation Division

Enclosures

WS:v1

LOCAL MITIGATION PLAN REVIEW TOOL +HHPD

The *Local Mitigation Plan Review Tool* demonstrates how the Local Mitigation Plan meets the regulation in 44 CFR §201.6 and offers States and FEMA Mitigation Planners an opportunity to provide feedback to the community.

- The Regulation Checklist provides a summary of FEMA's evaluation of whether the Plan has addressed all requirements.
- The Plan Assessment identifies the plan's strengths as well as documents areas for future improvement.
- The Multi-jurisdiction Summary Sheet is an optional worksheet that can be used to document how each jurisdiction met the requirements of the each Element of the Plan (Planning Process; Hazard Identification and Risk Assessment; Mitigation Strategy; Plan Review, Evaluation, and Implementation; and Plan Adoption).

The FEMA Mitigation Planner must reference this *Local Mitigation Plan Review Guide* when completing the *Local Mitigation Plan Review Tool*.

Jurisdiction: Marion County	Title of Plan: Marion County Multi-Jurisdictional Hazard Mitigation Plan	Date of Plan: 2023
Local Point of Contact: Mike Hintz	Address: 5155 Silverton Rd. NE Salem, Oregon 97305	
Title: Emergency Preparedness Coordinator		
Agency: Marion County Emergency Management		
Phone Number: (503) 365-3136	E-Mail: mhintz@co.marion.or.us	

State Reviewer:	Title:	Date:
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FEMA Reviewer: Danielle Curtis Erin Cooper	Title: CERC Planner Lead Planner	Date: 3/6/2023 3/17/23
Date Received in FEMA Region X	2/17/2023	
Plan Not Approved		
Plan Approvable Pending Adoption	3/17/23	
Plan Approved		

**SECTION 1:
REGULATION CHECKLIST**

INSTRUCTIONS: The Regulation Checklist must be completed by FEMA. The purpose of the Checklist is to identify the location of relevant or applicable content in the Plan by Element/sub-element and to determine if each requirement has been 'Met' or 'Not Met.' The 'Required Revisions' summary at the bottom of each Element must be completed by FEMA to provide a clear explanation of the revisions that are required for plan approval. Required revisions must be explained for each plan sub-element that is 'Not Met.' Sub-elements should be referenced in each summary by using the appropriate numbers (A1, B3, etc.), where applicable. Requirements for each Element and sub-element are described in detail in this *Plan Review Guide* in Section 4, Regulation Checklist.

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR § 201.6 Local Mitigation Plans)				
ELEMENT A. PLANNING PROCESS				
A1. Does the Plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? (Requirement §201.6(c)(1))	Vol. I, pp. 4-2 to 4-9 Vol. III, Appendix C, pp. 3-1 to 4-43	X		
A2. Does the Plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process? (Requirement §201.6(b)(2))	Vol. I, pp. 4-2 to 4-9 Acknowledgements, Vol. III, Appendix C, pp. 3-1 to 4-43	X		
A3. Does the Plan document how the public was involved in the planning process during the drafting stage? (Requirement §201.6(b)(1))	Vol. III, Appendix C, pp. 4-1 to 4-43	X		
A4. Does the Plan describe the review and incorporation of existing plans, studies, reports, and technical information? (Requirement §201.6(b)(3))	Vol. I, Section 2, pp. 2-59 to 2-64, p. 3-6, pp. 4-7 to 4-8 Vol. III, Appendix B, pp. 2-20 to 2-23 Vol. II, City Addenda	X		
A5. Is there discussion of how the community(ies) will continue public participation in the plan maintenance process? (Requirement §201.6(c)(4)(iii))	Vol. I, Section 4, pp. 4-14 to 4-15	X		
A6. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)? (Requirement §201.6(c)(4)(i))	Vol. I, Section 4, pp. 4-1 to 4-9 Vol. II, City Addenda	X		
ELEMENT A: REQUIRED REVISIONS				

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR § 201.6 Local Mitigation Plans)				
ELEMENT B. HAZARD IDENTIFICATION AND RISK ASSESSMENT				
B1. Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)? (Requirement §201.6(c)(2)(i))	Vol. I, Section 2 Vol. II, City Addenda Volume III, Appendix D, Appendix G	X		
B2. Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction? (Requirement §201.6(c)(2)(i))	Vol. I, Section 2 Vol. II, City Addenda Volume III, Appendix D, Appendix G	X		
B3. Is there a description of each identified hazard's impact on the community as well as an overall summary of the community's vulnerability for each jurisdiction? (Requirement §201.6(c)(2)(ii))	Vol. I, Section 2 Vol. II, City Addenda Volume III, Appendix D, Appendix G	X		
B4. Does the Plan address NFIP insured structures within the jurisdiction that have been repetitively damaged by floods? (Requirement §201.6(c)(2)(ii))	Vol. I, Section 2, pp. 2-27 to 2-29	X		
ELEMENT B: REQUIRED REVISIONS				
ELEMENT C. MITIGATION STRATEGY				
C1. Does the plan document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs? (Requirement §201.6(c)(3))	Vol I, pp. 2-59 to 2-64, p. 3-6, pp. 4-7 to 4-8 Vol. III, Appendix B, pp. 2-20 to 2-23 Vol. II, City Addenda	X		
C2. Does the Plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate? (Requirement §201.6(c)(3)(ii))	Vol. I, Section 2, pp. 2-27 to 2-29 Vol. II, City Addenda	X		
C3. Does the Plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? (Requirement §201.6(c)(3)(i))	Vol. I, Section 3, pp. 3-1 to 3-2	X		
C4. Does the Plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? (Requirement §201.6(c)(3)(ii))	Vol. I, Section 3, pp. 3-1 to 3-7 Vol. II, City Addenda Vol. III, Appendix A, pp. 1-1 to 1-16	X		
C5. Does the Plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction? (Requirement §201.6(c)(3)(iv)); (Requirement §201.6(c)(3)(iii))	Vol. I, Section 3 Volume II, City Addenda Vol. III, Appendix A, pp. 1-2 to 1-10, Appendix E	X		

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR § 201.6 Local Mitigation Plans)				
C6. Does the Plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? (Requirement §201.6(c)(4)(ii))	Vol. I, Section 3, Section 4, pp. 4-10 to 4-11 Vol. II, City Addenda Vol. III, Section 1, Section 2	X		
ELEMENT C: REQUIRED REVISIONS				
<p>C5-c. Only some of the mitigation actions for Marion County (Volume III, Section 1) have potential funding sources listed. None of the actions for participating jurisdictions (City Addenda) have them. Please make sure that there are potential funding sources for all actions proposed for Marion County and participating jurisdictions. Please note the type of grant when FEMA HMA grants are listed as a source. For instance, these can be BRIC, HMGP, FMA, or other specific grant programs.</p> <p>REVISIONS: Funding sources: Vol, 3, Appendix A Marion County Priority Actions Added the following:</p> <p>SPECIAL NOTE: There are many funding sources that might be available to assist in funding hazard mitigation projects. Funding sources include local government general budgets, state and federal grants, and foundations to name just a few. For additional information on the variety of grants visit https://www.grants.gov/web/grants/learn-grants/grants-101.html. FEMA's Building Resilient Infrastructure, and Communities (BRIC), Hazard Mitigation Grant Program (HMGP), Flood Mitigation Assistance (FMA), and other Hazard Mitigation Specific Grants are the most common funding sources used for hazard mitigation projects.</p>				
ELEMENT D. PLAN REVIEW, EVALUATION, AND IMPLEMENTATION (applicable to plan updates only)				
D1. Was the plan revised to reflect changes in development? (Requirement §201.6(d)(3))	Vol. III, Appendix C, pp. 3-3 to 3-6	X		
D2. Was the plan revised to reflect progress in local mitigation efforts? (Requirement §201.6(d)(3))	Vol. III, Appendix A, p. 1-16	X		
D3. Was the plan revised to reflect changes in priorities? (Requirement §201.6(d)(3))	Vol. III, Appendix A, pp. 1-1 to 1-16 Vol. I, Section 3	X		
ELEMENT D: REQUIRED REVISIONS				
ELEMENT E. PLAN ADOPTION				
E1. Does the Plan include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval? (Requirement §201.6(c)(5))	Vol. I, Section 5; updates will be included following adoption			X

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR § 201.6 Local Mitigation Plans)				
E2. For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption? (Requirement §201.6(c)(5))		Updates will be documented as plan is adopted in each jurisdiction		X
ELEMENT E: REQUIRED REVISIONS				
ALL DAM RISKS - HIGH HAZARD POTENTIAL DAMS				
HHPD1: Did the plan describe the incorporation of existing plans, studies, reports and technical information for HHPDs?				
HHPD1-a. Does the plan describe how the local government worked with local dam owners and/or the state dam safety agency?		Vol. I, Section 2.7, pp. 2-24 to 2-45	X	
HHPD1-b. Does the plan incorporate information shared by the state and/or local dam owners?		Vol. I, Section 2.7, pp. 2-24 to 2-45	X	
HHPD2: Did the plan address HHPDs in the risk assessment?				
HHPD2-a. Does the plan describe the risks and vulnerabilities to and from HHPDs?		Vol. I, Section 2.7, pp. 2-24 to 2-45 Vol. III, pp. 8-2 to 8-3	X	
HHPD2-b. Does the plan document the limitations and describe how to address deficiencies?		Vol. I, Section 2.7, pp. 2-24 to 2-45	X	
HHPD3: Did the plan include mitigation goals to reduce long-term vulnerabilities from HHPDs?				
HHPD3-a. Does the plan address how to reduce vulnerabilities to and from HHPDs as part of its own goals or with other long-term strategies?		Vol. I, Section 2.7, pp. 2-24 to 2-45	X	
HHPD3-b. Does the plan link proposed actions to reducing long-term vulnerabilities that are consistent with its goals?		Vol. I, Section 2.7, pp. 2-24 to 2-45		n/a
HHPD4: Did the plan include actions that address HHPDs and prioritize mitigation actions to reduce vulnerabilities from HHPDs?				
HHPD4-a. Does the plan describe specific actions to address HHPDs?		Vol. II Vol. III, Appendix A		n/a
HHPD4-b. Does the plan describe the criteria used to prioritize actions related to HHPDs?		Vol. I, Section 2.7, pp. 2-24 to 2-45		n/a
HHPD4-c. Does the plan identify the position, office, department or agency responsible for implementing and administering the action to mitigate hazards to or from HHPDs?		Vol. I, Section 2.7, pp. 2-24 to 2-45		n/a

1. REGULATION CHECKLIST**Regulation (44 CFR § 201.6 Local Mitigation Plans)****Location in Plan
(section and/or
page number)****Met****Not
Met****HHPD Required Revisions**

HHPD3 and 4. The plan describes risks and vulnerabilities related to HHPDs. That said, there are no mitigation actions that directly address HHPDs. The city of Salem and the city of Silverton are the owners of the three HHPDs in Marion County. However, these cities are not included in the plan update. To be eligible for HHPD grants, please include actions to address HHPDs.

REVISIONS:

Vol.3, Appendix G- Hazard History, Section 8.3, History of Dam Failures in Marion County

Added the following:

SPECIAL NOTE: Marion County does not own or operate any the dams that are in the county, including the three High Hazard Potential Dams.

**ELEMENT F. ADDITIONAL STATE REQUIREMENTS (OPTIONAL FOR STATE REVIEWERS ONLY;
NOT TO BE COMPLETED BY FEMA)**

F1.			
F2.			

ELEMENT F: REQUIRED REVISIONS

SECTION 2: PLAN ASSESSMENT

INSTRUCTIONS: The purpose of the Plan Assessment is to offer the local community more comprehensive feedback to the community on the quality and utility of the plan in a narrative format. The audience for the Plan Assessment is not only the plan developer/local community planner, but also elected officials, local departments and agencies, and others involved in implementing the Local Mitigation Plan. The Plan Assessment must be completed by FEMA. The Assessment is an opportunity for FEMA to provide feedback and information to the community on: 1) suggested improvements to the Plan; 2) specific sections in the Plan where the community has gone above and beyond minimum requirements; 3) recommendations for plan implementation; and 4) ongoing partnership(s) and information on other FEMA programs, specifically Risk MAP and Hazard Mitigation Assistance programs. The Plan Assessment is divided into two sections:

1. Plan Strengths and Opportunities for Improvement
2. Resources for Implementing Your Approved Plan

Plan Strengths and Opportunities for Improvement is organized according to the plan Elements listed in the Regulation Checklist. Each Element includes a series of italicized bulleted items that are suggested topics for consideration while evaluating plans, but it is not intended to be a comprehensive list. FEMA Mitigation Planners are not required to answer each bullet item and should use them as a guide to paraphrase their own written assessment (2-3 sentences) of each Element.

The Plan Assessment must not reiterate the required revisions from the Regulation Checklist or be regulatory in nature and should be open-ended and to provide the community with suggestions for improvements or recommended revisions. The recommended revisions are suggestions for improvement and are not required to be made for the Plan to meet Federal regulatory requirements. The italicized text should be deleted once FEMA has added comments regarding strengths of the plan and potential improvements for future plan revisions. It is recommended that the Plan Assessment be a short synopsis of the overall strengths and weaknesses of the Plan (no longer than two pages), rather than a complete recap section by section.

Resources for Implementing Your Approved Plan provides a place for FEMA to offer information, data sources and general suggestions on the plan implementation and maintenance process. Information on other possible sources of assistance including, but not limited to, existing publications, grant funding or training opportunities, can be provided. States may add state and local resources, if available.

A. Plan Strengths and Opportunities for Improvement

This section provides a discussion of the strengths of the plan document and identifies areas where these could be improved beyond minimum requirements.

Element A: Planning Process

Strengths:

- Using online platforms and surveys to engage the public and share information about the plan update are great tactics. The planning process laid out potential new strategies to continue public engagement by carrying out and maintaining the plan.
- The mitigation success included in Volume III, page 1-11 is a great way to showcase how to carry out a plan. Continue this feature in future plan updates. This will show how a strong planning process and plan execution lead to mitigation success.

Opportunities for Improvement:

- Expand the invitation to take part; reach out to other stakeholders that are not included in this plan. Representatives from business, academia, private organizations, and nonprofits must have a chance to be involved in the process for the next plan update. Please see [FEMA Local Mitigation Policy Guide](#).

Element B: Hazard Identification and Risk Assessment

Strengths:

- The CPRI methodology is detailed. It sorts hazards by level of risk very well. Factoring warning time and duration into the assessment are good attributes to bear in mind.
- Using HAZUS modeling to estimate losses from earthquakes is a great example of using the best data to describe hazards. Using this methodology to estimate losses to vulnerable and critical infrastructure will inform mitigation actions. It will also guide where to focus projects.

Opportunities for Improvement:

- Consider including a total history of previous occurrences for each identified hazard. The hazard assessment included events from the last 5 years; it did not list events before 2016 for many of the hazards. A more complete history of hazards in the plan can help to better pinpoint trends or areas of vulnerability.
- Continue to include maps, graphics and photos where possible, especially in the risk and vulnerability assessment. These features can clearly convey risk to the public and others.

Element C: Mitigation Strategy

Strengths:

- The priority action item forms for Marion County in Volume III were very detailed. They had a narrative on the rationale for each action. They included ideas to carry them out. They also aligned with current policies. Add this level of detail to the specific mitigation actions for each jurisdiction. Adding more details on proposed actions can help carry them out. They can also help to pinpoint any barriers.

Opportunities for Improvement:

- For the next update, expand the analysis of the potential impact of hazards on socially vulnerable and underserved communities. These groups could include youth and the elderly. They could also include those with access and functional needs. During disasters, groups that are more socially vulnerable are more likely to be adversely affected. Knowing which groups are at risk will help create mitigation strategies that are equitable. There are more details on social vulnerability in FEMA's [National Risk Index](#).

