



Molalla City Council

Meeting located at: Molalla Adult Community Center
315 Kennel Avenue Molalla, OR 97038

December 11, 2013

Regular Meeting Agenda

Work session: 6:30PM

Business meeting: The meeting will begin at 7:00PM. The Council has adopted Public Participation Rules. Copies of these rules and public comment cards are available at the entry desk. Public comment cards must be turned into to the City Recorder prior to the start of the Council meeting. The City will endeavor to provide a qualified bilingual interpreter, at no cost, if requested at least 48 hours prior to the meeting. Contact (503) 829-6855 Ext. 291.

1. CALL TO ORDER – 1,027th Regular Meeting

- A. Call the meeting to order
- B. Flag Salute
- C. Roll Call

2. COMMUNICATIONS AND PUBLIC COMMENT

- A. Minutes: November 13, 2013 – Motion to Approve
- B. Library Board Minutes – Information Only

3. AWARDS & RECOGNITIONS

4. PROCLAMATIONS

5. PUBLIC HEARINGS – POSTPONED UNTIL JANUARY 22, 2014

- A. Appeal: Stoneplace Development filed by Susan Hansen – Clay Glasgow and Legal

6. CONTINUING BUSINESS

- A. Master Park and Recreation Plan – Discussion

7. NEW BUSINESS

- A. Franchise Fees – Discussion with Dan Huff and Legal
- B. Reduction of Park and Recreation Fee – Financial Discussion and Staff Direction
- C. Statutory Quitclaim Deed – Informational

8. RESOLUTIONS

- A. Resolution 2013-18: Pool Fee Schedule for the City of Molalla – Motion to Approve
- B. Resolution 2013-19: Approval of City of Molalla Personnel Policy – Motion to Approve

9. ORDINANCES

10. REPORTS AND ANNOUNCEMENTS

- A. City Manager Report – Dan Huff

- Council Training and Goal Setting Session - February 2014 (Date TBD)

11. EXECUTIVE SESSION

12. ADJOURNMENT



OREGON CITY

625 Center Street | Oregon City OR 97045
Ph (503) 657-0891 | Fax (503) 657-7026

December 5, 2013

City Manager, Dan Huff
City of Molalla
PO Box 248
Molalla, OR 97038

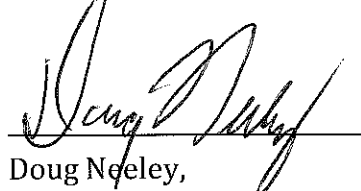
Dear Mr. Huff:

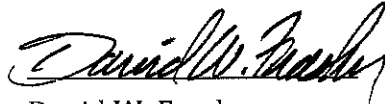
On behalf of the City of Oregon City, we would like to thank the City of Molalla for being an integral part of the safety of our city during a very tragic time. As you are aware, during the last few weeks the City of Oregon City and the region's public safety community has been mourning the loss of Officer Robert Libke, who was killed in the line of duty while serving Oregon City.


During this time, public safety personnel from Molalla Police Department provided services to our city immediately following the shooting of Officer Libke and during the subsequent memorial service. This allowed our officers time to be home with their families, helping them to emotionally recover from this loss.

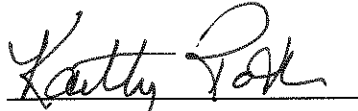
The resources and support your city provided was invaluable and we don't know how we would have managed without it. The Molalla Police Department really helped to make things run smoothly and the willingness to help out wherever needed was greatly appreciated. It was that kind of flexibility and dedication that aided Oregon City through this difficult period. The City of Oregon City is grateful for your assistance and stands ready to assist your community should you ever face a similar situation.

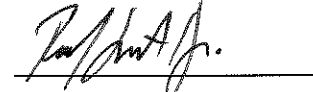
Thank you,

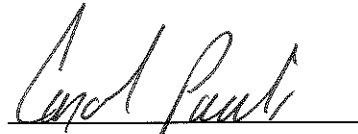

Doug Neeley,
Mayor



David W. Frasher,
City Manager


James Band,
Chief of Police


Kathy Roth,
Commission President


Rocky Smith, Jr.,
Commissioner


Carol Pauli,
Commissioner


Betty Mumm,
Commissioner

Cc: Mayor Rogge and Councilors of Molalla
Molalla Police Chief, Rod Lucich

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday November 13, 2013

ATTENDANCE: Mayor Rogge, Present; Councilor Pottle, Present; Councilor Clark, Present; Councilor Thompson, Present; Councilor Wise, Present; Councilor Griswold, Present; Councilor Boreth, Present.

STAFF IN ATTENDANCE: City Manager Dan Huff, Present; City Recorder Sadie Cramer, Present; Finance Director Heather Penni, Present; Community Services Director, Melissa Georgesen, Present.

Mayor Rogge asked for a moment of silence to honor fallen Oregon City Police Officer Robert Libke.

COMMUNICATIONS AND PUBLIC COMMENT:

Minutes – October 9, 2013

Councilor Pottle made a motion to approve the minutes from the October 9, 2013 meeting. Councilor Griswold Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

Proclamation

Veterans Day

Mayor Rogge read a Proclamation for Veterans Day and Veterans Appreciation Week, November 11, 2013.

CONTINUING BUSINESS

Aquatic Center Fee Schedule

Councilor Boreth asked CSD Georgesen which exhibit she would be more comfortable with, she stated that it would be exhibit A.

Councilor Wise advised that after his discussion with FD Penni he learned that the cost of insurance plays a major role in the Aquatic Center costs.

Mayor Rogge stated that the council will have to address long term issues with the Aquatic Center.

Councilor Clark suggested that the City move forward with the Exhibit A, Aquatic Center Services Price List, to be effective 01/01/2014. He also asked that council look at the numbers in 6 months

City Grant Application and Process

Councilor Thompson made a motion to amend #3 of eligibility in the Grant Program Policy to read: Have a level of non-profit/not for profit status. Councilor Clark seconded. Motion carried (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

NEW BUSINESS

Declaration of Police Vehicle as Surplus

Councilor Clark made a motion to declare the 1997 detective van as surplus. Councilor Griswold Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

OLCC Liquor License Application Review for WWI, LLC DBA Long Branch Tavern

Councilor Wise made a motion to approve the OLCC Liquor License application for WWI, LLC. Councilor Boreth Seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

RESOLUTIONS

Resolution 2013-17, Administrative Fee Schedule for the City of Molalla

Councilor Wise asked if there was a per day fee for peddlers. He also asked how the fees were being policed. He was advised that it is complaint driven and the Code Enforcement Officer deals with complaints.

Councilor Clark asked if we were still issuing door-to-door licenses. He was advised that this was repealed by Council because State statute does not allow it.

Councilor Pottle made a motion to approve the Administrative Fee Schedule. Councilor Griswold seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

ORDINANCES

Ordinance 2013-07, Business License Revisions

City Recorder Cramer stated that the intent of the revisions are to streamline our process.

Councilor Thompson made a motion to read by title only Ordinance 2013-07, Business License Revisions. Councilor Boreth seconded. Motion carried (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

Councilor Thompson made a motion for a second reading by title only Ordinance 2013-07, Business License Revisions. Councilor Boreth seconded. Motion carried (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

Councilor Thompson made a motion to adopt Ordinance 2013-07, Business License Revisions. Councilor Boreth seconded. Motion carried (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

REPORTS & ANNOUNCEMENT

City Manager's Report

City Manager Huff advised that he attended a TEAM board meeting today.

CM Huff advised that some of our Police Department will be working in Oregon City tomorrow so that their department can attend the service for Officer Libke.

Cm Huff stated that the next large expense for the PAL building will be the HVAC system. There was discussion on what to do with the PAL building in the future. There was also discussion about insurance costs associated with the building.

Citizen Leota Childres, 150 Indian Oak Ct. #3 stated that she has an insurance rider to cover the meeting places.

Councilor Clark asked if now would be a good time to winterize the PAL building.

Councilor Thompson asked if a meeting could be scheduled to discuss the PAL building becoming a warming center.

Mayor Rogge directed staff to have the HVAC work done.

Councilor Pottle discussed the liability issues that a warming center would put on the City.

Mayor Rogge stated that there would not be a council meeting the end of November.

Mayor Rogge stated that there is Council Training and Goal Setting in January.

CSD Georgesen stated that there will be a presentation from the Parks board on the December agenda.

Councilor Boreth advised that he had attended the C4 meeting. He asked if there was direction that the Mayor or other Councilors on a county wide transportation tax.

Councilor Griswold stated that he was a representative at the Molalla Elementary School for Veterans Day.

Councilor Wise wanted to thank all the Veterans for their service.

Councilor Thompson personally thanked Mayor Rogge, Councilor Pottle and Councilor Griswold for their service to our country.

Mayor Rogge thanked council for a successful town hall.

ADJOURNMENT

Councilor Boreth made a motion to adjourn, Councilor Pottle seconded, Motion approved (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Boreth, Aye; Councilor Clark, Aye; Councilor Wise, Aye.

Sadie Cramer, City Recorder

Mayor Debbie Rogge

Molalla Library Advisory Board

Meeting Date: 10/17/2013

Meeting brought to order by Kelly Andrews at 6:00 P.M.

Members Present: Mary Gilson, Sandy Nelson, Paula Beck, Kelly Andrews
(Dennis Wise and George Pottle are our City Council representatives; neither was able to attend.)

Staff Present: Glenda Triebwasser

The minutes from the September meeting were approved as read.

- Staff Report (See Glenda's "Staff Report")
 - a) The Molalla Public Library was pleased to receive the Molalla River School District Community Partner award at the last School Board meeting. A couple of the reasons were the tutors for students at the library, and that we are working in a partnership to promote the best for the community.

- Old Business:
 - a) Our meeting with Superintendent Tony Mann was beneficial as we all want to work together. We hope to have a continuing lease on our building through the Molalla School District; the current one ends as of end of 2023.

- New Business:
 - a) Susan Hansen is concerned with the "Lucky Day" collections at some libraries. If you happen into a library that offers the "Lucky Day", you may get a book for which you are way down the waiting list. Molalla Public Library does not have this collection. She finds this unreasonable.

Our next meeting will be on November 21 at 6:30 P.M. at the Public Library in Molalla. (There is no meeting in December.)

The meeting was adjourned at 7:30 P.M.
Submitted by Mary Gilson, Secretary.

Library Board Meeting – Staff Report – October 17th, 2013

Library Activities –

Wednesday, October 30th at 5:30 pm come celebrate Nearly Headless Nick's Death day. We are having this celebration to mark the 15th year anniversary of the Harry Potter series. The first Harry Potter movie will be showing on our new big screen TV purchased for us by the Friends of the Molalla Public Library. Come enjoy the movie and have birthday cake and popcorn.

Weekly storytimes on Thursday and Friday mornings at 10:30.

Other Events at the Library –

Author's Quarterly on Wednesday, October 23rd at 6:00pm. Featured is "Whispers from the Wild" by Jacqueline Carl and Janette Ackerman, DVM of the American Wildlife Foundation located here in Molalla and "More than a Bear Tale" by Wayne Burkhart.

Radio Theater will be presenting "Dracula" October 25th through 27th. The show is free.

Old Business –

The new computer has been installed on the reference desk which operates our internet reservation system and self check out. We needed to purchase a new thermal receipt printer as the old dot metric printer was not compatible with the new system.

Jonathan from network installed the updated to our Public Access computers so that we will be able to run the new public access software. Enterprise, the new software, is set to live on October 22nd. Each library has their own main page that will feature new items at each individual library is a rotating picture display of the front cover.

Patrons who wish can still use the old public access system.

New Business –

Paula Beck, Mary Gilson and I met with Tony Mann, school superintendent and Ralph Gierke, school board president to discuss the future of the Molalla Public Library at its present location.

I have made the decision to begin moving our DVD collection from the thin cases that we are presently using to locking cases. We are beginning with the new DVDs purchased. This will eventually eliminate having the dvd's behind the circulation desk. The change to crates from bags for the courier made it necessary to create more room behind the desk for the courier. In order to do this we discarded all VHS items that had not circulated in the last year.

City Of Molalla

City Council Meeting

Agenda Category: Stone Place Storage Appeal

Subject: The scheduled appeal hearing for Stone place West Storage, LLC (File no. M006-13-SDR) has been postponed until **January 22, 2014, 7:00pm.**

Staff Recommendation: *Informational for attendees who may be present for the Appeal Hearing.*

Date of Meeting to be presented: December 11, 2013

Fiscal Impact: None at this time.

Background: No testimony regarding the merits or process of this appeal/land use action will be received or discussed at the December 11, 2013 Council meeting. The hearing scheduled for January 22nd is De Novo (New Hearing) and all testimony and deliberation must occur at the re-scheduled hearing.

SUBMITTED BY: Dan Huff, City Manager

ADMIN USE ONLY

Agenda Item

ALL AGENDA ITEMS MUST BE SUBMITTED BY NOON THE WEDNESDAY BEFORE THE SCHEDULED COUNCIL MEETING. ALL ITEMS MUST BE SUBMITTED TO THE CITY MANAGER FOR CONSIDERATION.