Element D: Plan Update, Evaluation, and Implementation (*Plan Updates Only*)

Strengths:

- The plan update toolkit is a good resource to make sure there are plan updates in case of staff turnover or other changes in the community. Add documentation of the finished toolkit and any lessons learned in the next plan update.

Opportunities for Improvement:

- Descriptions of climate change impacts and future development trends is a great way to show changing conditions that are specific to each hazard. They also show changes in priorities since the last plan. Expand on these topics as more data become available.

B. Resources for Implementing Your Approved Plan

Ideas may be offered on moving the mitigation plan forward and continuing the relationship with key mitigation stakeholders such as the following:

- *What FEMA assistance (funding) programs are available (for example, Hazard Mitigation Assistance (HMA)) to the jurisdiction(s) to assist with implementing the mitigation actions?*
- *What other Federal programs (National Flood Insurance Program (NFIP), Community Rating System (CRS), Risk MAP, etc.) may provide assistance for mitigation activities?*
- *What publications, technical guidance or other resources are available to the jurisdiction(s) relevant to the identified mitigation actions?*
- *Are there upcoming trainings/workshops (Benefit-Cost Analysis (BCA), HMA, etc.) to assist the jurisdictions(s)?*
- *What mitigation actions can be funded by other Federal agencies (for example, U.S. Forest Service, National Oceanic and Atmospheric Administration (NOAA), Environmental Protection Agency (EPA) Smart Growth, Housing and Urban Development (HUD) Sustainable Communities, etc.) and/or state and local agencies?*

SECTION 3:
MULTI-JURISDICTION SUMMARY SHEET (OPTIONAL)

INSTRUCTIONS: For multi-jurisdictional plans, a Multi-jurisdiction Summary Spreadsheet may be completed by listing each participating jurisdiction, which required Elements for each jurisdiction were 'Met' or 'Not Met,' and when the adoption resolutions were received. This Summary Sheet does not imply that a mini-plan be developed for each jurisdiction; it should be used as an optional worksheet to ensure that each jurisdiction participating in the Plan has been documented and has met the requirements for those Elements (A through E).

MULTI-JURISDICTION SUMMARY SHEET												
#	Jurisdiction Name	Jurisdiction Type (city/borough/ township/ village, etc.)	Plan POC	Mailing Address	Email	Phone	Requirements Met (Y/N) *-HHPD					
							A. Planning Process*	B. Hazard Identification & Risk Assessment*	C. Mitigation Strategy*	D. Plan Review, Evaluation & Implementation	E. Plan Adoption	F. State Require- ments
1	Marion County	County	Kathleen Silva				Y	Y	Y	Y		
2	City of Aumsville	City	Matthew Etzel				Y	Y	Y	Y		
3	City of Aurora	City	Mark Gunter				Y	Y	Y	Y		
4	City of Detroit	City	Jim Trett				Y	Y	Y	Y		
5	City of Gervais	City	Susie Marston				Y	Y	Y	Y		
6	City of Hubbard	City	Melinda Olinger				Y	Y	Y	Y		
7	City of Idanha	City	Rebecca Stormer				Y	Y	Y	Y		
8	City of Keizer	City	Matt Reyes				Y	Y	Y	Y		

MULTI-JURISDICTION SUMMARY SHEET												
#	Jurisdiction Name	Jurisdiction Type (city/borough/ township/ village, etc.)	Plan POC	Mailing Address	Email	Phone	Requirements Met (Y/N) * =HHPD					
							A. Planning Process*	B. Hazard Identification & Risk Assessment*	C. Mitigation Strategy*	D. Plan Review, Evaluation & Implementation	E. Plan Adoption	F. State Require- ments
9	Keizer Fire District	Special District	Jeff Cowan				Y	Y	Y	Y		
10	City of Mill City	City	Tim Kirsch				Y	Y	Y	Y		
11	City of Mt. Angel	City	Mark Daniel				Y	Y	Y	Y		
12	Mt Angel Fire District	Special District	Jim Trierweiler				Y	Y	Y	Y		
13	City of Scotts Mills	City	Robin Fournier				Y	Y	Y	Y		
14	City of Stayton	City	Dave Frisendahl				Y	Y	Y	Y		
15	City of Sublimity	City	Alan Frost				Y	Y	Y	Y		
16	City of Turner	City	Scott McClure				Y	Y	Y	Y		
17	City of Woodburn/ Woodburn Rural Fire Protection District	City	Marty Pilcher				Y	Y	Y	Y		
18	City of Jefferson	City	Sarah Cook				Y	Y	Y	Y		
19												
20												

RESOLUTION NO. 23-002

**A RESOLUTION ADOPTING THE CITY OF GERVAIS REPRESENTATION IN THE
UPDATES TO THE MARION COUNTY MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN**

WHEREAS, the City of Gervais recognizes the threat that hazards pose to people, property and infrastructure within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people, property and infrastructure from future hazard occurrences; and

WHEREAS, an adopted Natural Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, the City of Gervais has fully participated in the FEMA prescribed mitigation planning process to prepare the *Marion County Multi-Jurisdictional Hazard Mitigation Plan (HMP)*, which has established a comprehensive, coordinated planning process to eliminate or minimize these vulnerabilities; and

WHEREAS, the City of Gervais has identified hazard risks and prioritized a number of proposed actions and programs needed to mitigate the vulnerabilities of the City of Gervais to the impacts of future disasters within the *Marion County Multi-Jurisdictional Hazard Mitigation Plan*; and

WHEREAS, these proposed projects and programs have been incorporated into the *Marion County Multi-Jurisdictional Hazard Mitigation Plan* that has been prepared and promulgated for consideration and implementation by the cities of Marion County; and

WHEREAS, the Oregon Office of Emergency Management and Federal Emergency Management Agency, Region 10 officials have reviewed the *Marion County, Multi-Jurisdictional Hazard Mitigation Plan* and pre-approved it (dated, April 5, 2023) contingent upon this official adoption of the participating governments and entities; and

WHEREAS, the HMP is comprised of three volumes: Volume I – Basic Plan, Volume II – City Addenda, and Volume III – Appendixes, collectively referred to herein as the HMP; and

WHEREAS, the HMP is in an on-going cycle of development and revision to improve its effectiveness; and

WHEREAS, the City of Gervais adopts the HMP and directs the City Manager to develop, approve, and implement the mitigation strategies contained therein based on the City of Gervais's ability to do so, taking into consideration the availability of funds and the availability of man power to implement said strategies and to further make any administrative changes to the HMP.

THEREFORE, the City of Gervais City Council resolves as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if fully set forth herein.
2. The City of Gervais will submit this adoption resolution to the Oregon Office of Emergency Management and Federal Emergency Management Agency, Region 10 officials to enable final approval of the *Marion County Multi-Jurisdictional Hazard Mitigation Plan*.

ADOPTED and effective this 6th day of April, 2023.

Annie Gilland, Mayor

ATTESTED:

Susie Marston, City Manager

RESOLUTION NO. 23-003**TRANSFER OF CONTINGENCY IN THE STATE TAX STREET FUND**

WHEREAS, the City contracted with Kodiak Pacific Construction for three street projects that were funded partially by ODOT (SCA and Safe Routes to School); and

WHEREAS, actual costs of the project exceeded what was projected and what was budgeted; and,

WHEREAS, pursuant to ORS 294.463(2), allows up to 15% of the total appropriations to be transferred from contingency by resolution; and,

THEREFORE, the City of Gervais City Council resolves as follows for fiscal year 2022-23:


Transfer From:	State Tax Street Fund -- Contingency	(50,000)
Transfer To:	State Tax Street Fund -- Capital Outlay	50,000

PASSED and effective this 6th day of April, 2023.

Annie Gilland, Mayor

ATTESTED:

Susie Marston, City Manager

	Agenda Item No.:	Topic:
	10c	ADA Public Accommodation Policy
	Agenda Type:	
	Action Item	
	Meeting Date:	
	April 6, 2023	
		Prepared by:
		Emily Matasar, City Attorney's Office

Under the Americans with Disabilities Act, a local government may not discriminate on the basis of disability in its services, programs and activities. The draft ADA Public Accommodation Policy ("Policy") states the City's obligations to members of the public under the ADA, and provides a process for receiving and processing reasonable accommodation requests from members of the public.

Under the Policy, a request should be made at least 48 hours before the accommodation is required. The Policy describes the interactive process the City engages in when receiving a request, including questions the City may ask and factors the City may consider. The Policy also includes a form to fill out to make an accommodation request.

Recommended Motion

- I move to adopt Resolution 23-004 A Resolution to Adopt an Americans with Disabilities Act Public Accommodation Policy.

**CITY OF GERVAIS, OREGON
RESOLUTION NO. 23-004**

**A RESOLUTION TO ADOPT AN AMERICANS WITH DISABILITIES ACT
PUBLIC ACCOMMODATION POLICY**

WHEREAS, the Americans with Disabilities Act ("Act") prohibits discrimination on the basis of disability; and

WHEREAS, Title II of the Act requires state and local governments to give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities; and

WHEREAS, the Gervais City Council desires to adopt a policy that defines the City of Gervais's obligations under the Act and provides a process for a member of the public to request a reasonable accommodation.

NOW, THEREFORE, THE CITY OF GERVAIS RESOLVES AS FOLLOWS:

1. The City of Gervais City Council hereby adopts the Americans with Disabilities Act Public Accommodations Policy attached to this Resolution as Exhibit A and by this reference incorporated herein.

ADOPTED by the City Council of the City of Gervais this 6th day of April, 2023.

ATTEST:

Annie Gilland, Mayor

Susie Marston, City Manager

CITY OF GERVAIS**Americans with Disabilities Act Public Accommodations Policy****I. POLICY:**

The City of Gervais does not discriminate on the basis of disability in the admission or access to, or treatment, or employment in, its programs or activities.

II. PURPOSE:

The purpose of this policy is to outline City Management and staff's responsibilities to members of the public who request accommodations under the Americans with Disability Act ("Act").

III. DEFINITIONS:

The definitions in the Act apply to the same word or phrase as used in this Policy.

IV. PROCEDURES:**A. Key Elements of the Act:**

The Act was adopted in part to ensure that individuals with disabilities covered by the Act are not denied receipt of public programs, activities or services due to a qualified disability.

B. Obligations to the Public Under the Act:**1. Physical Barriers**

New buildings must be built so that they are readily accessible to disabled individuals. Architectural barriers must be removed from existing buildings if such removal is "readily achievable." Readily achievable is a standard which allows organizations to determine if the changes can be made without great difficulty or expense. If a facility is undergoing renovation, then the renovated area must be made accessible.

2. Public Accommodations

The Act applies to ensure members of the public that have disabilities have an equal opportunity to enjoy all City programs, services, and activities.

The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. In addition, the City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in

the City's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should complete and submit the Public Meeting/Service Accommodation Request Form ("Form") available on the City's website and at City Hall, and attached to this Policy as Appendix A.

V. PROCESS FOR REQUESTING REASONABLE ACCOMMODATION

A. Receiving a Request

The process of identifying whether and to what extent a reasonable accommodation is required should be flexible and should involve both the City and the individual making the request. Determinations as to what accommodations are reasonable must necessarily be made on a case-by-case basis.

A request should be made at least 48 hours before the accommodation is required, however the City should not deny a request for reasonable accommodation solely because the request was made with less than 48 hours' notice. A request should state the person's name, contact information, the type of accommodation requested, and relevant meeting/service information such as the meeting/service date, time, location, and room phone number (if known). A request may be made on the Public Meeting/Service Accommodation Request Form, but the City should not deny a request solely because the request is not made on the Form.

When the City receives a request from a member of the public for an accommodation, it should engage in an interactive process with the requester to determine what accommodations are reasonable under the circumstances. The City should avoid making unreasonable inquiries into the person's disability. Generally, in working with the requester on their request for reasonable accommodation, the City may ask:

- 1) Is this accommodation required because of a disability?
- 2) What task or activity do you need this accommodation for?

The City may not ask about the nature or extent of the requester's disability, or require medical documentation.

The City should assess whether the requested accommodation or another reasonable accommodation may be provided without jeopardizing the safe operation of the program, service or activity, or without fundamentally altering the program, service or activity. If so, the City should provide the accommodation.

B. "Undue Hardship" Exception from the Reasonable Accommodation Requirement

The failure to provide reasonable accommodation may be justified where the City can demonstrate that the accommodation would impose undue hardship on its operations. This must be determined on a case-by-case basis.

"Undue hardship" is defined as any action requiring significant difficulty or expense, taking into account such factors as:

- The number of persons employed at the City.
- The effect of the reasonable accommodation on expenses and resources.
- The impact of the accommodation on the operation of the City.
- The overall financial resources of the City.
- The number, type, and location of its facilities.

Any of the factors may be considered in determining whether providing an accommodation would impose an undue hardship on the City, and the weight given to a factor will vary depending on the facts of the particular situation



CITY OF GERVAIS

592 Fourth Street/PO Box 329, Gervais, Oregon 97026-0329
503-792-4900 Administration Office; 503-792-3791 Fax
Text Tel. (TTY) 1-800-735-2900 Spanish (TTY/V) 1-800-735-3896

Appendix A

Public Meeting/Service Accommodation Request Form

Date of Request: _____

Person Making Request:

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

Relationship to Person Requiring Accommodation: _____

Person Requiring Accommodation (if different than above):

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

TYPE OF ACCOMMODATION REQUESTED:

- ☐ Disability Accommodation (explain): _____
- ☐ Sign Language
- ☐ Written material in alternate format
- ☐ Reader
- ☐ Other (describe): _____

Public Meeting/Service Information:

Public Meeting/Service: _____

Meeting/Service Date & Time: _____

Meeting/Service Location: _____

Meeting/Service Rm Phone #: _____

Submit completed form to City Manager at 592 4th Street, Gervais OR 97026 or
smarston@cityofgervais.com

The City of Gervais does not discriminate on the basis of disability in admission to or operation of its programs, services or activities. This form may be used by a private citizen with a disability seeking access to a city program or facility. The City appreciates requests for accommodations to be made 72 hours in advance.



ORIGINAL/COPY

Hello Michael,

Thank you for your considerations in hiring Party Doctor LLC to assist you with your City of Gervais ***July 4th Celebration Birthday Event***. We are truly the best in Mobile Entertainment and Event Services and we bring over 40 years of experience in the United States including the Pacific NW. Our expertise is to ensure your events are memorable experience for everyone.

This letter is to confirm your scheduled event with Party Doctor LLC on the following date: **Tuesday-July 4th 2023**

Attached, please find the following documents for your signature:

✓ Agreement of Contracted Services and Costs

Please complete, sign and submit completed documents and retainer as soon as possible to secure and hold your date. Please note...**Your date will be guaranteed only upon receipt of both your signed contract and payment in full.**

You can email the documents to **doc@doctitus.com**. **The balance must be paid in full via check at least 10 days prior to your event date.**

Thank you for choosing Party Doctor LLC for your event, We appreciate your business.

Sincerely,

A handwritten signature in black ink, appearing to read "Doc Titus".

Doc Titus,

President

Party Doctor LLC



ORIGINAL/COPY

Agreement of Contracted Services and Costs

This agreement is entered into by Michael Gregory acting on behalf of City of Gervais and all parties responsible for the above mentioned Event heretofore known as (Client) and Party Doctor LLC heretofore known as (Event Producer) for a July 4th Celebration Event for any and all Attendees on the following date: **Tuesday- July 4th 2023.**

Event Information

Event Location: City of Gervais Main Square
592 Fourth St
Gervais, Oregon 97026

Location Contact Person: Michael Gregory
Contact Person Phone Number: 503-871-8674.

Dates and Times for Contracted Event:

Event: City of Gervais July 4th Event.

Dates: Tuesday-July 4th 2023 Approx. Time: 12noon to 10:00pm

NOTES:

Michael Gregory and others may contact vendors and companies to solicit them to be a Sponsor for this Party Doctor Production. Any and all monies recieved from Sponsors is 100% sole property of Party Doctor LLC. Sponsors may receive exclusive sponsorship rights if agreed upon by all parties involved. Sponsor fees are separate from City of Gervais fees and are listed as follows:

Platinum Status ——— \$1,500.00 to \$2,500.00 (Exclusive Status)

Gold Sponsor ——— \$1,000.00 to \$1,499.00 (up to 2)

Silver Sponsor ——— \$500.00 to \$999.00 (up to 3)

Bronze Sponsor — \$100.00 to \$499.00 (up to 5)



ORIGINAL/COPY

Types of Professional Services Contracted: (Please check all that apply)

Items not checked we will go over these in our First Consultation

- ✓ Entertainment Director/Producer (This will always be Doc Titus)
- ✓ Master of Ceremonies (Doc Titus)
- ✓ Professional Disc Jockey (Doc Titus)

Event Music and Sound Services: # of Hours Per this Event up to 4 Hours

- ✓ Background Music (as needed)
- ✓ Party Music (High energy with client requests)
- ✓ Wireless Hand held Microphone (2), Wired Microphone (1)

Event Lighting Total # of Layers: _____

- ✓ Sprinkle of Assorted LED Party Lights set to the beat of the Music

House and Stage Set Up

- ✓ Stage Drapes and or Party Doctor Backdrop Curtain (These are used to cover walls behind Director and stage)

Event Entertainment

- ✓ Lip Sync Superstar (Doc Titus can do up to 25 Wardrobe Changes)
- ✓ Ice Breakers (DJ will do as many as needed)

Retainer Fee Structure:

Retainer Fee for Contracted Services: **\$1,000.00** This fee includes up to **(10) HOURS** per single event of contracted services. Retainer fees paid are non-refundable after three days from the signing of this agreement. **Any and all balances must be paid in full at the time of booking this event or 10 days prior to the day of the scheduled event.**

Total for all Contracted Services ~~ **ONE THOUSAND DOLLARS** ~~

A Service fee of 20% DOES apply to an event of this nature. It is normally paid upon the conclusion of the event. Tips from guests are not part of the service fee.

Terms and Conditions:

Client is responsible for all deadlines related to Contracted Services, including submission of all signed documents, retainer payment and final payment.

Client shall have decision-making authority regarding supervision, direction and control over services provided by this agreement (as long as they are in keeping with accepted professional practices and equipment capabilities). The Client agrees to make accessible to Entertainment Director any and all electrical requirements and access to event facility in a reasonable and timely manner.

A Party Doctor LLC set up could take up to 6 hours and the tear down could take anywhere from 1 to 3 hours. This time must be awarded to Party Doctor LLC.

A clean space of 16 feet by 12 feet around Director's area is normal and customary for the type of event Party Doctor LLC produces. If possible a stage can and will be used by Director. Any and all material necessary for this event must be submitted and checked out 30 days prior to the Event date. **NO Exceptions.**

The liability of Entertainment Director to perform said services is subject to proven detention by sickness, accidents or any other actions not under its control. Weather will not restrict our ability to perform listed event tasks.

This agreement may be canceled by either party without cause **only upon written notice** at least 30 days prior to the engagement(s) noted above. The burden of proof of cancellation will be on the canceling party. Cancellation by Party Doctor LLC will result in a full refund of all payments. If the Client cancels the contract they do not receive a refund.

All retainer payments made towards the obligations stated in this agreement (except as outlined in paragraph 4) are non-refundable.

Client agrees to pay any balances due ninety (90) days prior to the date of the first event. Failure to do so could result in an additional minimum Non-payment fee of five hundred dollars (\$500.00) or twenty-five dollars (\$25.00) per day (whichever is greater). This additional fee will be used for hardship and stress related to Entertainment Director not receiving a timely payment of fees owed. Fees may be used to cover time and expenses for collection.

The liability of Party Doctor LLC shall not exceed the amount of payments received by Party Doctor LLC.

Client agrees to assume complete liability for all claims of personal injury or property damage arising from the engagement(s) noted herein and shall hold the Entertainment Director and Party Doctor LLC harmless in all such cases, except when caused by an employee/agent of Entertainment Director.

Client agrees to maintain adequate security in the service and access areas so as to protect the property of Entertainment Director from theft, vandalism or other damage. Client also agrees to be fully responsible for loss or damage (including weather damage) to equipment used to provide the services noted herein while said equipment is situated on property ... owned by or under the control of Client, except damage caused by an employee/agent of Entertainment Director.

Client also agrees to supply adequate local power, and other requested materials.

Entertainment Director will follow typical and customary order of events (unless instructed otherwise by the client).

I have read the above terms and conditions and understand that my signature makes this Agreement of Contracted Services and Costs binding upon all parties.

Responsible Parties:

Signature	Date	Printed Name
-----------	------	--------------

Signature	Date	Printed Name
-----------	------	--------------



03/08/2023

DOC TITUS

Signature	Date	Printed Name
-----------	------	--------------

Please sign, make a copy for your records, and email the original copy of the Agreement of Contracted Services and Costs, along with the agreed upon Retainer fee to doc@doctitus.com:

Doc Titus
President
Party Doctor LLC
735 SW Saint Clair Ave #1902
Portland, OR 97205



INVOICE/Receipt

NAME: Michael Gregory
Company: City Of Gervais
Address: 592 Fourth St
Gervais, OR 97026
Contact: Michael Gregory
Phone: 503-871-8674

March 8th 2023

EVENT DATE	TYPE OF EVENT	COST	TOTAL
July 4th 2023	City Celebration Event	<u>\$1,000.00</u>	<u>\$1,000.00</u>
Retainer Amount			<u>\$1,000.00</u>

TOTAL DUE UPON RECEIPT **\$1,000.00**

Balance **\$1,000.00**

Note: Any and all balances must be
paid in full 10 days prior to your EVENT Date

Doc Titus
President
503-409-2056

Party Doctor LLC
Thank you for your Business

Our address is Party Doctor LLC
735 SW Saint Clair Ave. #1902
Portland, OR 97205



CITY OF GERVAIS

592 Fourth Street/PO Box 329, Gervais, Oregon 97026-0329

503-792-4900 Administration Office; 503-792-3791 Fax

Text Tel. (TTY) 1-800-735-2900 Spanish (TTY/V) 1-800-735-3896

Date: March 30, 2023

To: Mayor and City Councilors

From: Susie Marston, City Manager

Re: Staff Report for April 6, 2023

Annual Goal Setting

I have agreed to work with the council on setting goals for FY 2023-2024 on April 11th at 6:30 pm. The citizen budget committee members have been invited as well. So far, we've received confirmation that three of the six can attend (one of them by Zoom for the first hour).

PGE Franchise Meeting

I met with Wendy Veliz of PGE for our annual franchise meeting. The two items of interest we discussed were electric car charging stations and PGE's efforts on emergency management around their technology upgrades. If the City is interested in installing an electric car charging station, then she can put me in touch with a person who can assist and provide more information. PGE has been focusing on making technology upgrades as part of their emergency preparedness program.

Tourism Committee - Destination Downtown Committee

I've been participating on the N. Marion Tourism Committee, spearheaded by City of Woodburn. As part of this effort, City of Woodburn applied for a grant for a Destination Downtown program and has formed a steering committee where they will take the lead. I was invited to participate, and one of the possible outcomes for Gervais could be some ideas to use for downtown improvement for the sake of boosting tourism in the area. Community members will eventually be invited to participate in the process. We just met for the first time on March 16th. The details are being worked out now, and so I'll have more information later on this.

Apartment Complex Update

Permits have been issued on the apartment complex, so construction should be beginning soon.



April 2023 Council Report

Reporting period between February 1, 2023 through February 28, 2023	
<u>Calls of service/CAD reports</u>	168
<u>Arrests</u>	0
<u>Traffic offenses</u>	32
<u>Traffic written warnings</u>	44
<u>Assist Agencies outside City limits</u>	9
<u>Assist Agencies inside City limits</u>	10

- **Gervais Police Association-** The Gervais Police Officer Association contract ends on June 30, 2023. We received notification that the GPA would like to begin to negotiate their new contract. The first meeting has been scheduled for April 11, 2023.
- **Gervais Police Association-** The Gervais Police Officer Association and their FOP Labor representative, Leo Painton met with City Manager Marston and I. The Gervais Police Association desired to discuss the requested changes in the drug testing policy, by Council, to the proposed City Personnel Manual. Refer to the Council packet for more detailed information. Since the proposed changes were different than what the GPA originally agreed upon, and those changes are a potential mandatory contract bargaining issue, the discussion will be shared with Council.
- **D.A.R.E.** - We have started the 2023 D.A.R.E. classes at Sacred Heart Parochial School and as expected, the kids and teachers are enjoying our time with them. We will keep you posted, so you can join and celebrate the graduation with us.
- **D.A.R.E.** - Trying to teach D.A.R.E. at the Middle School has been a challenge, as the demands for teachers to meet certain Academic Standards and Instruction to ensure students skill development is high. We are grateful to the dedicated and hardworking team at the Middle School. Through a collaborative effort with Principal Toni Johnson, and the teachers, we were able to start the Middle School curriculum this year at the sixth grade level.

- **Ordinance Enforcement-** The Police Department, City Hall and Public Works have been meeting to discuss the feasibility of a collaborative effort to more efficiently and cooperatively address various ordinance violations. While this idea has been proposed before, we would like to acknowledge the support of City Manager Susie Marston, Public Works Superintendent Kyle Jentzsch, his staff, Joe Bechtold and Hunter Riggs, and City Hall Court Clerk Abby Fernandez to move forward. The collaboration process is just in the beginning and we are working through the process. Stay tuned for more information to come.

- **Gervais School District Safety and Security-** One of our top priorities is the safety and security of our schools, the children and staff. You should see our police officers on a frequent basis, checking our schools, every morning, and throughout the day. We purposely are present in and around the schools. We are grateful for the COPS grant, the commitment and partnership of the City and School District to fund the Student Success Officer position.

In March, we participated and helped the schools conduct a drill for an Emergency Lock Down. We use and follow the recommendations for the Standard Response Protocols "I love u guys" foundation. These Standard Response Protocols came from the statewide committee for Safe Schools a number of years ago. These protocols are supposed to be used by School Districts across the state, so when kids transfer from one school to another, they are already familiar with them.

There are five take action protocols and symbols: Hold, Secure, Lockdown, Evacuate and Shelter. Please see the attached poster for familiarization.

- **Advanced Mental Health Training-** We are grateful for Marion County Mental Health Manager Anne-Marie Bandfield, MSW's dedication, diligence, passion and commitment to help law enforcement learn advanced skills. This month Anne-Marie provided our department with advanced training to increase our ability, awareness and understanding to better support and help people with the challenges of growing mental health issues.
- **Vehicle Accident-** I was involved in a non-reportable, non-injury minor accident. I struck the rear bumper of a car, causing minor damage to the rear bumper, and front license plate/bumper of Unit #2. Unit #2 does not need any repairs, and the information was turned over to our insurance to take care of the other car's damage.
- **Data Led Policing-** We have included the attached calls of service for February 2023. We added the self-initiated calls columns, which are self-initiated activities generated by the officers. Those self-initiated activities can range from traffic stops, community contacts and ordinance enforcement. Please refer to the attached chart and graph. Data driven policing continues to be used to help establish our shift coverage. We would appreciate any feedback.

- **Officer Kathy Dryden-** Officer Dryden continues her sixteen week training at the Oregon Police Academy, located at the Department of Public Safety Standards and Training in Salem. Officer Dryden is scheduled to graduate on June 9, 2023. The invitation is open for the Mayor and Council to attend the graduation, including a visit and tour of the Academy while Officer Dryden is attending. If you are interested, please let me know and we will make the necessary arrangement.
- **Computers-** We received our orders of the two Dell desktop computers and the GETAC Mobile unit. The GETAC is in service, and we are awaiting Woodburn IT to complete the set-up for the desktops. These items were planned and budgeted for in FY 22/23.
- **On-call/take home vehicles:** We finished the adjustment to the on-call/take home vehicles based on the desire and input/concerns of the Mayor and Council. Only one car is taken home for on-call after hour response, and the markings/vinyl was completed in March. We have four marked and one unmarked.
- **Significant Calls of Service-**

Arson 1- We responded to a call of a resident who had dumped gasoline in his family's home and had attempted to start the house on fire. We received assistance from the Woodburn Fire Department, Marion County Sheriff's Office, Oregon State Police and the Portland Fire Department's, K-9. One adult male was arrested and booked into the Marion County Jail for Arson 1.

Burglary 1- One home, which is used as a rental, was broken into this past month. The break-in occurred during an overnight transition, when no-one was residing inside. Nothing of significance was stolen. Evidence is being sent to the crime lab in hopes of identifying a suspect.

Graffiti- There has been a significant increase in graffiti in Keizer, Salem, and Marion County. The Gervais High School and a local vacant building were "tagged." We identified a juvenile suspect as being partially responsible and have referred the case to the Marion County Juvenile Department.

- **Website/Transparency-** We continue to desire to be open about our policies, procedures, data, information and decision making to the public, where the law allows. With the work that City Hall is doing to update our Webpage, we expect to be able to share more with the public. Our transparency efforts include this Council report. We appreciate the feedback and knowing your desire for what information is important to you. Please continue to share what you desire in our report.

Thank you for your support; it is our pleasure to serve the community.

- Mark J. Chase, Chief of Police.