RESCHEDULED

NOTICE OF PUBLIC HEARING
MOLALLA CITY COUNCIL
315 Kennel Avenue, Molalla, OR 97038

DATE & TIME: ~~December 11, 2013~~ **January 22, 2014, 7:00 p.m.**

PLACE: Molalla Senior Center, 315 Kennel Avenue

FILE NO: M006-13-SDR, Stone Place West, garages

PURPOSE/PROPOSAL: APPEAL of Planning Commission approval for Site Design Review of garage units (196) associated with the Stone Place Apartments

SUBJECT PROPERTY: T.5S, R.2E, Section 8C, TLs 1800; 31696 S. Ona Way

ZONING: R-3, Medium Density Residential

APPELLANT: Joyce Kolkmann, Susan Hansen, Jeff Lewis

PROPERTY OWNER: Stone place Storage LLC.

REVIEW STANDARDS: 19.08, 17.08, and the Community Design Standards generally of Title 18 of the Molalla Development Code

THIS MEETING HAS BEEN MOVED TO JANUARY 22, 2014 AT 7:00 P.M. You may attend, offer testimony or seek information at the hearing. Any correspondence received in advance of the meeting will be forwarded to the City Council.

The original staff report, Planning Commission Decision and other information relating to this application is available for review at the Clackamas County Planning Division, 150 Beavercreek Road, Oregon City, OR 97045. Copies will be available for a reasonable cost. For further information, contact Clay Glasgow at 503-742-4520.

Failure to raise an issue in person or by letter at the hearing with sufficient specificity to afford the decision-maker an opportunity to respond will preclude the ability to appeal. Furthermore, failure at the time of the hearing to specify, in person or by letter, to what land use standard(s) your comments or objections are directed, will preclude the ability to raise those issues on appeal.

City Of Molalla

City Council Meeting

Agenda Category: Information

Subject: The Parks & Recreation Board has made updates to the existing Parks, Recreation and Trails Master Plan. The revised plan is before you to consider accepting.

Staff Recommendation: For Council to direct Staff to begin the public process needed to adopt the revised plan.

Date of Meeting to be presented: December 11, 2013

Fiscal Impact: None at this time.

Background: *The original Parks, Recreation and Trails Master Plan was completed and adopted in 2007. Since initial adoption, changes in circumstances for Molalla and regulatory requirements (population) necessitate the need for Plan revisions. The current members of the Parks & Recreation Board have invested time and effort since January of 2013 to make necessary revisions and edits to the document.*

Major changes included updating descriptions and uses for property under city ownership; adjusting the population growth figures to match coordinated figures from Clackamas County; eliminating certain funding components such as System Development Charge's; removing outdated plans and making minor text and map edits.

The revised Plan is before Council for acceptance of the proposed changes. Staff will need formal direction to proceed with the public decision process possibly in conjunction with future Comprehensive Plan procedures. Staff is available for any and all comments or questions prior to during the council meeting.

SUBMITTED BY: Melissa Georgesen, Community Services Director
APPROVED BY: Dan Huff, City Manager

ADMIN USE ONLY

Agenda Item

We apologize for the font size of this document. We will have it fixed by Monday but we didn't want to hold up getting the agenda out. The maps in this document do not reflect the changes to the status of Bohlander Field that will be corrected in the version you will receive next week.

CITY OF MOLLALLA PARKS, RECREATION AND TRAILS MASTER PLAN



DRAFT REPORT

Updated December 2013

COGAN
OWENS
COGAN

alta
PLANNING + DESIGN

ACKNOWLEDGEMENTS



City of Molalla Park, Recreation and Trails Master Plan

July 2007
Updated December 2013

City Council	Parks & Recreation Board	City of Molalla Staff	Consultants
Deborah Ridge, Mayor	Scott Clarke	Dan Hill	Cogan Owens Cogan, LLC
Gregg Toole	Amy Chan	Melissa Overstrom	Matt Hinkle
Henry Thompson	Shane Fisher		Ellie Foss
Stephen Clark	Jill Harris		Nancy Marshall
Clay Borokh	Alice Dinger		Alta Planning + Design
Deann Wise	Betsy Martin		George Hudson
Jason Grawford			Jessica Roberts

A special thanks to the citizens of Molalla who participated in this project by providing their time and support for the community, including those who took part in our public meetings.

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Appendices: The following appendices are available in a separate document.	
List of Appendices:	
A. PRC Meeting Summaries	
B. Public Meeting Summaries	
C. Meeting Flyers	
D. Media Releases	
E. Questionnaire	
F. Questionnaire Summary	
G. Trail Design Standards	
H. Tables: On-street, off-street trails	
I. List of Funding Sources	
J. Trail Maintenance Guidelines	
K. Implementation Report	

EXECUTIVE SUMMARY

CITY OF MOJALLA PARKS RECREATION AND TRAILS
MASTER PLAN – DRAFT REPORT • UPDATED DECEMBER 2013



Planning Process

This plan is a guide for future decisions and actions concerning how the City of Mojalla will acquire, develop, operate and maintain land, facilities and programs related to parks, recreation and trails over a 20-year period. It should be updated approximately every five to ten years to ensure that goals, objectives and recommended actions continue to reflect the changing needs of City residents.

The plan is intended to meet the needs and reflect the desires of Mojalla residents. Mojalla is a fast-growing rural community located in the southwest section of Chacochar County. The City has a wealth of recreation opportunities available to its citizens and visitors. The City plans to promote the theme of a recreational community as it grows, ensuring adequate recreational opportunities to people who live and visit there.

This plan was developed through a participatory process that involved community members through the following activities:

- Meetings of a Project Advisory Committee (PAC) that met four times to provide guidance on plan goals, priorities and approaches to assessing future needs. This group reviewed and commented on all draft work products and assisted in informing other Mojalla residents about the process.
- Two public meetings to review draft approaches, priorities, goals and strategies for meeting park, recreation and trail needs.
- Community survey distributed in the City's water bill to solicit opinions about priorities for different types of parks, recreation programs and facilities, and trail locations.
- Information about the project on the City's Web site and via notices and news articles in the Mojalla Pioneer.
- Public work sessions and hearings with the City's Planning Commission and City Council.



Overall Goals

The Plan includes the following overall goals for meeting future park, recreation and trail needs:

- Provide neighborhood and community parks to serve all residents of Mohala.
 - Develop and maintain a city-wide system of trails to provide recreational opportunities such as walking, bicycling, jogging and horseback riding and to encourage safe alternative modes of transportation consistent with community priorities identified in this plan.
 - Provide sports and recreation facilities and programs for city residents of all ages and abilities.
 - Preserve open space throughout the city.
 - Provide adequate funds to develop, improve, maintain and operate park and recreation facilities consistent with City goals, policies and standards.
- Chapter 7 of the Plan includes detailed strategies recommended to implement each goal.
- ### Summary of Needs
- To achieve the goals summarized above and provide park, recreation and trail facilities to the residents identified by city residents, the City has identified the following overall needs:
- **Acquire and develop space for additional park space** within existing and new portions of the City over the next twenty years. Neighborhood park needs are concentrated in the western portions of the City, particularly the northwestern area and its potential future urban growth boundary expansion areas.
 - **Create a strong trail system that links parks, other community facilities and destinations throughout the City** and ultimately provides opportunities for connections to recreation areas outside the city. Priority trails include the Mohala Rail Trail, Bear Creek Corridor and on-street trail connections along Highways 211 and 213 and Fisher Road.
 - **Build a new community recreation center.** The City will explore the feasibility of building a new multi-purpose, multi-generational community center. It could include a variety of facilities to meet community meeting and recreational needs. It could be built on a new site or possibly as an expansion of the Mohala Aquatic Center.
 - **Improve existing facilities** at Fox, Clark and Ivor Davis Parks, as well as the Mohala Aquatic Center.
 - **Expand recreational programming** with an emphasis on health and wellness programs, and activities for youth and seniors.
 - **Use a variety of funding sources and tools to acquire land and develop facilities**, establish adequate on-going funding for regular maintenance and operation of facilities as well as large scale capital improvements.

Overall Recommended Approach to Meeting Needs

The following approaches are recommended to meet specific needs:

- Acquire land adjacent to existing housing developments for new neighborhood parks whenever possible, including upon bringing additional land into the city limits.
 - Identify and pursue acquisition of park sites well before development occurs, including during the annexation process.
 - Consider joint development and maintenance of play equipment and picnic areas at one of the school sites on the west side of town to create a neighborhood park facility on an existing site.
 - Develop one new 10 to 13-acre community park inside the city limits in the western part of town, perhaps in conjunction with Timberstone Master Plan. Develop one new 10-15-acre community park outside the current city limits when additional land is brought into the urban area.
 - Develop playing fields in conjunction with development of new neighborhood and community parks. Partner with local sports groups to develop and maintain these facilities.
- Consider the need for and economic feasibility of constructing a new community center based on a more specific assessment of community recreation needs and the cost effectiveness and financial feasibility of building and operating the facility. Consider constructing the center adjacent to the Mohala Aquatic Center.
 - Update the City's system development charge methodology, rate and fees to reflect the needs identified in this Plan.
 - Assess the ability of grants, land dedications, voluntary donations and SDCs to cover the cost of needed facilities. If more funds are needed, consider use of bond measures or other financing tools to cover any identified funding shortfall.
 - Conduct an analysis of needed operation and maintenance funding. Regularly update these assessments and adjust plans and standards as needed to ensure consistency between identified needs and available funding.



1. EXISTING CONDITIONS

The City of Molalla is a fast-growing rural community located in the southwest section of Clatsop County. Molalla is approximately 14 miles south of Oregon City via State Highway 213, approximately 25 miles northeast of Salem, and approximately 27 miles south of Portland. Molalla is generally surrounded by farmland and other agricultural land uses.

Molalla has always had a wealth of recreation opportunities available to its citizens and visitors. The City plans to promote the theme of a recreational community as it grows, ensuring adequate recreational opportunities to people who live and visit there.



The City of Molalla's Park, Recreation and Trails Master plan is a guide for future decision about how the City acquires, develops, maintains and operates parks, facilities and trails over a 20-year period. This plan identifies service standards, park usage, goals, priorities and other recreational facilities needed to meet the city's need over the planning period. It also outlines goals

and strategies for meeting the needs and standards identified in the plan.

This plan establishes the planning framework for the city's park, recreation and trails system for the next 20 years. However, this is a living document that should be updated regularly. The City should continue to revisit this plan as the community grows and periodically survey residents about their preferences and priorities for parks and recreation facilities and programs.

Park and Recreation Facilities

The City of Molalla currently owns a variety of park facilities. Some are used primarily for active recreation (e.g., neighborhood and community parks, playing fields), while others are designed more for passive uses (open spaces and natural areas such as Four Daves Park).

The City currently owns about 75 acres of park space, over half of which is in undeveloped parks or open space. In addition, about 37 acres of playing fields owned by the Molalla River School District are available for community use when not in use by the school district. Park conditions vary greatly by park and within parks. The condition of park facilities is closely related to age. Only about half of all public facilities are ADA accessible. Generally, playing fields are heavily used and many are reportedly in poor condition, including both tracks.

Tables 1 and 2 briefly describe different types of parks and recreation facilities and, where relevant, indicate the number of facilities and total acreage that the City currently owns. In addition to the facilities listed in Tables 1 and 2 that fall into typical categories, the City owns a Skate Park and a playing field at Steens Field. The school district owns playing fields at its elementary school, middle school, high school, Ickford Field and tennis courts at 5th and Swiggle, all of which are used in part for community use.

Type of Facility	Number	Total Acreage (Average)
Neighborhood Park	2	3.3
Community Park	1	10.15
Aquatic Center	1	1.2
Natural Area/Open Space	3	44.5
Other Parks and Facilities	4	18
Total Average		77.5

Molalla Youth Sports, funded in part by user fees and donations, provides youth sports opportunities for youth from kindergarten through eighth grade. The school district's community education program also provides recreational programs for both youth and adults and coordinates the use of school district facilities.

Most of the existing city-owned park and recreation facilities in the city are concentrated on the east side of town, while the west side of town is served primarily by school district properties (see Figure 1). Long Park and Fox Park are the two facilities that serve as neighborhood parks; both of these are located near downtown towards the east side of town (see Figure 2). The northwestern part of the city, particularly where new, relatively dense housing development has occurred, is most in need of park land.

Major roads and other physical features act as barriers to some park facilities. For example, Oregon Highway 211 is an obstacle to people walking from areas to the south of the highway to

Table 1. City of Molalla Existing Facilities

Type of Facility	Number	Total Acreage (Average)
Neighborhood Park	2	3.3
Community Park	1	10.15
Aquatic Center	1	1.2
Natural Area/Open Space	3	44.5
Other Parks and Facilities	4	18
Total Average		77.5

city-owned parks north of the highway where most are located. Other roads that act as barriers to some degree include N. Molalla Avenue and N. Cole Street.

In addition to city-owned and school district facilities, recreational areas outside the city provide opportunities for city residents. Future trails within and outside the city ultimately could provide connections and access to these areas. They include Molalla River State Park in Clatsop, a multi-use natural area at the confluence of the Molalla, Willamette and Pudding Rivers as well as Hardy Creek mountain biking trails – a popular destination for mountain bikers from throughout the region.