IN AN EMERGENCY

TAKE ACTION



HOLD



SECURE



LOCKDOWN



EVACUATE



SHELTER

Standard Response Protocol – Public Address

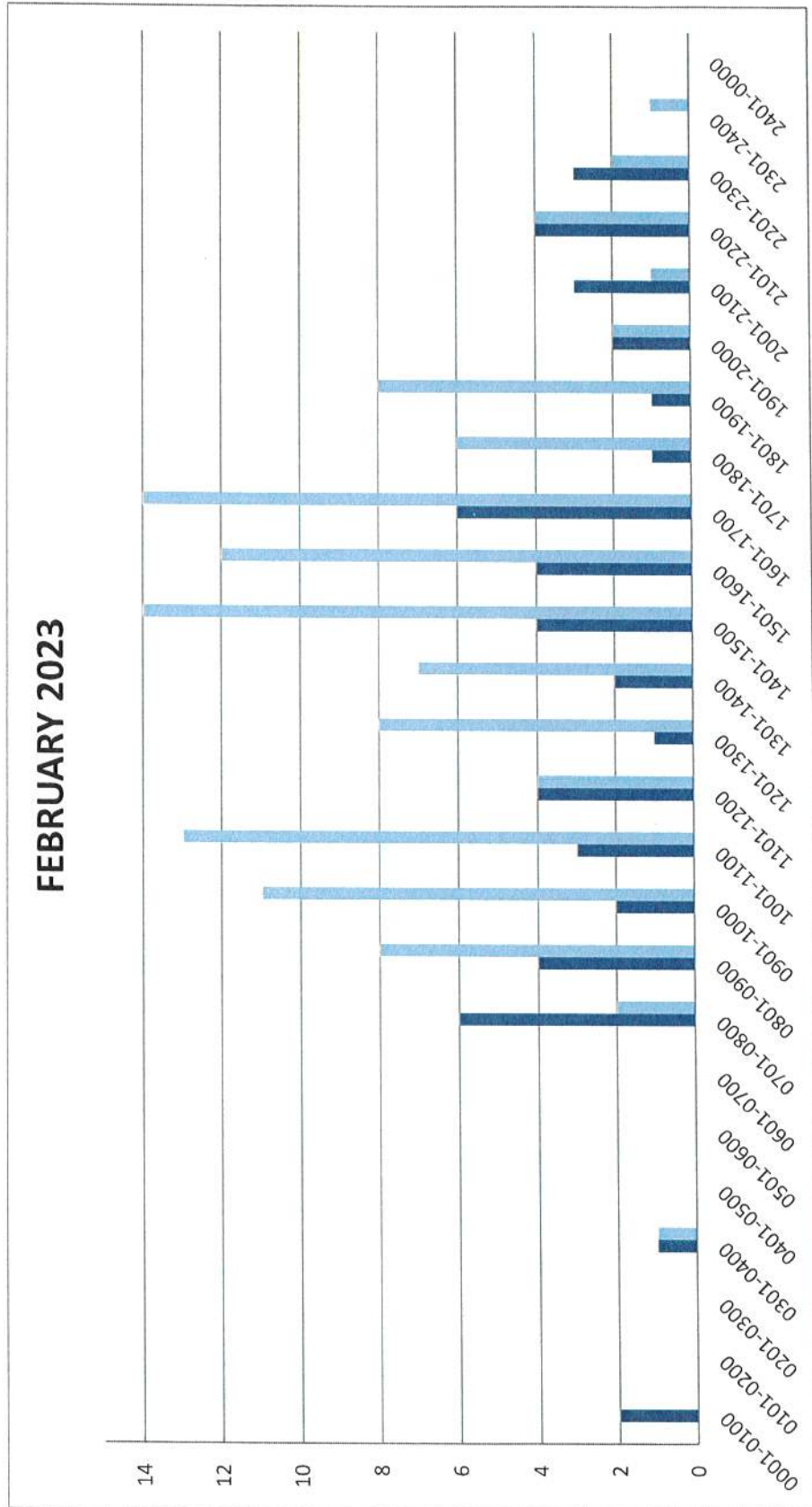
Medical Emergency	Hold in your Room or Area. Clear the halls.
Threat Outside	Secure! Get inside. Lock outside doors.
Threat Inside	Lockdown! Locks, Lights, Out of Sight!
Bomb	Evacuate to (location) Shelter for Bomb!
Earthquake	Shelter for Earthquake!
Fire Inside	Evacuate to the (location)
Hazmat	Shelter for Hazmat! Seal your Rooms
Weapon	Lockdown! Locks, Lights, Out of Sight!
Tornado	Evacuate to (location) Shelter for Tornado!





GERVAIS POLICE DEPARTMENT

FEBRUARY 2023



Self-Initiated Calls (Admin)
Officer Initiated Calls



CITY OF GERVAIS

592 Fourth Street/PO Box 329, Gervais, Oregon 97026-0329
503-792-4900 Administration Office; 503-792-3791 Fax

Public Works April 2023 Council Report

Early last month I was able to get in touch with Jay Randall from PGE to get the process started for the light poles in Black Walnut Park. At this point we do not have an anticipated project start time as it may still be several months out. Also, after getting in touch with a contractor regarding the bathroom that settled during heavy rainfall, Terra Firma was able to come out and assess it. The estimator gave a price of \$19,360.55 to install multiple lifting jacks around the concrete building. It was mentioned that since it has not had any further issues since last November that it would be best to take a wait and see approach. The stabilization jacks would raise the building back up approximately 1/2"-3/4" and potentially cause some other issues such as drain separations.

Upon turning water service back on to Black Walnut Park after Winter it was discovered that the control assembly for the splash pad was not functional. This is the first time experiencing this issue and I have been in contact with the manufacturer regarding replacement parts. An electrician will be needed to install the new control unit as it has 24 wires requiring waterproof connections as well as other issues adapting to the new style. If any new information becomes available, I will provide it.

Later this month, a diving crew will be coming to Gervais to perform an inspection and cleaning of our water reservoirs. They will provide an assessment of the tanks as well as remove any sediment that has accumulated over the last several years. This was budgeted for and we do not anticipate any issues or problems but are performing this as basic maintenance. The team travels around the United States performing these duties as it is a very specialized service. We were able to schedule this service at their convenience thus saving the city a good

percentage on the cost. All dive suits will be sanitized prior to entry into the reservoirs. A video of the dive will be provided showing any findings.

Last month I had mentioned that the large John Deere mow deck was dropped off for repairs at a local fabrication shop, it has since been repaired and will be back in service as soon as the ground dries out a bit. This is our main tool for keeping the city and wastewater treatment facility mowed. It is not a piece of equipment we can do without so we are happy to see it come back.

Starting in April there will be a crew performing cleaning of sewer mains and using video to identify any leaks. Groundwater entering the mains is called Infiltration and Intrusion, an enemy to any wastewater facility as it greatly increases the total volume of raw wastewater needing treated. This basic maintenance is important as it helps prevent stoppages and identifies problem areas needing addressed. During the rainy season our city sees a great increase of volume due to these issues. The lagoons are nearing the point of needed debris removal which decreases the capacity of them, compounding the issues of increased flows. All of this can be costly but without the needed maintenance costs could be substantially more.

We have had a couple nice breaks in the weather allowing our team to get a head start on spraying and mowing this year. We hope to do several projects during the coming months to improve the look as people drive through town, especially Douglas Ave. The hanging baskets have been ordered and depending on the weather outlook should be ready in early May.

Annually with the Tree City proclamation we do a tree exchange with our Sister City, Aumsville. On Friday, April 28th they will be having a small ceremony in one of their parks for Arbor Day. They have invited us to do the tree exchange at that time. We look forward to planting another tree in our city to keep the tradition going.

Kyle Jentzsch
Gervais Public Works Superintendent

RESOLUTION NO. 23-001

**A RESOLUTION TO ADOPT THE AMENDED CITY OF GERVAIS
EMPLOYEE HANDBOOK**

WHEREAS, it is necessary to update the City of Gervais Employee Handbook regularly to stay in compliance with federal and state law and to maintain consistency in practices and application of rules; and

WHEREAS, Chapter 2.16.030 of the Gervais Municipal Code requires that an amendment of the "Personnel Rules" be adopted by resolution of the City Council; and

NOW, THEREFORE, BE IT RESOLVED that the City of Gervais City Council hereby adopts the updated City of Gervais Handbook attached to this resolution as Exhibit A, and this update supersedes any prior handbooks or written policies that are inconsistent with its provisions.

ADOPTED by the City Council of the City of Gervais this 6th day of April, 2023.

Annie Gilland, Mayor

ATTEST:

Susie Marston, City Manager



City of Gervais EMPLOYEE HANDBOOK

Effective _____

Welcome!

Welcome to City of Gervais, we're glad to have you on our team. We believe that our employees are our most valuable assets. In fact, we attribute our success as an organization in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce. We hope that during your employment with City of Gervais, you will become a productive and successful member of City of Gervais's team.

This employee handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between City of Gervais and its employees, other than those found in applicable collective bargaining agreements. The policies stated in this handbook are subject to change at any time at the sole discretion of City of Gervais with or without prior notice. This handbook supersedes any prior handbooks or written policies of City of Gervais that are inconsistent with its provisions. It does not, however, substitute for collective bargaining agreement provisions. To the extent that a provision in a valid collective bargaining agreement contradicts or is inconsistent with what is in this employee handbook, the collective bargaining agreement provision controls.

This handbook does not create a contract of employment between City of Gervais and its employees. With the exception of employees who are subject to a collective bargaining agreement, all employment at City of Gervais is "at will." That means that either you or City of Gervais may terminate this relationship at any time, for any reason, with or without cause or notice (unless you are subject to a collective bargaining agreement or written contract of employment). No supervisor, manager, or representative of City of Gervais other than the City Manager has the authority to enter into any agreement with you regarding the terms of your employment that changes our at-will relationship or deviates from the provisions in this handbook, unless the change or deviation is put in writing and signed by City of Gervais (or that is included in a collective bargaining agreement).

You may receive updated information concerning changes in policy from time to time, and those updates should be kept with your copy of the handbook. If you have any questions about any of the provisions in the handbook, or any policies that are issued after the handbook, please ask me or your supervisor.

Sincerely,

Susie Marston, City Manager
City of Gervais

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I. Equal Employment Opportunity (EEO) Policies

The following EEO Policies apply to all employees. Members of management, elected officials and employees alike are expected to adhere to and enforce the following EEO Policies. Any employee's failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with their supervisor or City Manager at any time if they have questions relating to the issues of harassment, discrimination or bullying, or what it means to work in a respectful workplace.

A. No-Discrimination, No-Retaliation Policy

The City of Gervais provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other status protected by applicable federal, Oregon, or local law. The City of Gervais also recognizes an employee's right to engage in protected activity under Oregon and federal law, as discussed in various policies below, and will not retaliate against an employee for engaging in protected activity.

For purposes of this and all other City of Gervais policies, "race" is defined to include physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hair styles). Further, "protective hairstyles" is defined as "hairstyle, hair color or manner of wearing hair, including braids (regardless of whether the braids are created with extensions or styled with adornments, locs and twists)".

The City of Gervais's commitment to equal opportunity applies to all aspects of the employment relationship — including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment.

B. Statement Regarding Pay Equity

The City of Gervais supports Oregon's Pay Equity Law and federal and Oregon laws prohibiting discrimination between employees on the basis of a protected class (as defined by Oregon or federal law) in the payment of wages or other compensation for work of comparable character. Employees who believe they are receiving wages or other compensation at a rate less than that at which the City of Gervais pays wages or other compensation to other employees for work of comparable character are encouraged to discuss the issue with their supervisor or City Manager.

See also "Statement Regarding Pay Practices" policy, below.

C. No-Harassment Policy

The City of Gervais prohibits harassment and sexual assault in the workplace, or harassment and sexual assault outside of the workplace that violates its employees, volunteers and interns' right to work in a harassment-free workplace. Specifically, City of Gervais prohibits harassment or conduct related to an individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Further, all employees are responsible for respecting the rights of other

employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or the City Manager at any time if they have questions relating to the issues of discrimination or harassment.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during City of Gervais-related or -sponsored trips (such as conferences or work-related travel), and during non-working hours when that off-duty conduct creates an unlawful hostile work environment for any of City of Gervais's employees. ***Such harassment is prohibited whether committed by City of Gervais employees or by non-employees (including elected officials, members of the community, volunteers, interns and vendors).***

Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

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

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex.

This is not a complete list.

Other Forms of Prohibited Harassment

The City of Gervais policy also prohibits harassment against an individual based on the individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

City of Gervais policy also prohibits harassment such as verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- Jokes, pictures (including drawings), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on City of Gervais property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental disability;

- Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.
- Negative comments or teasing a person about their natural hair, hair texture, hair type or hair style (see definition of "race" on page 1). Employees may not touch another employee's hair without permission to do so, even if the touch is extended out of curiosity or as a compliment.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of unprofessional conduct.

Complaint Procedure

Employees, volunteers or interns who have experienced a sexual assault, any harassment, discrimination in violation of this policy, who have witnessed such behavior, or who have credible information about such behavior occurring, are expected and should bring the matter to the attention of the City Manager, or a supervisor or member of management as soon as possible. Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call). An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that he/she wants it to stop.

Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with City of Gervais's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, City of Gervais will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City of Gervais's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other available law, whether criminal or civil. Although the City of Gervais cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the City of Gervais, the employee must provide written notice of the claim within 180 days of the act or omission the employee claims has caused him/her harm. When an employee can prove harm as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

Protection Against Retaliation

City of Gervais prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) sexual assault, harassing or discriminatory conduct, or has participated in an investigation of such conduct.

Employees who believe they have been retaliated against in violation of this policy should immediately report it to the City Manager, or any supervisor or member of management. Any employee who is

found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including termination of employment.

See also the No-Discrimination, No-Retaliation Policy, above, and the Reporting Improper and Unlawful Activity Policy, below.

Other Resources Available to Employees

The City of Gervais provides an Employee Assistance Program (EAP) through Canopy to employees and dependents who are enrolled in City of Gervais's medical coverage. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320, or go online to canopywell.com. The EAP program provides confidential counseling services and educational tools such as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, and others.

The City of Gervais cannot provide legal resources to its employees or referrals to specific attorneys. Employees may contact the Oregon State Bar for more information: <https://www.osbar.org/public/>.

Other Employee Rights

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing his/her experience.

The City of Gervais is committed to creating and maintaining a workplace free of sexual assault, harassment, discrimination, and retaliation and it has confidence in the process it has developed for addressing good-faith complaints. However, Oregon law requires the City of Gervais to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with the City of Gervais regarding his/her experience and/or employment status, the employee should contact the City Manager. The employee's request to enter into such an agreement must be in writing (email or text is acceptable). Requests of this nature will be considered on a case-by-case basis; such agreements are not appropriate for every situation. If the City of Gervais and employee do reach an agreement, the City of Gervais will not require an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about his/her experiences in the workplace or the terms of the agreement) or a non-disparagement agreement (which would prohibit the employee from speaking slightly about the City of Gervais or making comments that would lower the City of Gervais in rank or reputation). If, however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are terms that the City of Gervais and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

D. No-Bullying Policy

City of Gervais strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. City of Gervais, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). Examples of bullying include:

1. Verbal Bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. Physical Bullying: Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
3. Gesture Bullying: Non-verbal threatening gestures, glances that can convey threatening messages.
4. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with co-workers may be viewed as bullying.
5. Cyber Bullying: Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for co-workers, managers or supervisors or elected officials.

This is not a complete list.

Employees who have experienced bullying in violation of this policy, who have witnessed an incident of bullying, or who have credible information about an incident, are expected and should bring the matter to the attention of their supervisor or a member of management as soon as possible. If conduct in violation of this policy is found to have occurred City of Gervais will take prompt, appropriate action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

E. Disability Accommodation Policy

City of Gervais is committed to complying fully with Oregon's disability accommodation and anti-discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

Accommodations

City of Gervais will make reasonable efforts to accommodate a qualified applicant or employee with a known disability unless such accommodation creates an undue hardship on the operations of City of Gervais.

Requesting an Accommodation

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases, City of Gervais) and that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, a reasonable accommodation may include providing or modifying equipment or devices, job restructuring, allowing part-time or modified work schedules, reassigning an individual, adjusting or modifying examinations or training materials provided by the City of Gervais, providing readers and interpreters, or making the workplace readily accessible to and usable by people with disabilities.

Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of a position. All requests for accommodation should be made with the employee's supervisor and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his/her need for a reasonable accommodation. Both the City of Gervais and employee must monitor the employee's accommodation situation and make adjustments as needed.

F. Pregnancy Accommodation Policy

Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact their supervisor to discuss their options for continuing to work and, if necessary, leave of absence options. The City of Gervais will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on the City of Gervais's operations.

Although this policy refers to "employees," the City of Gervais will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

Requesting a Pregnancy-Related Accommodation

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with the employee's supervisor and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the City of Gervais and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the City of Gervais and employee must monitor the employee's accommodation situation and make adjustments as needed.

No Discrimination, No Retaliation

The City of Gervais prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the City of Gervais; or (3) needed an accommodation.

Employees who ask about, request or use accommodations under this policy and applicable Oregon law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation. Under Oregon law, an employer can't require an employee to use sick leave if a reasonable accommodation can be made that doesn't impose an undue hardship on the operations of the City of Gervais. Also, no employee will be denied employment opportunities if the denial is based on the need of the City of Gervais to make reasonable accommodations under this policy.

Leave of Absence Options for Pregnant Employees

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under Oregon's sick leave law. See policies on page 16 or speak with supervisor or City Manager.

G. Reporting Improper or Unlawful Conduct — No Retaliation

Employees may report concerns about the City of Gervais's compliance with any law, regulation or policy, using one of the methods identified in this policy. The City of Gervais will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- A violation of any federal, Oregon, or local law, rules or regulations by the City of Gervais;
- A violation of law, regulation, or standard pertaining to safety and health in the place of employment;
- Mismanagement, gross waste of funds, abuse of authority;
- A substantial and specific danger to public health and safety resulting from actions of the City of Gervais or one of its employees; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, the City of Gervais will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

Employee Reporting Options

In addition to the City of Gervais's Open Door Policy (see section V.G., Miscellaneous Policies) employees who wish to report improper or unlawful conduct should first talk to his/her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with another member of the management team. Supervisors and managers are required to inform the City Manager about reports of improper or unlawful conduct they receive from employees.

Reports of unlawful or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If the City of Gervais were to prohibit, discipline, or threaten to discipline an employee for engaging in an activity described above, the employee may file a complaint with the Oregon Bureau of Labor and Industries or bring a civil action in court to secure all remedies provided for under Oregon law.

Additional Protection for Reporting Employees

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the City of Gervais's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of his/her coworker or supervisor acting within the course and scope of his/her employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with the City of Gervais; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

Policy Against Retaliation

The City of Gervais will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes he/she is disclosing information about conduct that is improper or unlawful, and who lawfully accessed information related to the

violation (including information that is exempt from disclosure as provided in Oregon law or by City of Gervais policy).

In addition, the City of Gervais prohibits retaliation against an employee for participating in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no City of Gervais employee will be adversely affected because he/she refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. The City of Gervais may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

This policy is not intended to protect an employee from the consequences of his/her own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if the City of Gervais determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

II. Classification and Compensation

A. Introductory Period of Employment

All new employees, including current employees who are promoted or transferred within the City of Gervais, are hired into an introductory training period that generally lasts no less than six (6) months. The introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your supervisor. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be considered during the introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for you to decide if the City of Gervais meets your expectations of an employer.

At or before the end of the introductory period, a decision about your employment status will be made. The City of Gervais will decide whether to: (1) Extend your introductory period; (2) Move you to regular, full-time or regular, part-time status; or (3) Terminate your employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and City of Gervais may terminate the employment relationship during the introductory period for any lawful reason. Further, completion of the introductory period or continuation of employment after the introductory period does not entitle you to remain employed by City of Gervais for any definite period of time. Both you and City of Gervais are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

B. Employee Classification

City of Gervais classifies employees as follows:

1. Regular Full-time: Employment in an established position requiring 40 hours or more of work per week. Generally, full-time employees are eligible to participate in the City of Gervais's benefit programs.

2. Part-time: Employment in an established position requiring less than 40 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Part-time employees are not eligible for benefits except for those mandated by applicable law.
3. Temporary/Seasonal: Employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Temporary/seasonal employment can either be full-time or part-time. Temporary/seasonal employees are not eligible for benefits other than those mandated by applicable law.

Additionally, all employees are defined by federal and Oregon law as either "exempt" or "nonexempt," which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at the time of hire or when a promotion or demotion occurs. All employees, regardless of employment classification, are subject to all City of Gervais rules and procedures.

C. The Workweek

The City of Gervais has established regular working hours to promote a productive work environment that will be serve our citizens. The general office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

The normal workday is eight (8) hours, and the normal work week is 40 hours. If you are a non-exempt employee, you should not begin work before your normal starting time nor continue to work beyond the normal quitting time without advance approval from your direct supervisor.

The direct supervisor schedules specific work hours for individual employees. Changes to work schedules may be made on an individual basis based on business necessity, at the discretion of the direct supervisor. Management reserves the right to modify schedules consistent with the needs of the City.

D. Meal Periods and Rest Breaks

Non-exempt employees are required to take a paid, uninterrupted 15-minute rest break for every four-hour segment or major portion thereof in the work period. The rest break should be taken in the middle of each segment, whenever possible. Whenever a segment exceeds two hours, the employee must take a rest break for that segment.

Non-exempt employees are required to take a 60-minute unpaid meal period when the work period is six hours or greater. The law requires an uninterrupted period in which the employee is relieved of all duties. No meal period is required if the work period is less than six hours. If, because of the nature or circumstances of the work, an employee is required to remain on duty or to perform any tasks during the meal period, the employee must inform his/her supervisor before the end of the shift so that City of Gervais may pay the employee for that work.

Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to start work late or leave early. An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.

Sample rest and meal break schedules are listed below. Employees with questions about the rest or meal breaks available should contact their supervisor or City Manager.

Length of Work Period	Rest Breaks	Meal Periods
2 hours or less	0	0
2 hours & 1 minute – 5 hours & 59 minutes	1	0
6 hours	1	1
6 hours & 1 minutes – 10 hours	2	1
10 hours & 1 minute – 13 hours & 59 minutes	3	1

E. Rest Breaks for Expression of Breast Milk

The City of Gervais will provide reasonable rest periods to accommodate an employee who needs to express milk for her child eighteen (18) months of age or younger. If possible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. If not possible, or if the employee is exempt from overtime laws, the employee is entitled to take a reasonable period each time the employee has a need to express milk.

The City of Gervais will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time the City of Gervais is required to provide as paid rest breaks and/or meal periods under applicable personnel rules or collective bargaining agreements. Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, the City of Gervais may, at the discretion of the employee's supervisor, allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods. The City of Gervais will allow, but not require, an employee to substitute paid leave time for unpaid rest periods taken in accordance with this policy.

The City of Gervais will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the City of Gervais will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

Notice

An employee who intends to express milk during work hours must give their supervisor or City Manager reasonable oral or written notice of her intention to do so in order to allow the City of Gervais time to make any preparations necessary for compliance with this rule.

Storage

Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

F. Overtime

Time-and-a-Half

Non-Exempt employees earn one and one-half times in compensatory time for all hours worked over 40 in any workweek. See "Employee Classification," above.

Limitation on Overtime Pay

Paid hours not actually worked (for example, sick, vacation, holidays, and family leave) will not be counted toward the 40 hours worked per workweek required to receive compensatory time.

Assignment of Overtime Work

You may be required to work overtime. When overtime work is required by City of Gervais on a particular job on a shift commencing on a day other than Saturday, Sunday, or a holiday, the non-exempt employee performing that job at the conclusion of his/her straight-time hours will normally be expected to continue to perform the job on an overtime basis.

When overtime is required by City of Gervais on a Sunday or on a holiday, City of Gervais will endeavor to give the employees required to work notice of their assignment during their last shift worked prior to such Sunday or holiday.

Public Works Weekend/Holiday Rounds

Public Works employees are assigned alternating turns to conduct "rounds" on weekends and holidays. Non-exempt employees earn one and one-half times in compensatory time for all hours worked over 40 in any workweek. Any hourly, non-exempt employee required to work on a holiday will receive compensatory time for the same number of hours worked on the holiday and will be allowed to take another scheduled day off (D. Holidays). In no event should this be less than two (2) hours for each day.

Supervisor Authorization

No overtime may be worked by non-exempt employees unless specifically authorized writing by a supervisor or manager. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

Compensatory (Comp) Time

Employees will receive compensatory time at time and one-half up to a maximum of 40 hours. Employees are encouraged to work with their manager/supervisor to schedule and use comp time within 60 days of when it is accrued. At the discretion of an employee's manager/supervisor, employees who have accrued less than 40 comp hours may be able to choose whether to have the accrued comp time cashed out at the rate earned by the employee at the time the employee receives a paycheck. Any hours not taken in the fiscal year in which they were earned will be paid to the employee with the last payroll check in June of each year. When an employee is separated from employment with the City of Gervais, any remaining comp time will be paid to the employee.

G. Timekeeping Requirements

All non-exempt employees must accurately record time worked on a timesheet for payroll purposes. Employees are required to record their own time at the beginning and end of each work day. Filling out another employee's timesheet, allowing another employee to fill out your timesheet, or altering any

timecard will be grounds for discipline up to and including termination. An employee who fails to record his/her time may be subjected to discipline as well.

Salaried exempt employees will be required to record any leave taken on an Accrued Leave Sheet.

H. Employee-Incurred Expenses and Reimbursements

The City of Gervais will pay actual and reasonable business-related expenses you incur in the performance of your job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by your supervisor/manager before they are incurred. The City of Gervais will not pay for or reimburse the costs incurred by a spouse, registered same-sex domestic partner or travel companion who accompanies the employee on City of Gervais-approved travel.

Employees must provide a completed and signed expense report and evidence of proof of purchase (receipts) within one month of the expense being incurred or the employee risks forfeiting his/her payment or reimbursement.

Some examples of actual and reasonable business-related expenses that the City of Gervais will reimburse/pay for are:

- *Conferences or Workshops:*
- *Education:*
- *Meals:*
- *Mileage and Parking:* Employees will be reimbursed for authorized use of their personal vehicles at a rate established by the Internal Revenue Service. Reasonable parking costs are also reimbursed upon submission of receipts on an expense report. Any traffic citations or court-ordered fees relating to driving or parking offenses (including parking tickets) are the responsibility of the employee and will not be reimbursed by the City of Gervais.

I. Payroll Policies

You will be paid monthly. For all employees, the pay period in which employees are paid generally begins and ends three or four days prior to the last day of the month to allow for staff to process payroll. For all employees, "month" is defined as the 30 or 31 day time period printed on employee timesheets (example, the November 25th to December 26th).

Paydays are generally the first day of the month for all employees. If the first falls on a Saturday, then payday will be Friday. If the first falls on a Sunday, then payday will be on Monday.

The City of Gervais does not provide advance payments of salary or loans from salary to be earned.

Net pay will be directly deposited into the employee's bank account, unless an employee requests otherwise. If an employee requests to pick up his/her paycheck from City of Gervais, only the employee named on the paycheck will be allowed to do so unless the employee provides written permission to City of Gervais for someone else to receive the check.

J. Statement Regarding Pay Practices

The City of Gervais makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event you believe that the City of Gervais has made any improper deductions, has failed to pay you for all hours worked or for overtime, has failed to pay you in accordance with the law, or has failed to properly calculate your wages in any way, you must immediately report the error to the City Recorder. If this issue is not resolved timely, you must report the error to your supervisor or the City

Manager. The City of Gervais will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination for reporting an error or complaint regarding the City of Gervais's pay practices.

See also "Statement Regarding Pay Equity" policy, above.

K. Reporting Changes to an Employee's Personal Data

Because personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping your personnel records current with regard to pay, deductions, benefits and other matters is important. If you have changes in any of the following items, please notify [Contact] to ensure that the proper updates are completed as quickly as possible:

- Name;
- Marital status/Domestic Partnership (for purposes of benefit eligibility determination only);
- Address or telephone number;
- Dependents;
- Person to be notified in case of emergency;
- Other information having a bearing on your employment; and
- Tax withholding.

Employees may not intentionally withhold information from City of Gervais about the items listed above in order to continue to receive benefits or anything of value for themselves or anyone else. Upon request, City of Gervais may require employees to provide proof of marital status/domestic partnership status. Employees who violate this policy may be subject to discipline, up to and including termination.

L. Performance Reviews

All City of Gervais employees will receive periodic performance reviews. Performance reviews serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, retention and discipline/termination. Any employee who fails to satisfactorily perform the duties of his/her position is subject to disciplinary action (including termination).

City of Gervais's goal is to provide an employee with his/her first formal performance evaluation six months after hire or promotion. After the initial evaluation, the City of Gervais will strive to provide a formal performance review on an annual basis.

Reviews will generally include the following:

- An evaluation of the employee's quality and quantity of work
- A review of exceptional employee accomplishments
- Establishment of goals for career development and job enrichment
- A review of areas needing improvement
- Setting of performance goals for the employee for the following year.

Employees who disagree with a performance evaluation may submit a written response with reasons for disagreement. The employee's response shall be filed with the employee's performance evaluation in the employee's personnel file. Such response must be filed not later than 30 days following the date the performance evaluation was received.

Supervisors are encouraged to provide employees with informal evaluations of their employees' work on an as-needed basis.

III. Time Off and Leaves of Absence

A. Attendance, Punctuality and Reporting Absences

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees are also expected to remain at work their entire work schedule, except for unpaid break periods or when required to leave on authorized City of Gervais business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

Unless specified otherwise in a policy below, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor via phone call or text before the start of the employee's shift/workday. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days may be considered job abandonment and may result in termination of employment.

B. Vacation

It is the policy of City of Gervais to provide each full-time employee with vacation time on a periodic basis. The amount of vacation to which an employee becomes entitled is determined by the employee's length of service as of his/her employment anniversary date. For regular, full-time employees, vacation accrues as follows:

Years of Continuous Service	Non-Exempt (annual)	Exempt (annual)
0 through 4 years	96 Hours (8 hrs/mo.)	120 Hours (10 hrs/mo.)
5 through 9 years	120 Hours (10 hrs/mo.)	120 Hours (10 hrs/mo.)
10 through 14 years	160 Hours (13.33 hrs/mo.)	160 Hours (13.33 hrs/mo.)
15 + years	192 Hours (16 hrs/mo.)	192 Hours (16 hrs/mo.)

Vacation accrues on a monthly basis. Non-exempt employees may not take vacation leave during their first twelve months of employment. Exempt employees may not take any vacation leave until after six (6) months of employment. Vacation leave does not accrue during an unpaid leave of absence.

Vacation must be scheduled with one's supervisor at least two weeks in advance of the date(s) the employee wishes to take as vacation.

Vacation Maximum Accumulation

Full-time regular employees may accrue vacation leave to a maximum of one and one-half times their annual accrual. If the maximum accrual is reached, additional vacation leave will not accrue until the leave balance has been brought down below the maximum hours allowed.

Vacation Pay upon Termination

Upon separation of employment, non-exempt employees who have completed 12 months of employment and exempt employees who have completed six months of employment will be paid for unused vacation time that has been earned through the last day of work.

C. Sick Leave

City of Gervais provides eligible employee with paid sick leave in accordance with Oregon's Paid Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Employees with questions about this policy may contact their supervisor or the City Manager. Please also refer to the Oregon Sick Leave Law poster that is posted in the break room and is incorporated here by reference.

Eligibility and Accrual of Paid Sick Leave

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes part-time, full-time, hourly, salaried, exempt and non-exempt employees.

Employees begin to accrue paid sick leave on the first day of employment but may not use paid sick leave until the 91st day of employment. After the 91st day of employment, paid sick leave may be used as it is accrued.

Full-time employees shall accrue eight (8) hours of paid sick leave for each calendar month of service. Employees who do not work 40 hours per week shall accrue sick leave at a rate in compliance with Oregon Sick Leave Law.

Pay Rate and Accrual

Paid sick leave shall be taken in hourly increments and will be paid at the employee's regular rate of pay. Generally, sick leave pay will be included in the paycheck for the next payroll period after sick leave is used, provided the employee submits adequate documentation verifying that the absence was for a qualifying reason as defined in the "Use of Sick Leave" section below.

Sick leave is meant to be used or carried over; any unused sick leave will not be cashed out upon separation from employment. If an employee leaves employment and is rehired within 180 days, the employee's sick leave balance will be restored.

The maximum accrual for sick leave is 1040 hours. If the maximum accrual is reached, additional sick leave will not accrue until the leave balance has been brought down below the maximum hours allowed.