Table 2. Parks and Recreation Facility Descriptions

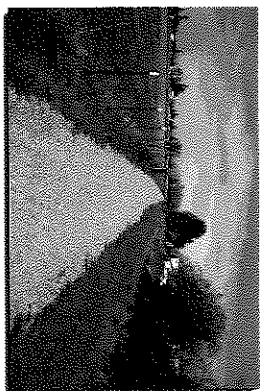
Type of Facility and Examples	Description	Sample Facilities
Neighborhood Park • Long Park	Parks that meet the recreational needs of the surrounding neighborhood including informal play areas, open space and opportunities for informal recreation. Typically 2-5 acres in size.	Children's play areas, picnic areas, trails, open grass areas; outdoor basketball courts; pet areas; multi-use sports fields.
Community Park • Clark Park	Larger parks that provide active and passive recreation opportunities. Accommodates group activities including facilities for organized recreation and programs.	Sports fields; group picnic areas; informal play areas; walking paths; playgrounds; BMX facilities; pet areas; rest rooms and associated parking.
Aquatic Center • Moulton Aquatic Center	Indoor and/or outdoor swimming pools and associated facilities that provide opportunities for swimming and other aquatic classes, leisure pool activities, competitive swimming events and other water-related activities.	Swimming pools and associated facilities (e.g., restrooms, changing rooms) and instructional programs.
Community Center • None	Facilities that provide year-round, community social, cultural and recreational activities, including services and programs for children, adults, teens, seniors and families.	Community meeting rooms; gymnasium; multi-purpose classrooms; fitness room; performance spaces; parking and play areas.
Linear Park/Trails • Trails at Ivor Davies Park	Linear following corridors such as abandoned railroad right-of-way or power line corridors. Preserve open space and provide public access to trail-oriented activities such as walking, biking, hiking, etc.	Paved bikeways and walkways; directions and control signage; multi-purpose paved trails; soft-surface trails; boardwalks; gates; benches; overlooks; interpretive facilities; connections to the City sidewalk and street system.
Natural Areas/Open Space • Ivor Davies Park • Bear Creek Annex North • Aquatic Center open space	Seasonally undeveloped areas that may incorporate wetlands or other water areas or be predominantly undeveloped lands that may follow stream corridors or other natural features and may provide trails.	Trails; signage; interpretive features; and natural areas

Project staff analyzed the existing street network and land use to identify areas of greatest need and potential for trails. Improvements that connect to significant environmental features, schools, public facilities, local neighborhoods and business districts in Moulton and throughout the region are recommended.

Population and Demographics

The population of Moulton was estimated to be 8,108 in 2010. Population growth has been strong in Moulton, averaging 4.0% annually over the last 20 years, slightly higher than the 30-year average of 3.4% annual growth. The population increased steadily from 1970 to 2000, averaging approximately 70 persons per year. Population increases jumped from 1970-2010, averaging around 200 persons per year. On average, households in Moulton are much younger (31.4 year old versus 40.6 year old) and slightly larger than those in the region (2.82 persons per household versus 2.56).

The City uses various development charges and park in lieu of fees to acquire parks land from developers.



2. FUTURE CONDITIONS AND PRIORITIES

Future Population and Growth

The City of Modala has experienced significant growth in recent years, including a significant amount of new housing development. According to population estimates, the city population grew 20% between 2001 and 2006 (from 5,690 to 6,830). These trends are projected to continue; the population estimate for 2027 is approximately 12,100.

The draft updated comprehensive plan for the City of Modala includes a vision of the City as a complete recreation community with adequate recreational facilities for Modala residents and outdoor attractions for regional visitors. The City hopes to exceed typical city recreation standards and establish Modala as a recreation center for the region.

Public Involvement and Community Priorities

Public participation was a key element of the master planning process and consisted of three approaches:

- A project advisory committee (PAC) consisting of City employees, City Council members and representatives of Chabazana County, Modala River School District, Modala Youth Sports, Modala Rockers, Modala Area Chamber of Commerce and TEAM ModalaFirst provided guidance throughout the planning process.

The PAC met four times during the course of the planning process to advise city and consulting staff on priority park, recreation and trails needs, level of service standards, plan alternatives and to review the draft master plan.

Two public meetings hosted by the city were open to all interested community members and provided a variety of mechanisms for feedback. The meetings were held to solicit community input on park and recreation needs, plan alternatives and strategies. Both meetings included brief presentations from staff and consultants, a question and answer session and opportunities for written input through voting exercises and comment forms.

The city distributed a community questionnaire to all residents of Modala in their voter bills in March 2007. The questionnaire (see Appendix B) asked residents to identify the greatest needs for parks, recreational programs and trails and to identify specific areas they would like to see the city focus on.

Public input from all three sources was fairly consistent and community members indicated very similar levels of support for most types of recreational facilities.

Table 3. Inventory of Parks, Open Spaces and Recreational Facilities

Name	Size (Acres)	Features	Accessibility	Condition	Other Comments
Long Park	1	Playground, shelter, restrooms	Not compliant	Newer playground structure. Facilities are in good condition	
Shanpak	0.25				
Fox Park	2.3	baseball, restrooms, playground, splash pad, shelter	fully compliant	New/Very Good	
Chit Park	10.15	Multiple playing field, horse shoes, Protee golf, shelter and playground	Not compliant	No sidewalks through park. Facilities in mixed condition	Fields used by various youth sports in the community.
Sheets Field	3.4	BMX track, playing field, concession stand, restrooms	Not compliant	Good condition	BMX track attracts hundreds of people during events. Fields used by various youth sports in the community.
Caddellows Pocket	0.25	Picnic area	fully compliant		
hor Davies Park	38	Picnic area, open space, trails, shelter, pond	fully compliant		
Best Creek North Annex	3				Will be added to natural area. Added restrooms and parking are planned.
Modala Aquatic Center	3.5		fully compliant	New/nearly new condition	Owned by school district with long-term lease.
Modala Elementary School	9.75	Playground and track		Track in poor condition	Fields used by various youth sports in the community.
Modala Middle School	9	Playground, shelter and multiple fields			Soccer and Baseball fields used by Modala Youth sports about 60% of the time. Fields used by various youth sports in the community.
Tennis Courts	0.14			poor condition	Owned by the Modala West School District.
Hectorfield Field	18.62	Multiple playing field, concession stand, restrooms		Track new condition	Fields used by various youth sports in the community.
Modala Aquatic Center	1.2	Swimming pool, restrooms	fully compliant	like new condition	Owned by school district with long-term lease.

Figure 1: Mollala Parks and School Facilities

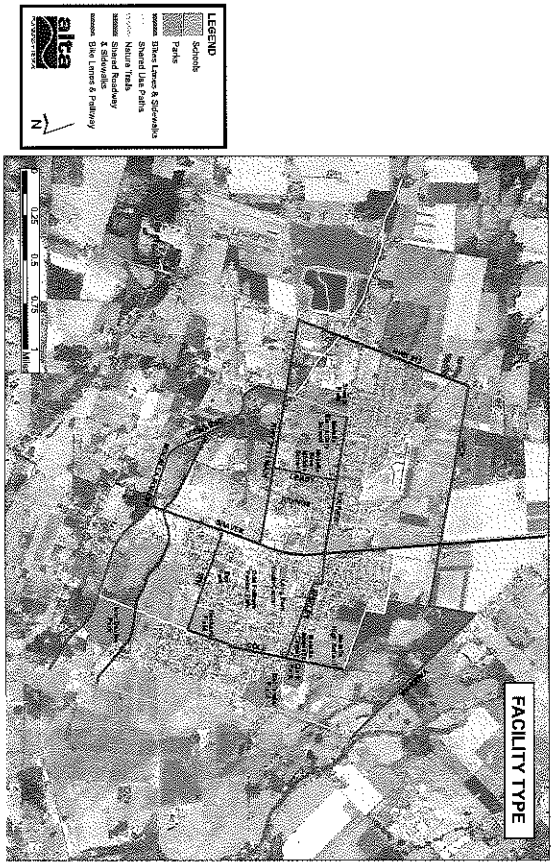
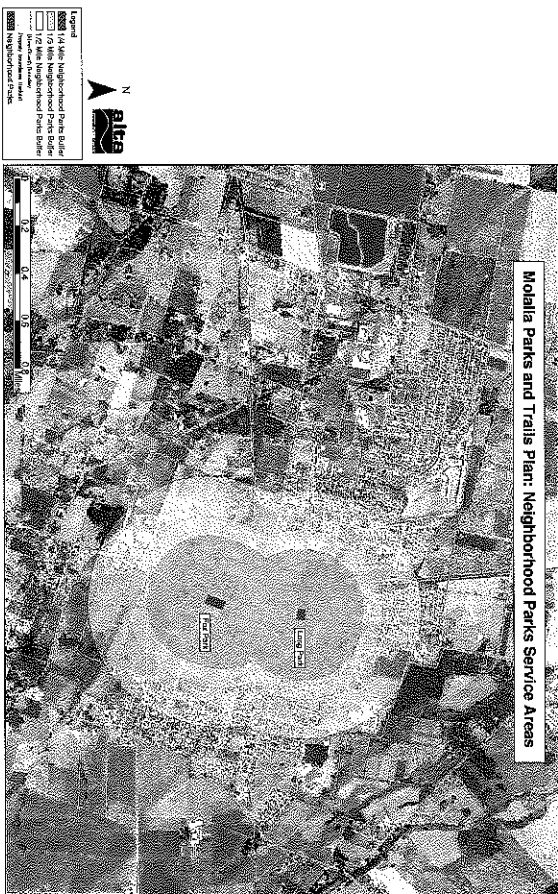


Figure 2: Mollala Neighborhood Parks



3. PROPOSED PARK, RECREATION AND TRAIL STANDARDS

Level of service standards are used by communities to evaluate current conditions and determine future park and recreation needs. The National Recreation and Park Association (NRPA) recommends standards for several types of parks, playing fields and other facilities. Recently, the NRPA has moved away from recommending specific standards at the national level towards suggesting general guidelines that allow greater flexibility at the local community level. Following is a summary of proposed level of service standards for the City of Mohala. These standards are based on an analysis of existing conditions and on input from the PAC.

Overall Standard

The City of Mohala's Comprehensive Plan recommends an overall standard of 12.5 acres of parks and open space per 1,000 people, including approximately 10 acres of developed park land and 2.5 acres of open space. This Plan assumes this overall standard for all planning alternatives.

Parks and Playing Fields

The proposed standard for neighborhood parks is towards the higher end of the scale suggested by the National Park and Recreation Association (NPRRA). The relatively high standard is consistent with community and PAC input that places a relatively high priority on neighborhood parks and on locating parks within relatively close proximity to residents (approximately ¼ mile).

Implementing this standard would require the creation of several more neighborhood parks, particularly on the west side of the City. City staff and PAC members also have recommended relatively high standards for playing fields, which exceed NPRRA guidelines. Preliminary proposed city standards are 25% to 50% higher than NPRRA guidelines. While public meeting participants suggested even higher standards for baseball and softball fields, those increased measures are not recommended in this Plan at this time, given the resulting cost and significant differential between existing and future standards. The City may choose to increase standards for those facilities at a later time, depending on its progress in implementing the recommendations in this Plan.

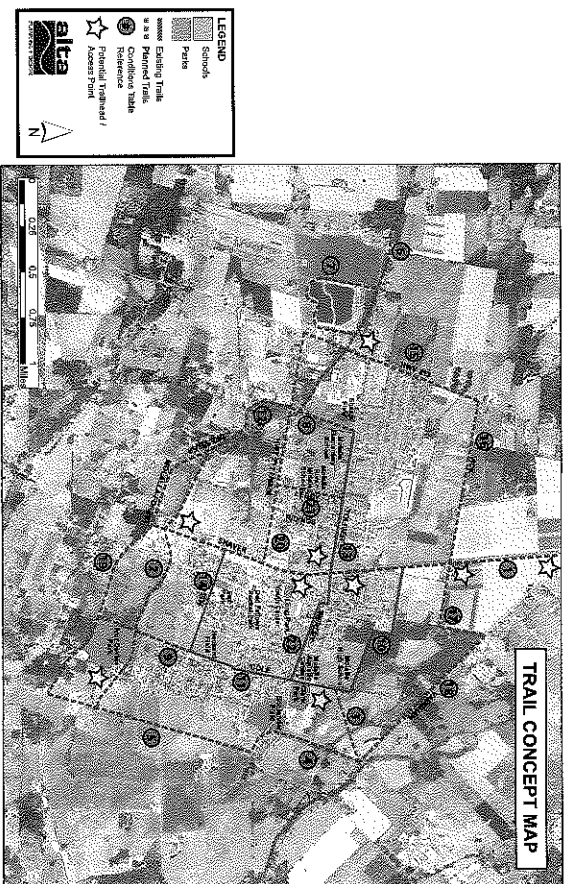
One goal of this plan is to create an integrated system of trail loops.

Open Space

The City currently has a significant amount of passive open space and exceeds recommended standards for natural areas based on the current supply. Community members have expressed support for preserving these spaces and acquiring additional open space throughout the City as new development occurs.

CMR OF MOHALA PARK, RECREATION AND TRAILS MASTER PLAN • 2007

Figure 3 - Trail System Concepts



CMR OF MOHALA PARK, RECREATION AND TRAILS MASTER PLAN • UPDATED DECEMBER 2013



Table 4. Inventory of Parks, Open Spaces and Recreational Facilities

Type of Facility	Size	NPA Grade Line (Green per 1,000 residents)	Proposed Mokuia Standard
Neighborhood Parks	2-3 acres	2-4	3 acres/1,000 residents; within ¼ to ½ mile of all city households
Community Parks	10-25 acres	3-5	3 acres/1,000 residents; within 1 to 1 ½ mile of all city households
Natural/Open Space	NA	NA	4 acres/1,000 residents
Other facilities (e.g., community center, aquatic center, etc.)	NA	NA	2.5 acres/1,000 residents
Trails	NA	NA	Within ½ mile of all residents
Racquetball/Softball Fields	NA	1 per 2,000	1 per 1,500 residents
Soccer Fields	NA	1 per 1,500	1 per 1,000 residents
Football/Bay/Amateur Fields	NA	1 per 2,000	1 per 4,000 residents
Basketball Courts	NA	1 per 500	1 per 500 residents
Tennis Courts	NA	1 per 2,000	1 per 1,500 residents



Recreational Programs

Currently the Mokuia Adult Center provides a range of activities and recreational options for local seniors. As the population of the City ages and many new families move into the City, there is expected to be a need for continuing this type of programming as well as adding programs for youth including before and after school programs. Community survey and open house respondents strongly supported these two types of programs, among others.



4. RECOMMENDED APPROACH

Based on input from the PNC and the community, this plan generally recommends Alternative A as the preferred alternative for the City. In this alternative, the City meets its overall park, recreation and trail needs on its own, without relying on school-district owned properties to help meet its long-term needs for playing fields. However, given the aggressive standards for playing fields and the expense associated with acquiring and operating these and other facilities, it is recommended that the City continue or pursue its relationship with the school district for joint use of some school district-owned facilities where there are opportunities to do so. Following is a suggested approach for meeting park, recreation and trail needs in Mokuia. Additional recommended goals and strategies are incorporated in the Strategic Planning Element in the following section of the Plan.

Parks

Neighborhood Parks

An average standard of three to five acres is recommended for new neighborhood parks. Size of neighborhood parks will be determined in part by the availability of land. As such, new parks include the existing city limits may be somewhat larger than those within the city limits.

- * The is likely to result in
- * 18 acres in five new parks within the 2007 city boundaries

- * 15 acres in three to four new parks outside the current city limits

The most significant need for neighborhood parks is in the northwest part of the city. However, this area is relatively densely developed, restricting the potential to develop new parks. Strategies to overcome this shortage include:

- * Develop and publicly maintain play equipment and picnic areas at one of the school sites on the west side of town
- * Acquire land adjacent to existing housing developments for new neighborhood parks whenever possible, including upon bringing additional land into the city limits
- * Identify and pursue acquisition of park sites well before development occurs, including during the annexation process. This will help the city reduce land costs and improve the chances of identifying and acquiring sites before they are programmed for development.

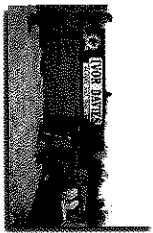


Figure 4: Neighborhood Park Site Opportunity Areas



Figure 5: Community Park Site Opportunity Areas





- One strategy for building a community center would be to construct it on the same site as the Mobile Aquatic Center to create a combined aquatic/community center. This would be consistent with trends in many communities and recreation districts which tend toward construction of multi-purpose multi-generational facilities, including combined recreation and aquatic centers.
- **Open Space**
Ivor Davies Park contributes to most of the existing open space in the City. To meet city standards for open space, it is recommended that the city maintain and potentially expand Ivor Davies Park. In addition, the City should incorporate the following types of space in establishing a city-wide open space system:
 - Continue to require dedication of a specific percentage of open space as part of the subdivision and residential development review process.
 - Combine designation of open space with protection of environmentally sensitive or natural areas.
 - In targeting specific areas for open space acquisition, dedication or protection, prioritize natural areas and open space protection and management to maximize natural resource values.
 - Identify, acquire and conserve key open space areas adjacent to proposed trail corridors or linear parks, including the Bear Creek corridor. Use these to enhance the trail system and provide for well-connected pockets of open space throughout the community.

Trails

In order to determine the appropriate location for trails, existing opportunities and constraints to trail development were analyzed. Specific information is presented in the following tables.

Trails Concept

Different trail types can be used throughout the trail network to respond to the environment and urban context and meet the trail plan's major goals of trail connectivity, access, community linkages and trail loops.

Trail types recommended in the Mobile Trails Plan include:

Trail Type	Recommended Locations
Shared User Paths	Stipulated/Designated
Natural Trails	Becket Lanes
	Shared Roadways
	City Trails
Accessways	Accessways

Backbone Trails

Mobile's "backbone trails" form the heart of the trail network. One north-south trail and one east-west trail provide corridors with corridors with outstanding scenic value and outstanding community connectivity. Both trails have the potential for future expansion as the city grows and/or opportunities arise. Both are off-street shared use paths:

- There are two planned backbone trails in Mobile:
 - Mobile Rail Trail: this is a north-south rail-to-trail project along the historic rail alignment that runs through the heart of Mobile.

- Bear Creek Overway: this is an east-west trail following Bear Creek, which runs along the south edge of Mobile.

These two backbone trails should have their own right-of-way and minimize conflict between users and automobile traffic. These trails should be designed to meet the Americans with Disabilities Act (ADA) standards, American Association of State Highway and Transportation Officials (AASHTO) and the Manual on Uniform Traffic Control Devices (MUTCD) standards. Oregon Department of Transportation (ODOT) standards and other State

and Federal guidelines. These backbone trails serve bicyclists, pedestrians, wheelchair users, skaters and others.

Primary Ring Trail Network

Mobile's two backbone trails are connected with a primary ring trail network, creating a large loop around the city. This trail network is made up of several different trail types (covered in the design guidelines section). The ring network provides community linkages to schools and parks, as well as providing opportunities for user-defined trail loops.

Table 5. Site Specific Opportunities

#	Location	Description of Issue
1	Abandoned rail corridor	Former rail corridor runs north-south through the center of Mobile, providing an excellent rail-to-trail conversion opportunity. The corridor is already well used as an internal trail.
2	Mobile River State Park	Eventual opportunity may exist to connect to Mobile River State Park in Century.
3	Long Park Adult Center, State Park	Potential destinations of trail users and residents of all ages. Adult Center may have trailhead potential.
4	Toliver Road	A recent project provided bike lanes on both sides and a continuous south-side sidewalk on Toliver Road, making this route a good on-foot connector between trails. Toliver is used by both elementary and high school students as a primary school access route for walking and biking. Well-used pathway already exists between Ridings Ave and the rail corridor.
5	Tennis Street path	Major connector and generator for trail users about 400 children. Toliver Rd. alternative can provide access to the trail.
6	Mobile Elementary School	Connection to well-used sports fields and BMAX park.
7	Sheets Field	Public land may facilitate trail planning and construction.
8	Existing trails	Existing substantial trail from Highway 213 to elementary school
9	Existing trail	Existing bike lanes and sidewalks provide on-street connection to potential trails.
10	Highway 213	

Table 5. Site Specific Opportunities (continued)

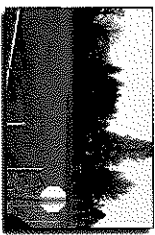
#	Location	Description of Issue
11	Highway 211	ODOT is currently developing a plan for OR 211 that will upgrade most of the corridor to bike lanes and sidewalks, significant improvement in this route for pedestrians and cyclists.
12	Downtown Madala	A major destination for many residents and visitors. Provides parking, shopping, and dining opportunities in addition to numerous services. Existing substandard trail access from Madala, Buckaroo Grounds, Madala High School, school fields, Clark Park, Madala Buckaroo Grounds.
13	Madala High School, school fields, Clark Park, Madala Buckaroo Grounds	Major hubs of potential destinations for trail users. Trail would serve high school students biking and walking to school as well.
14	Madala Forest Road	Connection to well used playing field.
15	Playing fields	A recent project upgraded fifth street bicycle and pedestrian facilities, providing bike lanes and sidewalks. Good on street connection.
16	Fifth Street	Wellbonds provide a possible trail interpretive site.
17	Bear Creek wetlands	Wellbonds provide a possible trail interpretive site.
18	Hot Davies Park and Trail	Connection to park facility and on-site trails.
19	Harpy Creek mountain biking trails	Possible eventual on-street connection to trails at Harpy Creek, approximately 10 miles southeast of Madala at the Madala River. Trails are open to both mountain bike and equestrian users.
20	Madala Forest Road	Currently closed to auto access. Potential trail corridor. Alternately, if community desire to convert to a truck bypass route is realized, there is an opportunity to locate a trail paralleling the roadway.
21	Madala River Middle School, Fox park	On-street connection from potential rail-trail to middle school (with approximately 700 students) and well-used community park.
22	Timberstown Community Planning Area	Likely site of future master-planned residential / mixed-use development, which provides an opportunity to integrate trail segments, access and trailheads into new residential areas.
23	Bear Creek	Stream corridor may be good candidate for trail development, which provides an opportunity to improve the stream conditions.
24	Bear Creek Wetlands	Wetlands provide a possible trail interpretive site.
25	Potential Trailheads	Potential trailhead locations at Vick Rd (29), Heinz Rd (26), Main St/ OR 211 (27), South Madala Ave. (28)
26		
27		
28		
29	Potential Trail Access Points	Possible access to rail trail at Cranney Creek Ln. (29) and Towler Rd.
30		
31	5-acre parcel adjacent to Balllander Field	Potential project for trade, site or development.

Table 6. Site Specific Constraints

#	Location	Description of Issue
1	Heinz Street wetlands	Wetlands may limit where trails may be placed and/or require special construction techniques (such as boardwalks).
2	Wetlands near rail corridor	Wetlands may limit where trails may be placed and/or require special construction techniques (such as boardwalks).
3	S. Vick Road	No pedestrian facilities on S. Vick Rd.
4	Rail line in active use	Rail corridor is in active use north of South Madala Rd, potentially limiting northward expansion of rail-trail.
5	Bear Creek wetlands	Wetlands may limit where trails may be placed and/or require special construction techniques (such as boardwalks).
6	Wetlands near S. Hezlie Lane and Highway 211	Wetlands may limit where trails may be placed and/or require special construction techniques (such as boardwalks).
7	Highway 211	Pedestrian and bicycling conditions are poor on Highway 211, with many segments lacking sidewalks or served only by a substandard sidewalk. No bike lanes are present on Hwy 211.
8	Highway 211 trail crossing	Potential rail-trail alignment will have to cross Hwy 211 at this undersized crossing. Traffic speeds and volumes will make an undersized crossing difficult.
9	Existing industrial use	Former rail alignment in active industrial use. Easement or former rail alignment in active industrial use. Easement or former rail alignment in active industrial use.
10	Main Street (Hwy 211)	Main St through historic downtown has extremely limited right-of-way, which may result in poor connections for bicyclists and pedestrians.
11	Highway 211 crossing	Trail or on-street connection at N. Cole Ave. must to cross Hwy 211 at this undersized location. Traffic speeds and volumes will make an undersized crossing difficult.
12		
13	Bear Creek wetlands	Wetlands may limit where trails may be placed and/or require special construction techniques (such as boardwalks).
14	S. Madala Avenue trail crossings	Any trails at Bear Creek or Madala Forest Rd. must to cross S. Madala Ave at an undersized location. Traffic speeds and volumes may make an undersized crossing difficult.
15	Hot Davies Park and Trail	No parking or trailhead facilities limit use of this facility.
16	Residential development	Completed residential development in northwest area of city limits corridors available for trail development.

Most trails in the primary ring trail network are either off-street shared use paths or separate facilities (i.e., a sidewalk or pathway for pedestrians and on-street bike lanes for bicyclists) that meet State and Federal standards. Safety for bicyclists and pedestrians on these paths is paramount, especially as they parallel Highway 213, a busy roadway.

However, some primary ring network trails follow neighborhood streets, in which case pedestrians are recommended with a sidewalk or shared use path and bicyclists share the roadway with vehicles. Primary ring network trails on arterial and collector streets will be implemented when the roadway is widened or improved.



Recommended Strategy
The recommended trail network provides a comprehensive network of trails that connect to schools, parks, community centers, the downtown business district and natural areas. It sets the stage for future trail connectors to Canby and other parts of Clackamas County. It serves multiple users, multiple terrains, and improves access for residents of varying physical capabilities, ages and skill levels.

- The following details of the network should be noted:
- The Conceptual Trails Plan Map shows all proposed trails, including all trail design types detailed in the design guidelines in Appendix C. Many trail projects call for improvements to existing but substandard facilities.
- 'Accessways' – those providing a direct connection from rail-depot and other disconnected developments – will be

determined through development review and permitting processes. Street accessway locations cannot be known until the development applicant provides a site plan, accessways are not shown on the map.

- The trails shown are largely conceptual. Most need to be further studied and designed. The location of the trail may change as a result.
- Some sidewalks are shown at local trails because they fulfill the needs of local pedestrian circulation and connections.