Use of Sick Leave

Accrued paid sick leave may be used for any of the following reasons:

1. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. This is available for the employee or his/her covered family member.
 - "Family member" means the eligible employee's spouse, same-gender domestic partner (as described in ORS 106.300 to 106.340), biological child, adopted child, stepchild, foster child; same-gender domestic partner's child, parent, adoptive parent, stepparent, foster parent, parent-in-law; same-gender

- domestic partner's parent, grandparent, grandchild; and any individual with whom the employee has or had an *in loco parentis* relationship.
2. For any purpose allowed under the Oregon Family Leave Act, including bereavement leave.
 3. If the employee, or the employee's minor child or dependent, is a victim of domestic violence, harassment, sexual assault or stalking as defined by Oregon law and requires leave for any of the purposes under Oregon's domestic violence leave law (ORS 659A.272).
 4. In the event of certain public health emergencies or other reasons specified under Oregon's sick leave law.

Employees absent from work for a qualifying reason must use accrued sick time hours for that reason and on each subsequent day of absence.

Employee Notice of Need for Sick Leave

Foreseeable Sick Leave. If the need for sick leave is foreseeable, an employee must notify their supervisor or City Manager as soon as practicable before the leave is to begin. Generally, an employee must provide at least 10 days' notice for foreseeable sick leave. The request shall include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of City of Gervais. Employees must notify their supervisor of any change in the expected duration of sick leave as soon as is practicable.

Unforeseeable Sick Leave: If the need for sick leave is unforeseeable, the employee must notify their supervisors by phone call or text as soon as practicable and at least before the start of the employee's shift/workday and comply generally with City of Gervais's call-in procedures. See Section III.A.

An employee must contact his/her supervisor daily while on sick leave, unless an extended period of sick leave has been prearranged with the supervisor or when off work on protected leave. The employee shall inform his/her supervisor of any change in the duration of sick leave as soon as practicable.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only minimally disruptive to the organization and operations, City of Gervais may deny the use and legal protections of sick leave.

Sick Leave Documentation

If an employee takes more than three consecutive scheduled workdays as sick leave, City of Gervais may require reasonable documentation showing that the employee was absent for an approved reason. Reasonable documentation includes documentation signed by a healthcare provider, or documentation for victims of domestic violence, harassment, sexual assault or stalking.

Sick Leave Abuse

If City of Gervais suspects sick leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of sick leave adjacent to weekends, holidays, vacations and paydays, City of Gervais may require documentation from a healthcare provider. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.

D. Holidays

City of Gervais recognizes eleven holidays each year, which includes one personal holiday for an employee on their birthday. All full-time employees will receive their regular straight-time compensation for each holiday. Regular part-time employees receive pay for each designated holiday in the proportion that their normally scheduled number of hours equals 40 hours per week.

The holidays celebrated are:

1.	New Year's Day	January 1st
2.	Martin Luther King Day	3rd Monday in January
3.	Presidents' Day	3rd Monday in February
4.	Memorial Day	Last Monday in May
5.	Independence Day	July 4th
6.	Labor Day	First Monday in September
7.	Veteran's Day	November 11th
8.	Thanksgiving Day	Fourth Thursday in November
9.	Day after Thanksgiving	Friday after Thanksgiving
10.	Christmas Day	December 25 th
11.	Employee's Birthday	

A holiday that falls on a weekend will be observed on either the preceding Friday or the following Monday to coincide with local custom.

To be eligible for holiday pay, an employee must have worked his/her regularly scheduled hours the workday before and the workday after the holiday or have been on an approved vacation day or any other excused absence under City of Gervais policy.

Any hourly, non-exempt employee required to work on a holiday will receive comp time for the same number of hours worked on the holiday and will be allowed to take another scheduled day off.

E. Personal Leave

Exempt employees will be granted five (5) personal leave days per year. Personal leave days may not be carried over to the new year.

F. Family Medical Leave

Statement of No FMLA/OFLA Coverage

City of Gervais employees are not eligible for leaves of absence under the Oregon Family Leave Act (OFLA) or the federal Family Medical Leave Act (FMLA) due to the entity's small size.

One exception is that City of Gervais will honor requests from eligible employees to take a leave of absence under the Oregon Military Family Leave Act. Thus, during a period of military conflict, as defined by law, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces ("Military Spouse"), and who has been notified of an impending call or order to active duty (or who has been deployed) is entitled to a total of 14 days of unpaid leave per deployment after the Military Spouse has been notified of an impending call or order to active duty and before deployment and when the Military Spouse is on leave from deployment. To be an eligible employee and entitled to this leave, the employee must have worked an average of 20 hours per week prior to beginning the requested leave.

G. Leave Donation Policy

The City of Gervais recognizes that employees may experience a medical emergency resulting in a need for additional time off in excess of their available accrued paid leave.

A "medical emergency" is defined as a medical condition that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available.

To address this need, all eligible employees will be allowed to donate accrued sick, vacation or compensatory hours from their unused balance to their co-workers in need of additional paid time off, in accordance with the policy outlined below. This policy is strictly voluntary.

Eligibility

Any benefits-eligible employees who has worked for the City of Gervais for a minimum of six-months is eligible to donate and/or receive donated leave.

Guidelines

Employees who would like to make a request to receive donated leave from their co-workers must have a health condition that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available.

Before receiving donated leave, the employee must:

- (1) Have worked for the City of Gervais for at least six months in a benefit-eligible position;
- (2) Be experiencing a medical emergency;
- (3) Have no more than 40 hours of unused vacation, sick, personal or compensatory time accumulated;
- (4) Believe that it is likely that all accrued leave will be exhausted due to a medical emergency;
- (5) Not receive any other income from City of Gervais's employment;
- (6) Be unable to work in their regular position or another position with the City of Gervais; and

Employees may receive no more than 480 hours of donated leave within a 12 -month period. Donated leave will not be granted or used to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation.

Leave Requests

Employees who would like to request donated leave are required to complete a Donated Leave Request Form and submit it to the City Manager.

Employees seeking donated leave must provide the City of Gervais with medical verification of the need for the time off, which includes a certification of the employee's health condition and need for time off, and an estimated return-to-work date (if any).

Requests for donated leave must be approved by the employee's immediate supervisor and the City Manager.

Leave Donations

Employees may voluntarily donate hours of accumulated sick, vacation or compensatory time for use by a specified recipient employee. No other type of leave may be donated:

- Donations must be in increments of whole hours;
- The donation of accrued sick leave is on an hourly basis;
- The donation of accrued vacation and compensatory leave is made on an equal dollar value basis;
- Employees cannot borrow against future leave to donate;
- Donors must complete and sign a Leave Donation Form containing a declaration that the donation is intended as a gift and has been given freely and voluntarily without coercion, compensation or for other consideration;
- The donation must be made irrevocably, with the understanding that the donated leave is lost to the donor forever for all purposes including, but not limited to, use for paid time off, payoff upon termination, and retirement credit.

Donated leave will not be deducted from the donor's leave bank or credited to a recipient employee's account until the recipient employee has exhausted sick leave, vacation leave, personal holidays, and compensatory time off at or near the time the donated leave is to be provided/received.

H. Bereavement Leave

Up to 40 hours of bereavement leave will be granted to full-time employees who have worked for the City of Gervais for 90 or more days. This leave is provided to employees who have experienced the death of a family member and is paid; employees, however, may use accrued sick leave during the bereavement leave period. Part-time employees shall use accrued sick leave during the bereavement leave period. "Family Member" is defined to include the employee's spouse, same-sex domestic partner (registered), child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner (registered) or spouse. Requests for bereavement leave must be made to the employee's immediate supervisor before the leave is to begin. This leave will be administered in accordance with Oregon's Sick Leave Law, and the time off will be deducted from the employee's sick leave bank. Please see the City Manager for more information.

I. Jury and Witness DutyJury Duty

City of Gervais will grant employees paid time off for mandatory jury duty and/or jury duty orientation. A copy of the court notice must be submitted to the employee's manager to verify the need for such leave. Employees will be required to transfer any compensation received for jury duty.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his/her supervisor or manager informed about the amount of time required for jury duty.

Witness Duty

Time spent serving as a witness in a work-related, legal proceeding will be treated as time worked for pay purposes, provided the time served occurs during regularly scheduled hours, the employee is subpoenaed to testify, and the employee submits witness fees to the City Clerk upon receipt.

Except for employee absences covered under City of Gervais's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. If the employee does not have any available vacation time, the employee's absences may be unexcused and may subject the employee to discipline, up to and including termination. Employees must present a copy of the subpoena served on them to their supervisor for scheduling and verification purposes no later than 24 hours after being served.

J. Religious Observances Leave and Accommodation Policy

The City of Gervais respects the sincerely held religious beliefs and observances of all employees. The City of Gervais will make, upon request, an accommodation for such beliefs and observances when a reasonable accommodation is available that does not create an undue hardship on City of Gervais's business. Employees may use vacation or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave. Requests for religious leave or accommodation should be made with their supervisor and may require the requesting employee to provide proof of the "sincerely held" religious belief.

K. Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or his/her immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault.

"Immediate family member" includes a spouse, registered same-sex domestic partner, father, mother, sibling, child, stepchild or grandparent.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave during the leave period;
- Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to [Contact] as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, City of Gervais may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

L. Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence, harassment, sexual assault, or stalking of the employee or his/her minor dependents.

Reasons for taking leave include the employee's (or the employee's dependent's) need to: seek legal or law enforcement assistance or remedies; secure medical treatment for or time off to recover from injuries; seek counseling from a licensed mental health professional; obtain services from a victim services provider; or relocate or secure an existing home.

Leave is generally unpaid, but the employee may use any accrued vacation or sick leave while on this type of leave.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of his/her intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided by submitting a request for leave in writing to their supervisor or City Manager as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. City of Gervais will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

If more leave than originally authorized needs to be taken, the employee should give City of Gervais notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give verbal or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any person on the employee's behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault or stalking may be entitled to a "reasonable safety accommodation" that will allow the employee to more safely continue to work, unless such an accommodation would impose an "undue hardship" on City of Gervais. Please contact [Contact] immediately with requests for reasonable safety accommodations.

M. Military Leave

Employees who wish to serve in the military and take military leave should contact the City Manager for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

Further, eligible employees called for initial active duty for training and for all periods of annual active duty for training as a member of the National Guard, National Guard Reserve or of any reserve component of the Armed Forces of the United States or of the United States Public Health Service, may be entitled to leave with pay for all regular workdays that fall within a period not to exceed 15 calendar days in any federal training year. Weekend drill obligations are not considered "federal active duty" for training under this policy; other requirements apply. Please contact the City Manager for more information and to make arrangements for this paid leave.

IV. Employee Benefits

A. Healthcare Benefits

Employees who meet the definition of "benefit eligible" under both City of Gervais policy and that of its health insurance provider are entitled to the benefit options offered by City of Gervais. Generally speaking, that means City of Gervais offers medical insurance for all of its regular, full-time employees unless otherwise established by law. Part-time employees are not eligible for health-insurance coverage. Those employees who enroll in the City's health plan and wish to enroll their dependents are required to pay a portion of the monthly premium for that coverage on a payroll deduction basis.

The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan offered by City of Gervais. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by City of Gervais, employees will be advised and provided with copies of relevant plan documents. Copies are available from the City Recorder or City Manager.

B. Life and Disability Insurance

All regular full-time employees will be enrolled in the City of Gervais' employer paid life and disability coverage. The City also offers employee paid voluntary and supplemental employee, spouse and dependent life coverage.

C. Employee Assistance Program (EAP)

This free, confidential service is provided by Canopy and is available to all employees and dependents covered on a CIS Regence or Kaiser medical plan. The EAP can be used to assist employees and eligible family members with any personal problems, large or small. Each covered employee and eligible family members can receive up to five (5) personal counseling sessions per situation per year. Sessions can be face to face, over the phone, or online for concerns such as marital conflict, conflict at work, depressions, stress management, family relationships, anxiety, alcohol or drug abuse, grieving a loss, and career development services.

Canopy also provides educational tools as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, home ownership, and gym membership discounts.

More information regarding this service can be obtained by contacting the City Manager, or you can contact Canopy directly at 1-800-433-2320, or at www.canopywell.com.

D. Workers' Compensation and Safety on the Job

You are protected by workers' compensation insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

Steps to Take if You are Injured on the Job

If you are injured on the job, City of Gervais wants to know about it and expects to learn about it no later than 24 hours after your injury (report all work-related injuries to your supervisor).

If you seek treatment for your work-related injury and want to apply for workers' compensation benefits, you must do all of the following:

1. Report any work-related injury to your supervisor. You must report the injury no later than 24 hours after injury.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete a written Employee's Claim Form (Form 801) and return it to your supervisor or City Manager.

Failure to timely follow these steps may negatively affect your ability to receive benefits.

Return to Work

If you require workers' compensation leave, City of Gervais will strive to reemploy you in the most suitable vacant position available at the conclusion of that leave. However, you must first submit documentation from a health care provider who is familiar with your condition certifying your ability to return to work and perform the essential functions of the position.

When returning from a workers' compensation leave you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated, and no equivalent or comparable positions are available, then you may not be entitled to reinstatement. These are only examples and all reinstatement/reemployment decisions are subject to the terms of any applicable collective bargaining agreement. City of Gervais does not discriminate against employees who suffer a workplace injury or illness.

Early Return-to-Work Program

Our Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job-related injuries consists of a team effort by City of Gervais, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, City of Gervais will attempt to provide you with a temporary job assignment for a reasonable period of time until you can resume your regular duties (except where provided as an accommodation for a disability). If, due to a work-related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation and employment with City of Gervais. While you are on modified or transitional work, you are still subject to all other City of Gervais rules and procedures.

Overlap with Other Laws

City of Gervais will account for other leave and disability laws that might also apply to your situation, such as the Americans with Disabilities Act (ADA). If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

E. PERS (Public Employees' Retirement System) Benefits

City of Gervais participates in the Public Employees Retirement System (PERS); therefore, your designation as a Tier I, Tier II, or Oregon Public Service Retirement Plan (OPSRP) member will depend on your prior PERS service and PERS rules. An employee's designation and eligibility for participation in PERS or the OPSRP are determined by law. For more information about these plans, please contact PERS at 1-888-320-7377 or visit their website at www.oregon.gov/PERS. For information about City of Gervais's contributions to employee PERS or OPSRP plans, please see the City Recorder.

V. Miscellaneous Policies

A. Alcohol/Drug Use, Abuse and Testing

City of Gervais works to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to City of Gervais's reputation.

City of Gervais expects employees to report to work in a condition that is conducive to performing their duties in a safe, effective and efficient manner. An employee's off-the-job as well as on-the-job involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers and others.

This policy applies to all employees (except where noted in this policy or where it is inconsistent with applicable law and/or collective bargaining agreement provisions.) This policy revises and supersedes all previous drug and alcohol testing policies and practices.

Prohibited Conduct

The following examples of prohibited conduct do not apply to law enforcement employees who possess drugs, alcohol or other items identified in this policy in connection with law enforcement work.

- Possession, transfer, use or being under the influence of any alcohol while on City of Gervais property, on City of Gervais time, while driving City of Gervais vehicles (or personal vehicles while on City of Gervais business), or in other circumstances which adversely affect City of Gervais operations or safety of City of Gervais employees or others.
 - The conduct prohibited by this rule includes consumption of any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods. If use of alcoholic liquor or an alcohol "hangover" adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee's blood alcohol content exceeds .02 percent, the employee will be deemed "under the influence" for purposes of this rule.
- Possession, distribution, dispensing, sale, attempted sale, use, manufacture or being under the influence of any narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance while on City of Gervais property, on City of Gervais time, while driving City of Gervais vehicles (or personal vehicles while on City of Gervais business), or in other circumstances which adversely affect City of Gervais operations or safety of City of Gervais employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in system while on City of Gervais property or on City of Gervais time.
 - The conduct prohibited by this rule includes consumption of any such substance prior to reporting to work or during rest breaks or meal periods. If use of such substances or withdrawal symptoms adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee tests "positive" for any such substances by screening and confirmation tests, the employee will be deemed "under the influence" for purposes of this rule.