Trailheads and Trail Access

Good access to the trail system is a key element to its future success. Trailheads (formalized parking areas) serve the local and regional population arriving on the highway and trail system by car. Neighborhood trail access points do not require a parking lot and primarily serve residents who live near the trail.

As seen on the Conceptual Trails Map, this Plan identifies several potential trailhead and/or trail access locations. Trailheads provide essential access to the trail system and provide amenities like parking, restrooms, and signage for trail users. Additional trailhead siting will occur with further planning processes for individual projects.

Development

Many of the trails shown on the Conceptual Trails Map, particularly local trail located along roadways or interlaced as accessways, will be developed over time by Malilla property owners and new development, much like the network system that has been developed. In some cases, the City will be able to

require the property owner to construct the trail as part of the development review process. In other cases, the City will work with the property owner to ensure the City can develop the trail itself in the future.

Goals and Objectives

This Plan aims to develop a comprehensive network of multi-purpose trails that link important pedestrian generators,

environmental features, historic landmarks, public facilities, town centers and business districts. The following goals were derived from existing plans and input from Project Advisory Committee members, public workshop participants, city staff and elected officials, and citizens of Malilla.

Goal 1: Trail Connectivity

Provide a trail system within Malilla that, when fully implemented, will permit residents to travel around the community entirely using the trail network, ensuring that new development and subdivisions connect to this system.

Establish future potential trails connections to the adjacent communities of Canby, unincorporated Clackamas County and the greater Portland metropolitan region, as well as providing a nonmotorized connection to the natural areas southeast of the city.

Goal 2: Access

Develop a trail system for people of all abilities, pedestrians, bicyclists, equestrians and other non-motorized trail users. Connect to a complementary system of on-road bicycle routes and pedestrian facilities.

Goal 3: Community Linkages
Link trails to residential neighborhoods, community facilities such as the library and city hall, parks, schools, the aquatic center, downtown, as well as other commercial and retail activity centers in Malilla. Support and enhance existing and future parks and recreation facilities.

Goal 4: Trail Loops

Provide a trail system that creates integrated loops of varying distances to provide residents with opportunities to travel different distances and experience varied scenery.

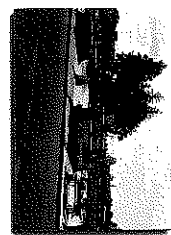
Project Priorities and Phasing

The projects in each category were ranked based on a consideration of feasibility and community priorities, and the priorities were vetted with the Project Advisory Committee and at Public Meeting #2. As a result, the projects have been grouped by trail type (on-street and off-street) into Tier 1 and Tier 2 project priorities (Table 7).

Tier 1 projects are the top priority trail projects for short-term project implementation and are targeted for completion in the next five to fifteen years.

Tier 2 projects are long-term projects recommended for implementation between the next 15 and 50 years from Plan adoption.

The most and long-term schedule may change according to available funds, changing priorities, new roadway projects, new development and redevelopment opportunities, or other factors.



It should be noted that the purpose of this exercise is to understand the relative priority of the projects so that the City may apportion available funding to the highest priority projects. Long-term projects also are important, and may be implemented at any point in time as part of a development or public works project. The ranked list should be considered a "living document" and should be frequently reviewed to ensure they reflect current Mobile priorities.

Table 7: Mobile Trail Priorities: Off-Street Facilities

Rank	Project Name
1	Mobile Trail Trail
2	Buckaroo to Land Lab
3	Buckaroo Equine Trail
4	Bear Creek West Trail
5	Water Treatment Trails
6	OR 211 to Toliver Connector
7	Trail to High School Connector

Figure 6: Mobile Trails Planning Priorities



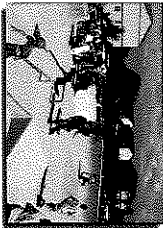
5. COST AND FUNDING SOURCES

The cost of implementing the recommended approach alternative will include both capital costs for new facilities (land acquisition and facility development), capital improvements to existing facilities and annual maintenance and operation costs. Capital improvements are identified in the City's Park System Development Charge methodology prepared in 2004. That document also identifies a community center and the national right-of-way linear park.

- These costs are based on the following assumptions:
- Facility development, operation and maintenance costs are based on unit costs (per acre) from other park and recreation service providers.
 - Land costs are based on local current local land prices per acre.
 - Costs should be considered for planning purposes only and viewed in total. Costs for individual facilities may vary significantly.

• Costs for playing fields assume construction of grass fields. The cost for synthetic fields would be significantly higher. However, the opacity of synthetic fields is also higher and annual average maintenance costs are much lower. At the same time, replacement costs are also higher.

- Costs for baseball and soccer fields have been reduced.



somewhat to reflect the fact that most fields are expected to be multi-purpose fields (i.e., used for different sports during different times of the year). A 20% alternative reduction has been applied to these costs.

Funding Sources

Acquisition and Development

- The City expects to use the following funding sources to help pay for the acquisition and development of future park and recreation land and facilities:
- System development charges
 - Land dedication
 - State, federal and local grants
 - Voluntary land donations or fundraising bond measures

6. STRATEGIC PLANNING ELEMENTS

The following goals, objectives and actions are intended to help the city meet park, recreation and trail needs over the next 20 years as identified in this plan.

Goal: Provide neighborhood and community parks to serve all residents of Moiala.

- Provide neighborhood parks at a standard of 3 acres/1,000 and within ¼ to ½ mile of all city households
- Provide community parks at a standard of 3 acres/1,000 residents and within 1 to 1 ½ mile of all city households.
- In planning for new parks, consider the impact of arterial roads and state highways as barriers to nearby parks and local parks to minimize and/or take into account such barriers.
- Provide other parks and facilities (such as community center, dogparks and others) consistent with this plan.
- Work with neighboring residents to design parks and park amenities to meet local community needs.
- Regularly maintain neighborhood and community parks and amenities within them.
- Work with local community groups and neighboring residents to develop partnerships for maintaining neighborhood parks.
- Make targeted improvements to existing parks and recreational facilities, consistent with community priorities.

Goal: Develop and maintain a city-wide system of trails to provide recreational opportunities such as walking, bicycling, jogging and horseback riding and to encourage safe alternative modes of transportation, consistent with community priorities identified in this plan.

- Attempt to make some trails fully accessible to people of all abilities.
- Link trails to community destinations such as parks, schools and shopping areas.
- Furnish trails with amenities such as interpretive and directional signage, benches, parking and other services.
- Link trails to on-street bicycle lanes and sidewalks/pedestrian routes; use on-street facilities to provide link between off-street trails.
- Designate selected trails for equestrian use.
- Establish easements for trails in developing areas as part of the development approval process, consistent with proposed trail corridors identified in this plan.

Goal: Provide sports and recreation facilities and programs for city residents of all ages and abilities.

- Offer recreational options to meet a range of community needs including continuing to offer programs for seniors at the Adult Center and create before- and after-school programs for city youth.



- * Regularly assess the programming needs and priorities of residents in establishing and editing programs offerings.
 - * Improve ADA accessibility for city parks and facilities.
 - * Explore the possibility of developing a community center.
 - * Increase the number of sports fields of all types throughout the city, consistent with level-of-service standards identified in this plan.
 - * Explore partnerships with the school district, Mozilla Boulder or other entities for joint development, use, maintenance and operation of facilities; formalize such partnerships in intergovernmental agreements (IGAs).
 - * Improve the safety of park users and provide adequate parking of parks and trails; explore opportunities to co-locate park or trail facilities near public safety offices (e.g. police or emergency service offices).
- Goal: Preserve open space throughout the city**
- * Continue to maintain and improve how Dexter park as the city's primary community open space facility. Explore opportunities to expand the park, and/or facilities within it, to better utilize its as open space.
 - * Acquire open spaces to serve as buffers between developed areas.
 - * Require dedication of open spaces/parks in housing developments, consistent with zoning and subdivision ordinance requirements.

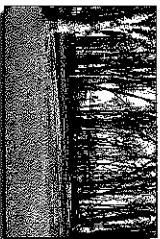
Goal: Seek to provide adequate funds to develop, improve, maintain and operate park and recreation facilities, consistent with city goals, policies and standards.

- * Use a variety of funding sources and tools to acquire land in order to develop park and recreational facilities, including system development charges (SDC), grants, bond measures, private donations and other mechanisms.
- * Consider increasing the SDC methodology and rate to aid in funding the park improvements identified in this plan; incorporate information from this plan related to levels of services and capital improvement used in the update process.
- * Establish adequate on-going funding for regular maintenance and operation of facilities as well as large-scale capital improvements. Options may include dedication of general funds, use of a special district, community partnerships and other means.
- * Establish user fees, where appropriate to recover costs for use of recreational facilities to the greatest extent reasonably possible.

Implementation Priorities

The following priorities should be used to help guide and prioritize use of resources, particularly in the short-term. Other actions also may be identified as priorities, depending on specific opportunity areas, funding sources or other factors.

- * Refine and implement the City's Capital Improvement Plan for existing park, recreation and trail facilities, including identifying specific funding sources and a schedule for making needed improvements.
- * Identify inner-urban growth areas and identify appropriate sites within these areas for acquisition and improvement for park, recreation and/or playing facilities.
- * Develop a short-term implementation plan for acquiring the right-of-way for an easement for the rail corridor trail and establish a schedule and approach for implementation.
- * Identify potential grant programs that may be used to meet specific park, trail or other facility needs and identify an approach and schedule for pursuing the most viable opportunities.



AFTER RECORDING RETURN TO:

SEND TAX STATEMENTS TO:

STATUTORY QUITCLAIM DEED

GRANTOR: MOLALLA SQUARE, LLC, an Oregon limited liability company

GRANTEE: CITY OF MOLALLA

TRUE AND ACTUAL CONSIDERATION: Consideration consists of or includes other value given or promised.

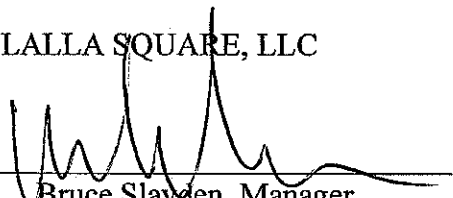
DATE: November th 15, 2013

Grantor releases and quitclaims to Grantee all right, title and interest in and to the following described real property:

SEE EXHIBIT A ATTACHED HERETO.

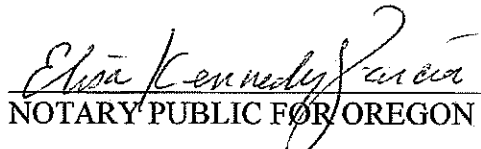
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON

ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

MOLALLA SQUARE, LLC
By 
Bruce Slayden, Manager

STATE OF OREGON)
) ss.
County of Benton)

This instrument was acknowledged before me on November 15th, 2013, by Bruce Slayden, Manager of Molalla Square, LLC.


NOTARY PUBLIC FOR OREGON

O Deed to Molalla 11.15.13.wpd

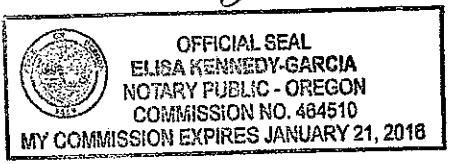


EXHIBIT A

That portion of Parcel 4 of PARTITION PLAT NO. 2000-062, in the City of Molalla, Clackamas County, Oregon, commencing in the northwest corner of said parcel, thence South 8° 54' 54" West a distance of 158.94 feet; thence South 81° 25' 06" East a distance of 110.22 feet; thence North 8° 56' 58" East a distance of 158.99 feet; thence northwest along the southerly margin of State Highway 211 to the TRUE POINT OF BEGINNING.

City of Molalla

City Council Meeting

Agenda Category: Resolution

Subject: Resolution 2013- 18 – A Resolution Adopting Fees for the Molalla Aquatic Center

Recommendation: Adopt Resolution

Date of Meeting to be Presented: December 11, 2013

Fiscal Impact – Revenue increase dependent upon patronage

Rates at the Aquatic Center have not been updated since the pool opened. The added revenue will help offset expenses incurred at the Aquatic Center. On 11/13/13 the Council decided to implement Exhibit A as presented in the packet.

SUBMITTED BY: Sadie Cramer, City Recorder

APPROVED BY: Dan Huff, City Manager

RESOLUTION 2013-18

**A RESOLUTION ADOPTING AN ADMINISTRATIVE FEE SCHEDULE
FOR THE CITY OF MOLALLA**

The City Council of Molalla finds that:

Whereas, the Molalla Municipal Code specifies that the City Council shall establish fees for city services by resolution; and

Whereas, the Oregon Administrative Rules states that fees may be charged to reimburse the public entity of incurred expenses by furnishing administrative services; and

Whereas, the City Hall offices incurs expenses in administrative areas as attached, which costs the City of Molalla to supply these services and have placed a burden on the administrative budget; and

Whereas, on November 13, 2013 at a regular council meeting, the council agreed to implement the fees in the attached "Exhibit A" to be made effective on January 1, 2014 for the Molalla Aquatic Center; and

Whereas, existing administrative services and proposed fees for such services are hereby listed as the attachment to this Resolution; and

Whereas, that for administrative efficiencies, the fees, and fines imposed by the City of Molalla be collectively established.

Now, therefore, based upon the above findings, be it resolved by the City Council of the City of Molalla, the fees listed for City Hall, City of Molalla, are hereby established as listed effective January 1, 2013 passed this 11th day of December 2013.

Mayor Debbie Rogge

ATTEST this 11th December, 2013:

Sadie R. Cramer
City Recorder

Services Price List

432 Frances Street, Molalla, OR 97038, Phone: 509-759-SWIM Web site: www.cityofmolalla.com



Exhibit A - Presented 09/25/13

Age	Service Type	Description	Price Per Hour or Incident	
			In District / Out District	Proposed Price Per Hour/Incident
Infant (0-3 years)	Recreation Swim	Daily Entrance Fee	Free	Free
Child (4-7 years)	Recreation Swim	Daily Entrance Fee	\$1.50 / \$2.00	\$2.00 / \$2.50
Youth (8-16 years)	Recreation Swim	Daily Entrance Fee	\$2.00 / \$2.50	\$2.50 / \$3.00
Student (16+ years)	Recreation Swim/ Lap Swim	Daily Entrance Fee	\$2.25 / \$2.75	\$2.75 / \$3.25
Adult (17-61 years)	Recreation Swim/ Lap Swim	Daily Entrance Fee	\$2.75 / \$3.25	\$3.25 / \$3.75
Senior (62 + years)	Recreation Swim/ Lap Swim	Daily Entrance Fee	\$2.25 / \$2.75	\$2.75 / \$3.25
Student/Senior	Water Fitness	Drop In Fee	\$3.50 / \$3.50	\$4.00 / \$4.50
Adult (17-61 years)	Water Fitness	Drop In Fee	\$4.00 / \$4.00	\$4.50 / \$5.00
Adult (17-61 years)	Water Fitness	10 Punch Pass	\$35.00 / \$35.00	\$42.50 / \$47.50
Senior (62 + years)	Water Fitness	10 Punch Pass	\$32.00 / \$32.00	\$37.50 / \$42.50
Adult (17-61 years)	Water Fitness	20 Punch Pass	\$73.00 / \$73.00	\$82.00 / \$92.00
Senior (62 + years)	Water Fitness	20 Punch Pass	\$64.00 / \$64.00	\$72.00 / \$82.00
Adult (17-61 years)	Six Month Pass	Consecutive Pass; has expiration date	\$120.00 / \$140.00	\$150.00 / \$175.00
Senior (62 + years)	Six Month Pass	Consecutive Pass; has expiration date	\$95.00 / \$120.00	\$120.00 / \$150.00
Family	Six Month Pass	Consecutive Pass; has expiration date	\$300.00 / \$350.00	\$375.00 / \$437.50
Adult (17-61 years)	Twelve Month Pass	Consecutive Pass; has expiration date	\$210.00 / \$250.00	\$262.50 / \$312.50
Senior (62 + years)	Twelve Month Pass	Consecutive Pass; has expiration date	\$165.00 / \$200.00	\$206.25 / \$250.00
Family	Twelve Month Pass	Consecutive Pass; has expiration date	\$525.00 / \$625.00	\$656.25 / \$781.25
Child (4-7 years)	Punch Pass	30 Punch Pass	\$39.00 / \$52.00	\$46.75 / \$65.00
Youth (8-16 years)	Punch Pass	30 Punch Pass	\$52.00 / \$65.00	\$65.00 / \$81.25
Adult (17-61 years)	Punch Pass	30 Punch Pass	\$71.50 / \$84.50	\$90.00 / \$105.00
Senior (62 + years)	Punch Pass	30 Punch Pass	\$58.50 / \$71.50	\$73.00 / \$90.00
Student	Punch Pass	30 Punch Pass	\$58.50 / \$71.50	\$73.00 / \$90.00
All Ages	Shower	One Time Fee	\$2.00 / \$2.00	\$2.50 / \$2.50
All Ages	Learn-to-Swim Program	(8) 30 minute lessons; group lesson	\$38.00 / \$50.00	\$38.00 / \$50.00
All Ages	Private Lessons	(1) 30 minute lesson; drop in basis	\$10.00 / \$15.00	\$15.00 / \$20.00
All Ages	Private Lessons	(8) 30 minute one on one lessons	\$64.00 / \$76.00	\$75.00 / \$87.00
All Ages	Semi Private Lesson	(8) 30 minute lessons (2 children)	\$105.00 / \$128.00	\$125.00 / \$148.00
All Ages	Small Group Lesson	(8) 30 minute lessons (3 children)	\$157.50 / \$192.00	\$187.50 / \$222.00
15 years +	Lifeguard Course	American Red Cross	\$200.00 / \$250.00	\$200.00 / \$250.00
16 years +	Water Safety Instructor Course	American Red Cross	\$250.00 / \$300.00	\$250.00 / \$300.00
All Ages	Rental	Private Pool Rental; Minimum 2 hours	\$60.00 / \$60.00	\$75.00 / \$75.00
All Ages	Party	Basic Party	\$20.00 / \$20.00	\$25.00 / \$25.00
All Ages	Party	Little Otter Party	\$90.00 / \$90.00	\$112.50 / \$112.50
All Ages	Party	Big Otter Party	\$120.00 / \$120.00	\$150.00 / \$150.00
**Incidental	Any Debt/Credit under \$5.00 will incur	an additional \$0.50 charge	Effective with new fees	

City of Molalla

City Council Meeting

Agenda Category: Resolution

Subject: Resolution 2013- 19: A Resolution Adopting City of Molalla Personnel Policy

Recommendation: Adopt Resolution

Date of Meeting to be presented: December 11, 2013

Fiscal Impact: None

The proposed City of Molalla Personnel Policy has been reviewed by Staff and the Legal Department at City County Insurance (at no cost) to confirm that all policies meet current Federal and State requirements. Minor language changes were made throughout the document and the major changes from the prior Personnel Policy are as follows:

1. Family and Medical Leave Guide has been rewritten by our CIS attorney. The changes meet all Federal and State guidelines.
2. Sick time accrual is being changed from 1056 hours (132 days), to 528 hours (66 days). This is consistent with neighboring cities.

SUBMITTED BY: City Manager; City Recorder and Administrative/HR Assistant
APPROVED BY: Dan Huff, City Manager

RESOLUTION 2013-19
CITY OF MOLALLA

A RESOLUTION ADOPTING CITY OF MOLALLA PERSONNEL POLICY

The City Council of the City of Molalla, Oregon, on the 11th day of December, 2013 sat in regular session for the transaction of City business.

WHEREAS: The City of Molalla Personnel Policy Manual has not been updated since 2009 and many Federal and State requirements have changed to date; and

WHEREAS: The City of Molalla, in conjunction with CIS (City County Insurance) have prepared the Personnel Policy to meet Federal and State requirements; and

WHEREAS: Adopting this policy enables the City of Molalla to be in compliance with Federal and State mandates and exercise risk management best practices effective January 1, 2014;

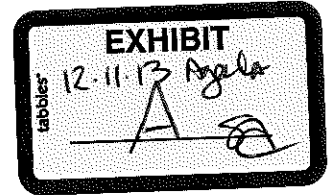
NOW, THEREFORE, THE CITY OF MOLALLA RESOLVES to approve the City of Molalla Personnel Policy as attached noted as "Exhibit A" this 11th day of December 2013 to be effective on January 1, 2014.

ATTEST:

City of Molalla, Oregon

By: _____
Sadie Cramer, City Recorder

By: _____
Debbie Rogge, Mayor



City of Molalla

**Personnel Policy
Manual**

Revised & Adopted Personnel Policy

Adopted by the Molalla City Council on _____

Mayor Debbie Rogge

City Manager Dan Huff

City Recorder Sadie Cramer

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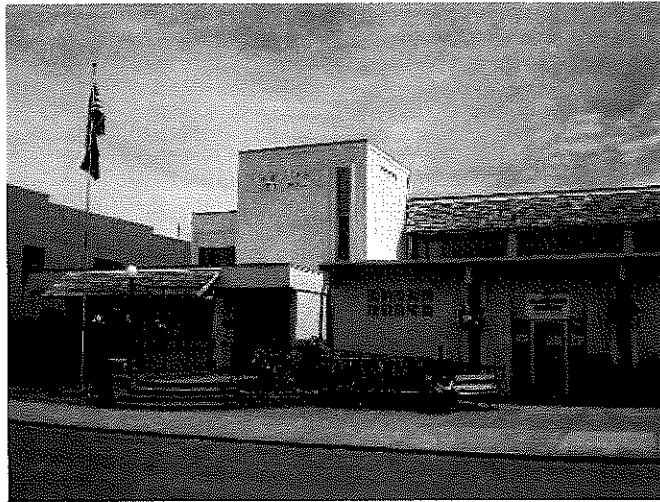
WELCOME TO THE CITY OF MOLALLA!

Welcome to The City of Molalla – we're glad to have you on our talented team! This manual has been prepared to give you a basic understanding of the City of Molalla's policies, procedures, practices and expectations. Please familiarize yourself with its contents, and keep it handy for reference.

The City of Molalla supports an open door policy and encourages you to ask questions if there are policies or procedures you don't understand or if you have suggestions about how to make the City of Molalla a better place for its employees.

We wish you success in your new position and trust that you will make a positive contribution in achieving our mission as a City.

Dan Huff
City Manager



Our Mission

The City of Molalla strives to deliver cost-effective, quality municipal services, protect public health and safety, encourage public involvement in civic affairs, promote a diversified economy and community livability, safeguard the environment and provide family-oriented recreational opportunities.

ABOUT THIS MANUAL

This Employee Manual explains the City of Molalla's employment provisions and expectations. It applies to all employees.

Union Labor Agreements:

The policies and procedures in this Manual are not intended to contradict any provision of a current labor agreement. In the event of a conflict between the provisions of this Manual and the provisions of an in-force collective bargaining agreement, the provisions of the bargaining agreement will prevail.

This Manual contains general information and guidelines. It is not intended to address all the possible applications of, or exceptions to, general policies, procedures or a collective bargaining agreement. City policies are based on the expectation that City employees will exercise common sense, good judgment, courtesy and consideration for the rights of others in dealing with citizens and fellow employees. If you have any questions concerning eligibility for a particular benefit, or how a policy or practice applies to you, please ask your immediate supervisor. If for some reason you do not feel comfortable asking your immediate supervisor, you are welcome to address the issue with the Human Resource Coordinator or the City Manager.

This Manual sets the standards of performance and conduct for all employees of the City of Molalla. Responsibility for administration of all human resources policies has been delegated to the City Manager. The City Manager may delegate authority to another position as appropriate.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. Employees will be informed of changes that may affect them, and will be provided replacement pages so you can keep your Manual current. This Manual is not intended to confer any property right in continued employment, to constitute a contract, or to contradict any binding past practice under any collective bargaining agreement.

These personnel rules apply to all City employees, but do not apply except as noted to elected officials.

EMPLOYMENT POLICIES

EQUAL EMPLOYMENT OPPORTUNITY

The City of Molalla is an equal opportunity employer and considers individuals for employment according to their abilities, experience and qualifications. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, or any other classification protected by federal or Oregon law. All employment requirements mandated by state and federal regulations will be observed.

The City of Molalla employs affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and the work environment. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff, and recall, termination, and dispute resolution.

In keeping with our philosophy and federal and state law, our advertising and recruiting materials will contain the following statement to encourage qualified applicants to apply: "Equal Opportunity Employer." Our policy as an equal opportunity employer is to employ those legally entitled to work in the United States without regard to citizenship, ethnic background, or place of national origin. However, in conformity with the Immigration Reform and Control Act of 1986 (IRCA), our policy is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.

All employees in the City of Molalla are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to their supervisor immediately. If you believe you have been harassed, or if you witness or suspect any violation of this policy, you should report the matter immediately to your supervisor. If your complaint is regarding your supervisor, then speak with another supervisor or the City Manager. We will not retaliate against you for filing a complaint or cooperating in an investigation, and we will not tolerate or permit retaliation by management or co-workers.

Employment Classifications

Employee status is categorized to make distinctions in benefits and other employment conditions. Employees may be considered as introductory/probationary, full-time, permanent-intermittent, part-time, and temporary. The following definitions apply:

Introductory/probationary Status: Newly hired employees normally earn, but cannot use, benefits. Every new employee shall serve a probationary period of twelve consecutive full months during which the employee must work a minimum of two hundred days. In the event that the employee does not work two hundred days during the twelve-month

period, the probationary period will be extended until the employee completes the two hundred day requirement. Probationary employees are eligible for full employee fringe benefits; however, vacation leave only becomes vested after successful completion of six consecutive months. New employees are not guaranteed two hundred days or one year of employment; both the employee and the City may terminate the employment relationship during the introductory/probationary period for any unlawful or no reason.

Regular Full-time: An employee who has successfully passed the probationary period and is regularly scheduled to work 40 hours or more per week. Such employees are eligible for full employee fringe benefits.

Permanent-Intermittent: An employee who is regularly scheduled to work at least 120 hours per month but less than 40 hours per week. Classification normally is eligible for benefits, though they may be on pro-rata basis.