- As used in this policy, "controlled substance" includes, but is not limited to, any controlled substance listed in Schedules I through V of the Federal Controlled Substance Act, including marijuana that is otherwise lawful to use under Oregon, Washington or any other state's law.
- Bringing to City of Gervais property, or possessing, items or objects on City of Gervais property that contain any "controlled substance," including, for example, "pot brownies", "edibles" and candy containing marijuana. No employee, regardless of position held, may knowingly serve items containing marijuana or any other "controlled substance" to co-workers, members of the public, or elected officials while on work time or on/in City of Gervais property.
- Bringing equipment or any devices marketed for use or designed specifically for use in ingesting, inhaling or otherwise introducing marijuana (or controlled substances), such as pipes, bongs, "vape" pens, smoking masks, roach clips, and or other drug paraphernalia.
- Bringing equipment, products or materials that are marketed for use or designed for use in planting, propagating, cultivating, growing, or manufacturing marijuana, including live or dried marijuana plants to City of Gervais property. This prohibition does not apply to employees who possess such items in connection with law enforcement work.

Prescription Drugs and Medical Marijuana

With the exception of medical marijuana, nothing in this rule is intended to prohibit the use of a drug taken under supervision by a licensed health care professional, where its use does not present a safety hazard or otherwise adversely impact an employee's performance or City of Gervais operations.

Employees must inform their supervisor about their use of any prescription or over-the-counter drugs that could affect their ability to safely perform the duties of their position. If an employee's use of such prescription drugs could adversely affect City of Gervais operations or safety of City of Gervais employees or other persons, City of Gervais may reassign the employee using the prescription drugs to other work or take other appropriate action to accommodate the physical or mental effects of the medication. Failure to report use of prescription drugs covered by this rule will subject an employee to disciplinary action, up to and including termination. (Although an employee is not required to provide City of Gervais with the name(s) of the prescription medication(s) taken, medical verification of the prescription may be required.)

The use of marijuana, which is a Schedule 1 controlled substance under federal law, is expressly prohibited under this policy, even if its medical use is authorized under state law. Employees who use medical marijuana in connection with a disability should discuss with their Supervisor other means of accommodating the disability in the workplace, as City of Gervais will not agree to allow an employee to use medical marijuana as an accommodation. (See "Disability Accommodation Policy," above.)

Testing

City of Gervais reserves the right to:

- ~~a. Subject applicants who are given a condition offer of employment in a safety sensitive position to a drug and alcohol test;~~
- ~~b. Test employees reasonably suspected of using drugs or alcohol in violation of this policy;~~
- ~~c. Discipline or discharge employee who test positive or otherwise violate this policy; and~~

- d. ~~Test employees when they: (1) cause or contribute to accidents that seriously damage a City of Gervais vehicle, machinery, equipment or property; (2) result in an injury to themselves or another employee requiring offsite medical attention; and (3) when the City of Gervais reasonably suspects that the accident or injury may have been caused by drug or alcohol use.~~

Testing

City of Gervais requires drug and/or alcohol testing of:

- a. Applicants who are given a conditional offer of employment in a safety-sensitive position;
- b. Employees reasonably suspected of using drugs or alcohol in violation of this policy; and
- c. Employees when they: (1) cause or contribute to accidents that seriously damage a City of Gervais vehicle, machinery, equipment or property; or (2) cause or contribute to an injury to themselves or another employee requiring offsite medical attention.

Reasonable Cause Testing

If there is reasonable cause to suspect that an employee is under the influence of controlled substances or alcohol during work hours or has used drugs or alcohol in violation of this policy, City of Gervais may require the employee to undergo testing for controlled substances or alcohol.

As used in this policy, unless the context indicates otherwise:

- The terms "test" and "testing" shall be construed to mean job impairment field tests, laboratory tests, breathalyzer tests, and other tests of saliva, blood and urine. No testing shall be performed under this rule without the approval of the City Manager or the City Manager's designee.
- "Reasonable cause" as used in this policy means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol or has used drugs or alcohol in violation of this policy. Circumstances which can constitute a basis for determining "reasonable cause" may include, but are not limited to:
 - a pattern of abnormal or erratic behavior;
 - information provided by a reliable and credible source;
 - direct observation of drug or alcohol use;
 - presence of the physical symptoms of drug or alcohol use (i.e., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
 - unexplained significant deterioration in individual job performance;
 - unexplained or suspicious absenteeism or tardiness;
 - employee admissions regarding drug or alcohol use; and
 - unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity.

Supervisors should detail in writing the specific facts, symptoms or observations that form the basis for their determination that reasonable cause exists to warrant alcohol or controlled substance testing of an

employee or a search. This documentation shall be forwarded to the City Manager. Whenever possible, supervisors should locate a second employee or witness to corroborate their "reasonable cause" findings.

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the initial positive test result, the employee shall be notified of the results in writing by the City Manager. The letter of notification shall state the particular substance identified by the laboratory tests. ~~The employee may request a third test of the sample within 24 hours of receiving the letter of notification, but such testing will be paid for by the employee.~~

Search of Property

When reasonable cause exists to believe an employee possesses alcohol or a controlled substance on City of Gervais property, or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, City of Gervais may search furniture, equipment or other property provided to the employee by City of Gervais, including but not limited to, clothes (uniforms), locker, toolbox, and desk. Employees should have no expectation of privacy in any property, equipment or supplies provided by City of Gervais to employee.

Employee Refusal to Test/Search

An employee who refuses to consent to a test or a search when there is reasonable cause to suspect that the employee has violated this policy is subject to disciplinary action up to and including termination. The reasons for the refusal shall be considered in determining the appropriate disciplinary action up to and including termination.

An employee who refuses to cooperate with any tests required by this policy is also subject to discipline, up to and including termination. This includes, but is not limited to, tampering with, or attempting to tamper with, a specimen sample, using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone or anything other than the employee being tested.

Crimes Involving Drugs and/or Alcohol

Employees shall report:

- Any criminal arrest or conviction for drug- or alcohol-related activity within five days of the arrest or conviction;
- Entry into a drug court or diversion program; or
- Loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license (regular or CDL).

Failure to report as required will result in disciplinary action up to and including termination.

Drug and Alcohol Treatment

City of Gervais recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. City of Gervais is willing to help such employees obtain appropriate treatment.

An employee who believes that he/she has a problem involving the use of alcohol or drugs should ask a supervisor or [Contact] for assistance.

City of Gervais will work with an employee to identify all benefits and benefit programs that may be available to help deal with the problem. Attendance at any rehabilitation or treatment program will be a shared financial responsibility of the employee and City of Gervais to the extent its existing benefits package covers some or all of the program costs.

Although City of Gervais recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek assistance *before* drug or alcohol problems lead to disciplinary action. Once a violation of City of Gervais policy is discovered, the employee's willingness to seek City of Gervais or outside assistance will not "excuse" the violation and generally will have no bearing on the determination of appropriate disciplinary action.

Discipline and Consequences of Prohibited Conduct

An employee who violates this policy will be subject to either termination or a last-chance agreement.

A last-chance agreement is an agreement whereby an employee who would otherwise be terminated is provided an opportunity to address his/her substance abuse issue and/or performance or safety issues. The last-chance agreement will inform the employee of the problems noted with his/her performance and to specify the performance required for the employee to achieve in order to continue to be employed by City of Gervais. Violation of the provisions of a last-chance agreement shall result in immediate termination of the employee, notwithstanding the provisions of any other personnel rule.

Confidentiality

All information from an employee's drug and alcohol evaluation is confidential and only those with a need to know are to be informed of test results. Disclosure of such information to any other person, agency, or City of Gervais is prohibited unless written authorization is obtained from the employee.

B. Weapons on City of Gervais Premises Policy

At the City of Gervais, we strive to provide a safe working environment for employees, as well as a safe environment in our buildings for consumers and the public. We believe that an effort to provide such an environment includes providing a policy about weapons on our premises.

For the purposes of this policy, the term "weapon" is considered to include, but is not limited to:

- Firearms; includes any handgun, rifle, shotgun, and any other weapon which will or is designed to expel a projectile by the action of an explosive.
- Knives (other than an ordinary pocketknife with a blade not longer than two inches);
- Taser, stun gun or similar instrument;
- Club, brass knuckles, baton, or similar instrument;
- Explosive devices or material;
- Any other dangerous or deadly weapon as defined in Oregon law.

Employees are prohibited from bringing weapons to work or on City of Gervais property (including parking lots) or possessing weapons in vehicles used for City of Gervais business. Employees are also prohibited from bringing weapons to work when the work is performed on as consumer's property. This prohibition applies even if the employee has a concealed handgun license but does not apply to an

employee authorized to carry weapons as part of their job responsibility, such as police officers. An employee who has a weapon in his or her vehicle may not park his or her car on City of Gervais property and must comply with all applicable state and local laws regarding the weapon.

Violation of this policy may result in discipline, up to and including termination.

C. Mobile Devices Policy

This policy applies to employee use of cell phones, smart phones, tablets and similar devices, all of which are referred to as "mobile devices" in this policy.

Cell Phones and Mobile Devices in General

Employees are allowed to bring personal mobile devices to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

Employees who use personal or City of Gervais-provided mobile devices may not violate City of Gervais's policies against harassment and discrimination. Thus, employees who use a personal or City of Gervais-provided mobile device to send a text or instant message to another employee (or to a citizen or someone not employed by the City of Gervais) that is harassing or otherwise in violation of City of Gervais's policies prohibiting discrimination, harassment, bullying and retaliation will be subject to discipline up to and including termination.

Non-exempt employees may not use their personal or City of Gervais-provided mobile device for work purposes outside of their normal work schedule without written authorization in advance from the employee's supervisor. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. Employees who violate this policy may be subject to discipline, up to and including termination. Nothing in this policy removes a non-exempt employee's obligation from recording time for all hours worked.

Employee Use of City of Gervais -Provided or Paid For Mobile Devices

Mobile devices are made available to City of Gervais employees on a limited basis to conduct City of Gervais's business. Determinations as to which employees receive City of Gervais-provided mobile devices will be made on a case-by-case basis; employees are not guaranteed a cell phone or cellular device. In some cases, City of Gervais may provide a monthly cellular telephone allowance to employees who regularly make calls on behalf of the City of Gervais away from the office (see City Manager for more information).

Employees who receive a mobile device from City of Gervais must agree to not use the mobile device for personal use except in emergency situations and must abide by all aspects of the Mobile Device Policy. Further, employees who receive a cell phone or mobile device from City of Gervais must acknowledge and understand that because the mobile device is paid for and provided by City of Gervais, or subsidized by City of Gervais, any communications (including text messages) received by or sent from the mobile device may be subject to inspection and review if City of Gervais has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Mobile Device Policy or any other City of Gervais policy. Employees should have no reasonable expectation of privacy in an City of Gervais-provided or -paid for mobile device. An employee who refuses to provide City of Gervais access to his/her personal mobile device in connection with an investigation and after reasonable notice may be subject to discipline, up to and including termination.

Family and friends may not use an employee's City of Gervais-provided mobile device.

Mobile Devices and Public Records

City of Gervais-related business conducted on City of Gervais-provided or personal cell phones/cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against City of Gervais or individual employees.

Employee Use of Mobile Devices with Cameras

Cameras of any type, including mobile devices with built-in cameras and video photography options, may not be used during working hours, or at any City of Gervais-sponsored function unless authorized to do so by the employee's supervisor, City Manager or authorized event coordinator.

Mobile Device Use While Driving

The use of a mobile device while driving may present a hazard to the driver, other employees and the general public. Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law also prohibits the use of handheld cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of City of Gervais vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by City of Gervais.

Employees are prohibited from using handheld cell phones for any purpose while driving on City of Gervais-authorized or City of Gervais-related business. This policy also prohibits employees from using a cell phone or other mobile device to send or receive text or "instant" messages while driving on City of Gervais business (other than those employees engaged in law enforcement work). Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call, unless the employee uses a hands-free cell phone or cellular device for the call. In either situation, such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device. Violation of this policy will subject the employee to discipline, up to and including termination.

D. Use of City of Gervais Email and Electronic Equipment and Services

City of Gervais uses multiple types of electronic equipment and services for producing documents, research and communication including, but not limited to, computers, software, email, copiers, telephones, voicemail, fax machines, online services, the Internet and any new technologies used in the future. This policy governs the use of such City of Gervais property.

Ownership

All information and communications in any format, stored by any means on or received or transmitted via City of Gervais's electronic equipment or services is the sole property of City of Gervais.

Use

All of City of Gervais's electronic equipment and services are provided and intended for City of Gervais business purposes only and not for personal matters, communications or entertainment. Access to the Internet, websites and other electronic services paid for by City of Gervais are to be used primarily for City of Gervais business. This means, for example, that employees may not use the City of Gervais-provided Internet, or City of Gervais electronic equipment and services to:

- Display or store any sexually explicit images or documents, or any images or documents that would violate City of Gervais's no-harassment, no-discrimination or bullying policies;
- Play games (including social media games) or to use apps of any kind;
- Engage in any activity that violates the rights of any person or City of Gervais, and that is protected by copyright, trade secrets, patent or other intellectual property (or similar laws or regulations);
- Engage in any activity that violates the right to privacy, of protected healthcare information or otherwise, or other City of Gervais-specific confidential information;
- Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, worms, Trojan horses).
- Download or view streaming video for personal use. This includes, without limitation, YouTube videos, movies, and TV shows. Streaming audio is allowed, provided it does not contain explicit material, adversely affect network speed, or interfere with others' ability to work.

Further, employees may not use City of Gervais-provided email addresses to create or manage personal accounts (e.g., shopping websites, personal bank accounts, and social media accounts). City of Gervais email addresses for professional-based social media accounts such as LinkedIn may be allowed with the approval of the employee's supervisor.

Inspection and Monitoring – No Right to Privacy

Employee communications, both business and personal, made using City of Gervais electronic equipment and services are not private. Any data created, received or transmitted using City of Gervais equipment services are the property of City of Gervais and usually can be recovered even though deleted by the user.

All information and communications in any format, stored by any means on City of Gervais's electronic equipment or services, are subject to inspection at any time without notice. Personal passwords may be used for purposes of security, but the use of a personal password does not affect City of Gervais's ownership of the electronic information, electronic equipment or services, or City of Gervais's right to inspect such information. City of Gervais reserves the right to access and review electronic files, documents, archived material, messages, email, voicemail and other such material to monitor the use of all of City of Gervais's electronic equipment and services, including all communications and internet usage and resources/sites visited. City of Gervais will override all personal passwords if it becomes necessary to do so for any reason.

Personal Hardware and Software

Employees may not install personal hardware or software on City of Gervais's computer systems or mobile devices without approval from the employee's supervisor or City Manager. All software installed on City of Gervais's computer systems must be licensed. Copying or transferring of City of Gervais-owned software to a personal device/equipment may be done only for personal devices/equipment used for City of Gervais business and with the written authorization of the employee's supervisor or City Manager.

Unauthorized Access

Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by City of Gervais management. No employee can examine, change or use another person's files, output, username or password unless he/she has explicit authorization from that person to do so.

Security

Many forms of electronic communication are not secure. Employees who use cell phones, cordless phones, fax communications or email sent over the Internet should be aware that such forms of communication are subject to interception. These methods of communicating should not be used for privileged, confidential, or sensitive information unless appropriate encryption measures are implemented.