Part time: An employee who is hired to fill a part time position and normally works less than 120 hours per month. Such employees are paid only for the actual hours worked and are not eligible for any fringe benefits of employment.

Temporary: An employee who is hired for a specified period of time to fill a budgeted or non-budgeted position not to exceed six months, but which will normally not exceed four months. If a temporary employee applies for and is hired to fill a budgeted permanent or permanent-intermittent position, his/her position is in the same class. However, benefits eligibility and accrual shall begin on the date of initial appointment into the permanent or permanent-intermittent position. This classification is not eligible for benefits.

Employees are further classified according to federal and state wage and hour laws as exempt or non-exempt. The City Manager will determine the appropriate designation regarding the status for each position. If you are uncertain as to your status, ask your supervisor/manager. If you have questions regarding the classification of your position as exempt or non-exempt, or feel that it has not been properly classified, please discuss the matter with the City Manager.

Drug Testing

Depending upon your job requirements, you may be required to submit to testing on a random or unannounced basis to determine the presence of, use of, or involvement with drugs or alcohol. This may include testing by random selection, testing of an entire

department or work unit, or testing of specific identified categories of employees as a group.

New hires may be subject to a drug/alcohol test prior to beginning employment in accordance with applicable law.

HARASSMENT

Purpose

It is the policy of the City of Molalla that all employees have the right to work in an environment free of all forms of harassment. Conduct that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment is prohibited. Individuals covered under the policy include City employees, applicants for employment, elected officials, volunteers, and other non-employees who conduct business with the City.

The City of Molalla considers harassment and discrimination of others a form of serious employee misconduct, and shall take such steps as necessary to prevent such behavior and to remedy all reported instances of harassment and discrimination. A violation of this policy can lead to discipline up to and including termination.

The City strives to maintain a working environment free from all forms of harassment, whether based upon race, color, religion, ancestry, national origin, gender, age, marital or veteran status, physical or mental disability, sexual orientation, on-the-job injury, or any other legally protected characteristic or status.

Behavior such as telling/e-mailing or by other communications ethnic jokes; making religious slurs; using offensive slang or other derogatory terms regarding a person's race, age, sex, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct that are subject to corrective action. Retaliating against or harassing individuals by making derogatory comments regarding protected status or characteristics, and any other words or conduct that might create a hostile or offensive working atmosphere are prohibited.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Conduct such as sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, emails or photographs; whistling; staring; inappropriate touching; and hugging or kissing is strictly prohibited.

Conduct is considered to be sexual harassment if:

- Submission to the conduct is in any way deemed to be a term or condition of employment;

- Submission to or rejection of the conduct is used as a basis for employment-related decisions; and/or,
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Each supervisor is responsible for maintaining a workplace free of any form of sexual harassment. No supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Sexual harassment in the workplace, whether by managers/supervisors, non-managerial employees, or outside individuals (vendors, citizens, etc.) is also prohibited.

This policy covers conduct in the workplace, at social functions sponsored by the City of Molalla (holiday dinners or picnics, etc.), and at business functions (conferences, meetings and/or other related activities).

Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations (see "Dispute Resolution" policy below). As an employee of the City of Molalla you have the responsibility to immediately report any actions or words by a supervisor, co-worker, vendor, or other individual that you believe to be unwelcome harassment, regardless of whether you are the subject of the harassment. You should report the incident immediately to your manager/supervisor. You may report the incident to the next level of management or to the City Manager if the complaint involves your direct supervisor or manager, or if you have any reason to believe your direct supervisor or manager is not the appropriate person to alert. The City of Molalla prohibits retaliation in any way against any employee because the employee has made a good-faith complaint pursuant to this policy, has reported harassing or discriminatory conduct directed at others, or has participated in an investigation of such conduct. 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.

All complaints of harassment will be investigated promptly and impartially. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while effectively completing the investigation. If you are not satisfied with the handling of a complaint or the action taken by management, you should bring the complaint to the next level of authority or the City Manager. In all cases, you will be advised of the findings and conclusion.

Any employee or manager who is found, after appropriate investigation, to have engaged in harassment of another employee or to have retaliated against an employee for reporting harassment will be subject to appropriate corrective action, depending on the circumstances, up to and including termination.

DISPUTE RESOLUTION

The City of Molalla is committed to maintaining a work environment free from harassment, discrimination and violence. A dispute resolution procedure has been developed to provide for immediate reporting of incidents involving unlawful actions. You are also encouraged to use this procedure to resolve any other workplace issues or problems that cannot be resolved by first going directly to the person you have the problem with, or through an informal discussion with your supervisor. The City of Molalla has established this dispute resolution procedure to solve problems as quickly, fairly, and thoroughly as possible. This procedure is a method for impartially hearing the complaint, and is intended to resolve problems and provide a fair and objective review. All issues will be handled without prejudice or retaliation.

Resolution Dispute

The City of Molalla is committed to prompt and fair resolution of all disputes of any nature which may arise in the workplace. This governs all aspects of employment dispute resolution, including all legal claims that the employee may have against the company, up to and including discharge, and any claims of discrimination based upon race, color, sex, disability, religion, national origin, age or any other protected attribute, or any claims arising under federal, state or local law. This dispute resolution procedure is a condition of employment with the City of Molalla.

1. Employees should promptly discuss any problems or concerns that are related to their work in any way with their immediate supervisor or City Manager.
2. Whenever issues are raised, both the company and the employee will undertake make a good faith effort to resolve the matter by openly discussing the matter and attempting to reach a resolution. If resolution is not achieved, the issue may be referred to the City Manager who will conduct such investigation as he/she deems appropriate and meet with the employee in a sincere effort to discuss, analyze and resolve the matter. If a mutual resolution is not reached, the City Manager may issue a determination on the issue which shall be final unless the employees invokes mediation under this procedure.
3. If the employee is dissatisfied with the City Manager's decision and the claim involves a material aspect of the employment or an allegation of violation of any law, the employee can request that the matter be submitted to mediation. The parties shall jointly designate a mediator, or if the parties cannot agree, the employer can request that a mediator be designated from any one of three or more certified mediation organizations located in the metropolitan area that the employee designates. The cost of the mediation shall be borne equally by the employee and the City of Molalla, unless the parties agree otherwise. The City of Molalla and the employee are obligated to make a good faith effort to resolve the issue through mediation.

4. If the matter is not resolved in mediation, either party may request that the matter be referred to arbitration by making a written request of the other party within sixty days of the conclusion of mediation. The decision of the arbitrator will be final and binding upon both parties. Judgment upon the arbitration award may be entered by any court having jurisdiction. The cost of the arbitration will be borne equally by the parties, unless otherwise directed by the arbitrator in the award.

EMPLOYMENT

Former employees, relatives or partners of current employees will be considered for employment in the same manner as other applicants. The City shall not place a spouse, partner or immediate family member under the direct supervision of his/her spouse, partner or family member.

Employees may from time to time be transferred or assigned to perform work outside of their regular job classification, schedule, shift, or department. Depending upon job requirements, transferred employees may be subject to a wage adjustment.

The City of Molalla does not take adverse employment action against employees who choose not to attend the City of Molalla's sponsored meetings where The City of Molalla "position" regarding religious or political matters, will be presented.

Prior Service Credit

Employees who are rehired by the City of Molalla will receive credit for prior time worked as follows:

- Employees who were terminated because of a reduction in workforce may receive credit for prior time worked for the purposes of benefit eligibility if they are re-employed within {one year} after the termination date.
- Rehired employees may be subject to a six-month probationary period.

EMPLOYMENT RECORD KEEPING

Access to Personnel Files

The City of Molalla maintains a personnel record for each employee, and access to those records is restricted to authorized persons only. The records contain applications, written evaluations, and performance counseling notices, correspondence, and other information required by law. Authorized persons are the City Manager and/or his/her specified designee(s).

Your personnel file is available for review by making advance arrangements with the City Manager. Copies of personnel records or files will be provided to an employee

upon request as required by law. An employee may be asked to reimburse the City for the reasonable cost of providing copies.

Employees also may review their medical records, which are kept in a separate locked file. All medical information is confidential. The City of Molalla complies with the Health Insurance Portability Administration Act (HIPAA) when allowing access to employee medical records. All requests must be made in writing and signed and dated by the employee wishing to review his or her medical file.

Change in Personal Data

Keeping your personnel records current can be important to you with regard to pay, payroll deductions, benefits, and other matters. If you have changes in any of the following items of information, it is your responsibility to notify the Finance Director.

- Name
- Marital status (including domestic partnerships under Oregon law)
- Address
- Telephone number
- Dependents
- Person to be notified in case of emergency
- Job related physical or other limitations that impact employment
- Changes in status of driver's license or CDL if required to drive for the City of Molalla
- Changes in job related professional licenses
- Other information having a bearing on your employment

All changes in personal information must be made in writing and signed/dated by the employee who the changes affect.

EMPLOYMENT RELATIONS AND CONDUCT

ETHICS

Employees are required to maintain a cooperative working relationship with staff, representatives from other organizations and citizens. Employees must follow all general and departmental safe work rules and policies.

Conflict of Interest

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, citizen, or any individual or organization doing or seeking business with the City of Molalla. This means you may not: (1) accept favors or gifts from individuals or organizations doing or seeking business with the City of Molalla; (2) maintain or engage in any outside business or financial interest that conflicts with the interests of the City of Molalla; or (3) accept a job or maintain or engage in any outside business that interferes with your ability to perform your job responsibilities. (See also "Outside Employment," below.)

For example, if an employee's job responsibilities include purchasing, or if the employee is in a position to influence purchasing, the employee should have no proprietary or financial interest in any business that furnishes (directly or indirectly) products, materials, or services to the City of Molalla or in any related transaction. Nor may the employee benefit directly or indirectly from a third party who furnishes products, materials, or services to the City of Molalla. This example is illustrative, and is not meant to cover every possible situation that would create an ethical conflict for a City of Molalla employee.

Misrepresentation

As a public employee, your position is a public trust. You should be aware that you represent the City of Molalla in your work interactions. You should handle yourself in a professional manner and consider how you communicate with the public and other employees. You should take care not to misrepresent the City of Molalla's policies, practices, procedures, or misrepresent your status and authority to enter into agreements on behalf of the City of Molalla. Refer to the Oregon Ethics Commission standards for conduct of "public officials" and employees of public entities, ORS Chapter 244, which is included in the appendix of this Manual. Employees have no authority to enter into any verbal or written contracts without approval of the City Manager.

Gifts, Prizes and Promotional Items

No employee shall accept any gift, service or favor, which would lead toward favoritism or the appearance of favoritism in any way. Accepting gratuities and/or gifts, as defined in ORS 657.092 (2) (b) or ORS 244.020 (8), is a violation of this policy (and possibly Oregon law) and such action may subject the employee to disciplinary action and/or termination.

Employees may keep prizes and awards offered to attendees of conferences, seminars, or professional gatherings as a result of attendance or for winning a contest or game.

Promotional items, such as pens, pencils, notebooks, notepads, cloth or canvas bags, snack foods, etc., that are offered to all attendees, or that are meant to be used during the course of the event are excluded from this rule.

Outside Employment

While employed at the City of Molalla you may not engage in outside employment that conflicts with the nature of the City's mission, conducts business with the City of Molalla, or otherwise interferes with your ability to perform your assigned duties, or perform according to City of Molalla standards of performance and work rules (including the policies in this Personnel Policy Manual). You also may not conduct business connected to outside employment during hours you are scheduled to work at the City of Molalla.

Off Duty Conduct

Generally, off-duty activities of employees are considered to be their own personal matter. However, certain types of off-duty activities may reflect negatively on the City of Molalla's reputation, or can affect the ability of the employee or his or her co-workers to work. Therefore, employees who engage in or are associated with illegal or otherwise harmful conduct that adversely affects the City of Molalla or their own ability or credibility to carry out employment responsibilities, or who violate any City of Molalla policies or rules, may be subject to disciplinary action, up to and including termination.

Bulletin Boards

City bulletin boards are used to post official information, notices, safety committee minutes and information, health promotion program news and other City or local health related events as well as information required by law. They are also used to announce activities and other items of interest to employees. Please check the bulletin board regularly to obtain information that may be important to you. Bulletin boards are to be used only for posting or distributing notices or announcements of a business nature that apply equally and are of interest to all employees, or are directly concerned with City of Molalla business.

Political Activity

City employees shall not hold a political office within the City government. Employees shall not use their official authority or influence to further the cause of any political cause or candidate. Furthermore, political activities of employees while on the job shall be restricted according to Oregon law.

Nothing in this section shall affect an employee's right to hold membership in and support a political cause or candidate, express their opinion on political subjects and candidates, and/or maintain neutrality. For more information, please contact the Oregon Government Ethics Commission or the Oregon Secretary of State, Elections Division.

TRAINING, TRAVEL AND EXPENSE POLICY

The City recognizes the benefit of allowing employees to participate in professional conferences, seminars, training, and meetings that will enhance the employee's performance and value to the City. City officials and employees should exercise good judgment, regard for economy, and recognition of proper use of public monies when selecting training, meetings, courses, conferences, etc. in connection with City business.