Inappropriate Web Sites

City of Gervais's electronic equipment, facilities or services must not be used to visit Internet sites that contain obscene, hateful or other objectionable materials, or that would otherwise violate City of Gervais's policies on harassment and discrimination.

E. Social Media

For purposes of this policy, "social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal or commercial website, social networking web site, web bulletin board or a chat room, whether or not associated or affiliated with City of Gervais, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of co-workers, or otherwise adversely affects our citizens or people who work on behalf of City of Gervais or City of Gervais's legitimate business interests may result in disciplinary action up to and including termination.

Prohibited Postings

Employees will be subject to discipline, up to and including termination, if they create and post any text, images or other media that violate any City of Gervais policies, including City of Gervais's no-harassment and no-discrimination and workplace violence policies. Similarly, postings that include threats of violence, that are physically threatening or intimidating, bullying or harassing, will not be tolerated and may subject an employee to discipline, up to and including termination.

Do not create a link from your blog, website or other social networking site to a City of Gervais-owned or maintained website without identifying yourself as a City of Gervais employee.

Express only your personal opinions. Never represent yourself as a spokesperson for the City of Gervais unless you are authorized by your manager/supervisor to do so. If City of Gervais is a subject of the content you are creating, be clear and open about the fact that you are a City of Gervais employee and make it clear that your views do not represent those of City of Gervais or its employees or elected officials.

Encouraged Conduct

Always be fair and courteous to co-workers, the citizens we serve, City of Gervais's employees and elected officials, and suppliers or other third parties who do business with City of Gervais.

Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers, or by utilizing our Open-Door Policy, than by posting complaints to a social media outlet. If you decide to post complaints or criticism, avoid using statements, photographs, video or audio

that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, co-workers, City of Gervais employees or elected officials, that might constitute harassment or bullying, and/or that violate City of Gervais policies. Examples of such conduct might include offensive posts that a reasonable person would perceive as calculated to intentionally harm an individual's personal or professional reputation, posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City of Gervais policy.

Maintain the confidentiality of City of Gervais's confidential information. Do not post internal reports, policies, procedures or other internal, City of Gervais-related confidential communications or information. (See "Confidential City of Gervais Information" policy, below.)

Nothing in this policy is meant to prevent an employee from exercising his/her right to make a complaint of discrimination or other workplace misconduct, engage in lawful collective bargaining activity, or to express an opinion on a matter of public concern that does not unduly disrupt City of Gervais operations. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against the City of Gervais's interest in the effective and efficient fulfillment of its responsibilities to the public.

Request for Employee Social Media Passwords

City of Gervais's supervisors and managers are prohibited by law from requiring or requesting an employee or an applicant for employment to disclose or to provide access through the employee's or applicant's user name and password, password or other means of authentication that provides access to a personal social media account. This includes, without limitation, a username and password that would otherwise allow a supervisor/manager to access a private email account not provided by City of Gervais.

Nothing in this policy prohibits City of Gervais from requiring an employee to produce content from his/her social media or internet account in connection with a City of Gervais-sponsored investigation into potential misconduct, unlawful or unethical behavior, or policy or rule violations.

F. Confidential City of Gervais Information

Employees must not access, use or disclose sensitive or confidential information or data except in accordance with City of Gervais policies, practices and procedures, and as authorized by state or federal laws or regulations. Employees with access to confidential information, including but not limited to customer or employee financial, medical or personal information (including, without limitation, Social Security numbers), are responsible for the safekeeping and handling of that information to prevent unauthorized disclosure. Employees who access, use or disclose confidential information contrary to Oregon or federal laws or for personal use or financial gain may be subject to civil or criminal penalties under those laws, in addition to appropriate disciplinary action, up to and including termination, for violating this policy.

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of City of Gervais) may be removed from our premises without permission from [Contact]. Likewise, any materials developed by City of Gervais's employees in the performance of their jobs is the property of City of Gervais and may not be used for personal or financial gain. Additionally, the contents of records or information otherwise obtained in regard to the City of Gervais's business may not be disclosed to anyone, except where required for a business purpose or when required by law.

G. Ethics

At City of Gervais, we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that may compromise their reputation or integrity, or that might cause their personal interests to conflict with the interests of the City of Gervais or the City of Gervais's citizens.

We at the City of Gervais are public employees, and as such, are also subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and strict definitions of conflict of interest. If you are coming to the City of Gervais from work in the private sector, you may find that some activities that are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website: <http://www.oregon.gov/OGEC>.

If you have questions about whether an activity meets the City of Gervais's or Oregon's ethical standards, please talk with your supervisor or City Manager. Employees who violate the Ethics Policy, or who violate Oregon ethics laws, may be subject to disciplinary action up to and including termination.

H. Open-Door Policy

City of Gervais's Open Door Policy is based on our belief that open, honest communication between managers and employees should be a common business practice. City of Gervais's managers and supervisors are responsible for creating a work environment where employee input is welcomed, and where issues are identified early and shared without the fear of retaliation (when the employee provides the input in good faith). If you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in City of Gervais, please raise them first with your immediate supervisor. If you are not satisfied with the response from your immediate supervisor, or if your issue involves your immediate supervisor, request to have the facts/situation reviewed by the City Manager.

I. Outside Employment

Generally, employees may obtain employment with an employer other than City of Gervais or engage in private income-producing activity of their own so long as that activity is not otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of City of Gervais time (including the employee's work time), City of Gervais facilities, equipment and supplies, or the prestige or influence of the employee's position with City of Gervais. In other words, the employee may not engage in private business interests or other employment activities on the City of Gervais's time or using the City of Gervais's property;
- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works (or by a State agency); or
- Receipt of money or anything of value for performance of duties that the employee is required to perform for the City of Gervais.

The City of Gervais requires employees to report outside employment to their immediate supervisor before the outside employment begins. Thereafter, an employee must provide an update to his/her immediate supervisor on an annual basis, or sooner if any changes in outside employment occurs. Employees who accept outside employment in violation of this policy may be subject to discipline, up to and including termination.

J. Criminal Arrests and Convictions

Employees must promptly and fully disclose to their supervisor on the next working day:

1. All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on City of Gervais property, or in an City of Gervais vehicle (see "Alcohol/Drug Use, Abuse and Testing" policy above);
2. All arrests, citations, convictions, guilty pleas or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
3. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing the essential functions of your position.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unavailable to report for work because they have been sent to jail or prison may not use sick leave or vacation time to cover the absence, and may be subject to disciplinary action, including termination.

K. Political Activity

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that employees cannot:

- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign while on the job during working hours (this is not intended to restrict the right of City of Gervais employees to express their personal political views); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

L. Bad Weather/Emergency Closing

Except for regularly scheduled holidays identified by the City of Gervais (see "Holidays" section, above), City of Gervais is open for business on Mondays through Fridays during normal business hours. If there are circumstances beyond our control, such as inclement weather, a national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of a regularly scheduled workday, the City Manager (or his/her designee) will decide whether to and to what extent the City of Gervais will close. The City Manager will contact the Chief of Police and Public Works Superintendent by a phone call or text message notifying them of his/her decision on closing the City of Gervais. The Chief of Police and Public Works Superintendent are responsible for notifying employees in their departments of any closure, and the City Manager will notify employees in the Administration department.

In the event of extreme bad weather, we recognize that each employee's ability to safely reach work may be different. If you cannot safely report to work in such circumstances, you should contact your manager. If staff cannot reach the office and are able to serve City of Gervais from home, you should do so subject to approval by your manager or supervisor. Safety and a trustworthy approach are your guides.

M. Driving While on Business

Employees using a private vehicle to conduct City of Gervais's business must possess a valid driver's license and must carry auto liability insurance. Employees who use their own vehicles for authorized City of Gervais business use should make any necessary arrangements with their insurance carriers.

The City of Gervais may verify the validity of your driver's license and/or your driving record at the time of hire and at any point during your employment.

While on City of Gervais business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on business. Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their manager of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations. See also, "Mobile Device Use While Driving" policy, above.

Employees who receive a ticket or citation while driving a City of Gervais-owned vehicle or while on City of Gervais business will be responsible for paying the fine (if any) associated with the ticket or citation and may face discipline up to and including termination.

N. Workplace Violence

City of Gervais recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, threats and acts of violence made by an employee against another employee, volunteer, elected official, or member of the public with respect to that person's life, health, well-being, family, or property will be dealt with in a zero-tolerance manner by City of Gervais.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with City of Gervais, or that threaten the safety, security or financial interests of City of Gervais. Employees are also strongly encouraged to report threats or acts of violence by non-employees, such as vendors or citizens, against any employee, volunteer or elected official. Employees should make such reports directly to the City Manager or their supervisor.

City of Gervais also may conduct an investigation of a current employee where the employee's behavior raises concern about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others. See policy on "Workplace Inspections."

O. Workplace Inspections — No Right to Privacy or Confidentiality

This policy applies to inspections and investigations conducted by City of Gervais pursuant to policy or law unless otherwise modified by a different policy in this Handbook.

An employee investigation may include, but is not limited to, investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voicemail systems and computer systems. *Employees are strongly discouraged from storing personal items in the desks, lockers, work areas, file cabinets and other office equipment or furniture, as well as voicemail and computer systems assigned to them by the City of Gervais; these areas are not private.*

All information related to reports generated from inspections and investigations, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances.

P. Smoke-Free Workplace

City of Gervais provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, cigars and e-cigarettes), and the use of oral tobacco products or "chew/spit" tobacco. Marijuana is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to City of Gervais property, vehicles or facilities/buildings.

City of Gervais buildings and vehicles are tobacco- and marijuana-free areas. Tobacco/marijuana use is prohibited during working hours. Further, City of Gervais prohibits tobacco/marijuana use in or around City of Gervais vehicles and equipment or machinery.

If you wish to smoke tobacco, you must do so outside of City of Gervais's facilities/buildings, only in designated smoking areas, and out of visitor view. Smoking is not allowed near building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows. City of Gervais has established employee smoking areas that your supervisor can show you.

Q. Hiring of Family Members

Relatives of current employees, or individuals involved in an intimate personal or financial relationship with a current employee, are eligible for hire at the City of Gervais subject to the same selection process and job requirements and will be evaluated in the same manner as any other applicant. However, persons will not be hired or promoted into positions in which one family member (as defined by Oregon law) or person involved in an intimate personal or financial relationship, would fall under the direct line of supervision of the other family member or partner.

All employees shall avoid being in a position where they are subject to supervisory or oversight authority by a family member, member of their household, or a person with whom they have an intimate personal or financial relationship. If the relative relationship is established after employment as a result of organizational restructure, marriage, or a development of an intimate personal or financial relationship, the employees involved have an obligation to immediately inform their supervisor, or Human Resources. The employees and City of Gervais will jointly make a good faith effort to find an alternative assignment for one of the two employees. Depending on business need, this may include, but is not limited to restructuring duties, assignment to another position, and assignment to another shift or change in supervision. If no alternative assignment is available, the two employees will have 30 days to decide who will resign. If a decision is not made within 30 days, the City of Gervais will make the final decision, based on the [Organization's] operational and financial needs.

Policy violations including, but not limited to, failure to disclose a family relation, or an intimate personal or financial relationship, will be investigated by the City of Gervais. Policy violations may result in

progressive discipline of employees, up to and including termination of employment. Supervisors and lead workers may be disciplined for taking employment actions based upon the relationship.

VI. Termination of Employment

A. Workplace Rules and Prohibited Conduct

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and City of Gervais's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

- Falsification of employment or other City of Gervais records.
- Recording of work time of another employee or allowing any other employee to record your work time or allowing falsification of any time sheets (your own or another employee's).
- Theft or the deliberate or careless damage or destruction of any City of Gervais property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of City of Gervais equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on City of Gervais property.
- Carrying firearms or any other dangerous weapon on City of Gervais premises at any time.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on City of Gervais property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another City of Gervais employee, customer or vender.
- Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a supervisor to do so.
- Failure to observe work schedules, including rest breaks and meal periods. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
- Sleeping or malingering on the job.
- Excessive personal telephone calls during working hours.
- Unprofessional appearance during normal business hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City of Gervais.
- Misrepresentation of City of Gervais policies, practices, procedures, or your status or authority to enter into agreements on behalf of the City of Gervais. Employees may not use the City of Gervais's name, logo, likeness, facilities, assets or other resources of the City of Gervais for personal gain or private interests.
- Violations of the Ethics Policy or Oregon's Ethics laws.
- Violation of any safety, health, security or City of Gervais policy, rule or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by City of Gervais or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with City of Gervais on time, and/or whose City of Gervais -provided services are disconnected. This includes, without limitation, situations

where the employee writes a check to City of Gervais that is refused for payment due to non-sufficient funds.

- Harassment or discrimination that violates City of Gervais policy.

This statement of prohibited conduct does not alter City of Gervais's policy of at-will employment. Except for employees subject to a collective bargaining agreement or contract of employment, City of Gervais remains free to terminate the employment relationship at any time, with or without cause or notice.

B. Corrective Action/Discipline Policy

Employees are expected to perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet City of Gervais standards, City of Gervais will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions). The corrective action process will not always commence with a verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

In lieu of terminating the employment of an employee for serious violations of City of Gervais policies, procedures and rules and for other inappropriate behavior or conduct, City of Gervais may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement. City of Gervais may also choose to send the employee to a training or an education opportunity.

In all cases, City of Gervais will determine the nature and extent of any discipline based upon the circumstances of each individual case and, where applicable, collective bargaining agreement provisions. City of Gervais may proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when City of Gervais deems such action appropriate. City of Gervais retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action (other than those employees who are subject to a collective bargaining agreement or contract of employment).

C. Retirement or Resignation from Employment

If you choose to resign or retire, it is anticipated that you will give City of Gervais as much notice as possible — preferably a minimum of two weeks. When giving your two-weeks' notice, vacation, personal, or sick days should not be used in lieu of notice. If you do not give two-weeks' notice of your intent to leave City of Gervais, you will not be eligible for re-employment at a later date.

Employees who miss three or more consecutive workdays without contacting their immediate supervisor are typically considered to have resigned their employment.

If the employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with their immediate supervisor before making a final decision. If the situation involves the immediate supervisor, the employee is encouraged to discuss it with the City Manager.

Employees must return all City of Gervais property, including phones, computers, identification cards, credit cards, keys, and manuals to their immediate supervisor on or before their last day of work.

Employee Acknowledgement

Acknowledgment of Receipt of 2023 Personnel Policies

I acknowledge that I have received and will read a copy of the City of Gervais's 2023 Employee Handbook. I also understand that a copy of the Employee Handbook is available to me at any time to review in the Administration Department.

I understand that City of Gervais has adopted the Employee Handbook only as a general guide about policies, work rules and the work environment, and that they are subject to change at any time in City of Gervais's sole discretion. I also understand that the Employee Handbook control over any other contradictory statements, other than those found in applicable collective bargaining agreements. I acknowledge that the Employee Handbook is not an employment contract and is not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

I understand that either City of Gervais or I may terminate my employment relationship at any time, for any lawful reason, with or without cause, and with or without notice, unless my employment is covered under a collective bargaining agreement. Other than promises that may be found in that collective bargaining agreement, I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement.

I have reviewed or will review City of Gervais's policies regarding equal employment opportunity and that the City of Gervais aims to provide a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to any trusted manager or supervisor or the City Manager.

During my employment with City of Gervais, I understand that it is my responsibility to remain informed about the policies as revisions, updates and new policies are issued, and to ask questions about any interpretation of any of the policies.

I have read this acknowledgement carefully before signing.

 Employee Signature

 Date

 Employee Printed Name

The original of this document will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.