Also, this policy establishes guidelines regarding travel for the conduct of official City business and for the payment of, or reimbursement of, expenses incurred while performing such travel. All employees are expected to follow the guidelines outlined in this policy.

This policy is applicable to all City employees. Departments may apply additional requirements so long as they are equal to or more restrictive than these standards. Where this policy conflicts with a collective bargaining agreement, the collective bargaining agreement shall be the operative policy.

Policy Statement

Requests for training and travel shall be submitted in writing to the City Manager and be approved in advance by the City Manager. Training and travel expenses must have a public purpose and serve the public interest. Persons traveling on City business are expected to be prudent and only incur costs they normally would incur if traveling on their own expense. Travel expenses solely for the benefit of an individual are not allowable. The City will not pay travel costs for persons not employed by the City unless the person 1) incurs the cost as a member of the City Council or a committee, or 2) has traveled at the specific request of the City, or 3) is serving as a volunteer to a City program, and has received approval from the City Manager for payment, or 4) is providing services under a contract requiring such payment, or 5) is approved by the City Manager.

Training and Education

The term "training" as used in this policy is intended to include conferences, seminars, workshops, one day/multi-day courses at an educational facility/on-line, or other professional development programs of a similar nature.

The term "college courses" is used to describe coursework taken through or on-line from an accredited college, university, and/or business or technical school. The Training and Education policy is intended to apply only to programs that:

1. Enhance the employee's job performance
2. Serve as a beneficial retention tool in keeping high quality employees
3. Are required for certification or licensing
4. Appropriate for career development plans

Applicable collective bargaining agreements must be consulted for language specific to training and/or educational reimbursement policies. The City retains the right to determine the mode of transportation most appropriate to the type of travel involved.

Training

Supervisors should discuss training and/or professional development work goals with the employee in their regular performance evaluation session and they should be specifically detailed in their written evaluations.

Subject to approval of the City Manager, the City will pay for all registration fees for mandatory and continued education training programs. Travel time will be handled according to applicable collective bargaining agreements and/or City policy, state or federal law, as appropriate.

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

The department director may authorize the payment of expenses for voluntary training as they deem appropriate, providing the training is beneficial to the department and/or City operations.

All arrangements for training will be made in the most cost and time efficient manner as possible. Only expenses for the employee will be paid for.

Education

Mandatory education courses, which are job-related, shall have tuition, books and hours attended reimbursed by the City. Educational courses that are optional, but are job related, will have only tuition, books, and related materials (to be retained by the City) may be reimbursed by the City.

The City does not intend to pay employees to obtain college degrees. Rather, it will reimburse for individual college courses only. The course must be related to the current job that the employee holds a personal training plan or a career development plan approved by the department director and City Manager.

Non-mandatory college courses that are not job related shall have none of the above reimbursed for by the City.

In those instances where the City reimburses for some or all of the expenses, employees must document satisfactory completion of the course. To be eligible for reimbursement of non-mandatory college courses that are job related as described above, employees must receive a grade of "C" or better, or "Passing" for the course and provide written evidence of that to their supervisor. If the employee does not receive a passing grade for the course, they will not be reimbursed.

Travel and Expense

The City of Molalla will only pay or reimburse travel, meal and other expenses that are deemed non-taxable by the IRS. The paid and reimbursement amounts will be determined by IRS guidelines when applicable.

Allowances

1. Transportation

- a. Employees using their personal vehicles for City business will be reimbursed at the current IRS-approved rate upon submittal of mileage.
- b. In addition to the standard mileage rate, as allowed by the IRS, parking fees and bridge tolls are also reimbursable if receipts are submitted.
- c. All travel reimbursement will be based on the cost of the most reasonable and economical form of available transportation. Receipts or ticket stubs must be attached to the travel expense form. The unused portion of any ticket/stub must be returned to the Finance Department.

The City retains the right to determine the mode of transportation most appropriate to the type of travel involved and travel time will be handled according to applicable collective bargaining agreements and/or city policy, state, federal law, as appropriate.

To obtain reimbursement for expenses incurred the employee or volunteer needs to fill out a reimbursement form that can be obtained at the Finance Director's Office at City Hall. The form must be completed, signed and applicable receipts/explanations for reimbursement must be submitted with the reimbursement form.

2. Lodging

The most economical lodging should be arranged at or near the meeting, conference or training site when possible. Employees must exercise good judgment when selecting appropriate lodging for a meeting, training or conference, and must consult with their supervisor before reserving and paying for a hotel room that is not at the conference site and/or not the most economical choice in the area of a training or conference

3. Meals

Meal costs may vary based on location, state tax and program; however the City limits are:

- a. When the employee is traveling for City business, a minimal meal allowance of \$10.00 for breakfast, \$15.00 for lunch, \$20.00 for dinner and \$5.00 for incidentals can be provided to the employee, receipts are required for the meals purchased with this allowance. No per diem reimbursements will be given without receipts to verify purchases.
- b. A 15% gratuity is acceptable and is included in the limit.
- c. Unallowable expenses that the City does not reimburse for:
 1. Traffic fines and parking tickets
 2. Towing or impounding fees
 3. Traffic violations
 4. Alcoholic beverages
 5. Personal entertainment
 6. Tobacco
 7. Personal telephone calls except phone calls home to inform of safe arrival, changes of return arrival or a medical/family related emergency
 8. Extravagant costs of any kind
 9. Any expenses for family members or other non-city employees who accompany the employee on a trip is not reimbursable

CONFIDENTIALITY

The City of Molalla recognizes employees' rights to privacy and adheres to these basic principles:

1. The collection of employee information will be limited to information that the City requires for business and legal purposes.
2. Personal information and information in personnel records will not be disclosed except as permitted or required by law or as authorized by the employee. Verifications of employment dates may be provided without written approval. Note: This may limit the City's ability to provide job references or performance evaluations, unless the employee provides written consent to discuss his or her personnel records.
3. Internal access to employee records will be limited to those employees having an authorized need-to-know.
4. You are permitted to see the personal information maintained about you in City records, and you may submit written comments in disagreement with any

material contained in your personnel records. In some instances, employees may be able to correct inaccurate factual information contained in their personnel files, but not when the information relates to an employee's disagreement with facts or events.

5. All employees involved in record keeping are required to follow these policies and practices. Violations of this policy will result in corrective action, up to and including termination.
6. Medical records are kept in a separate file and are only accessible by the employee, an employee representative with written consent and the City Manager or designee.

WORKPLACE RULES

Workplace policies and procedures are essential for orderly and efficient operation and for the protection and fair treatment of all employees. Courtesy and common sense should always prevail. The following work rules are not all-inclusive, but illustrate work behaviors considered important to the City of Molalla

General Rules

1. All employees shall maintain a positive and cooperative working relationship with co-workers, other staff, citizens and any others who do business with the City of Molalla.
2. Employees shall work and complete assignments that meet job standards established by their respective supervisors or that of the City Manager.
3. Employees shall not neglect their job duties or responsibilities, nor refuse any assigned work that is within or related to their job responsibilities.
4. Employees must fulfill their responsibilities to the City of Molalla. No willful action, which detracts from the quality or quantity of work, service, safety and health or public image will be acceptable.
5. An employee must be available for work as scheduled. Normally, the schedule will not be changed except in case of emergency or unusual circumstances.
6. Employees are expected to be at their work places at their scheduled starting time and comply with scheduled times for break and meal periods. Employees will not leave their scheduled workday early unless authorized by their supervisor.
7. Employees shall not gather on work premises to conduct personal business during their working time.
8. Employees shall be responsible for the proper maintenance and operation of all City vehicles, tools and other property that has been placed in their custody.
9. Employees must immediately report all work-related injuries, accidents, or illnesses to their supervisor, Human Resource Coordinator or City Manager.
10. Employees must display respectful and tolerant behavior of co-workers, citizens, and members of the public.

Examples of Offenses That May Result in Discipline and/or Termination of Employment

1. Bringing firearms or weapons of any kind, intoxicating beverages, drugs or chemicals not medically required onto the premises.
2. Use of alcohol or drugs or being under the influence of alcohol or drugs, or intoxicants of any type, or any criminal activity involving alcohol or drugs while at work. (Any employees on prescription or over-the-counter medication, that may affect performance, are required to notify their supervisor **prior** to beginning the work shift.)
3. Falsifying forms, reports, or records, including timecards.
4. Falsely stating or making claims of injury or illness.
5. Leaving work before the end of the shift without authorization of the supervisor.
6. Unauthorized removal or use of any City property, equipment, products, records or other materials, or property belonging to another employee or the City of Molalla.
7. Striking out or hitting another employee, regardless of the reason or provoking another employee into striking or threatening another employee.
8. Destroying City property, tools, or equipment without authorization from the City Manager.
9. Recording time on another employee's time records.
10. Insubordination and/or refusing to follow your supervisor's or any supervisor's directions or instructions.
11. Violating safety or health rules or practices, or engaging in conduct that creates a safety or health hazard.
12. Physical or verbal abuse of a citizen, vendor, other employee, or any other individual.
13. Engaging in any form of harassment, including sexual harassment, with another employee, a member of the public, or visitor.
14. Falsely accusing a co-worker or supervisor of discrimination or harassment.
15. Sleeping while on duty.

16. Playing games on computers.
17. Violating any of the General Rules, listed above, or any of the policies described in this Personnel Policy Manual.

Employees are urged to use reasonable judgment and to seek supervisory advice in doubtful or unclear situations. It is the City's policy to resolve conduct and performance problems in the most informal and positive manner possible. However, violations of workplace rules will result in corrective action, up to and including termination.

Consensual Relationship Policy

1. Introduction and Purpose of Policy

A. For purposes of this policy, a consensual relationship is a mutually acceptable intimate, romantic and/or sexual relationship between a City of Molalla employee with supervisory, or advisory authority and an employee who is supervised or advised by that employee.

B. The City of Molalla prohibits employees from exercising authority or professional influence or acting in a supervisory capacity over another employee of with whom one has a consensual relationship. Examples of authority, influence or power include but are not limited to the following:

- Supervising in any capacity;
- Influencing employment in any City of Molalla activity;
- Evaluating the work performance of a staff member, determining salary, making employment decision or professional opportunity decisions;
- Serving on personnel committees or influencing promotion or award to staff.

Consensual relationships that may be appropriate in other circumstances raise serious ethical and potentially legal concerns when they occur between individuals with a power differential. Power differentials, real or perceived, can diminish an employee's ability to consent to such a relationship. They have the potential for conflict of interest, favoritism and bias, and they undermine the real or perceived integrity of the supervision or evaluation provided. They may injure others in the work environment providing grounds for complaints by third parties. It is for these reasons that disclosure of such consensual relations is mandatory.

2. Prohibited consensual relations between employees and related requirements

A. This policy prohibits staff members from exercising supervisory responsibility with respect to another staff member with whom they are involved in a consensual relationship. A staff member who enters into a consensual relationship with a coworker over whom he or she has authority, professional influence or actual or

perceived power is required to promptly disclose the relationship to his or her supervisor. The supervisor must immediately report the disclosed relationship to the City Manager or the Human Resources Coordinator.

B. It is the obligation of the supervisor, in combination with appropriate administrative personnel, to take reasonable and necessary steps to ensure that the work environment among coworkers of employees having a consensual relationship is not materially affected by the subject consensual relationship.

3. Discretionary Action by the City of Molalla Because individual cases may vary, the City of Molalla has discretion to consider relevant circumstances – including, without limitation, the nature of the relationship, the specifics of the employees' duties, the management and supervisory relationship between two employees having a consensual relationship – in deciding how best to address a consensual relationship, as defined by this policy. For example, the City may institute alternative supervision processes, the recusal of the employee from matters involving an employee, changes in an employee's duties or employee reassignment. When alternatives do not exist, the employees involved in a consensual relationship may be informed that one of them will be required to resign.

4. Consequences for failing to disclose a consensual relationship Employees who are engaged in an intimate, romantic and/or sexual relationship with a fellow employee and are unsure whether disclosure is required under this agreement are required to disclose the relationship. Employees who fail to disclose consensual relations or who otherwise violate this policy are subject to disciplinary action up to and including termination of employment.

5. Protection offered to parties who disclose

A. Disclosures of consensual relationships are treated as highly sensitive information and special attention is given to the issue of privacy for all individuals. Information is divulged only on a need-to-know basis.

B. It is a violation of this policy to retaliate against any individual who seek advice or action concerning this policy or to retaliate in any manner against individuals who assist in investigations under this policy. Persons who engage in retaliation are subject to disciplinary action up to and including termination of employment.

6. Nonconsensual Relationships If a consensual relationship becomes nonconsensual, unwelcome romantic or sexual conduct by either party to the relationship, if reported, may be regarded as sexual harassment under the City of Molalla's sexual harassment policy.

SOCIAL NETWORKING

Non-Work Related Social Networking/Social Media Use

This policy is to guard against employee use of social media and social networking sites outside of work or during non-work hours that is adverse to the City's operations,

creates or gives the appearance of a conflict of interest, negatively affects or impacts an employee's work or ability to work for the City, or is in violation of applicable law, this policy or any other City policy.

The City respects the First Amendment right of employees to use the Internet as a medium of self-expression. However, employees should be aware that internet postings have the potential to reach a worldwide audience.

Employees must exercise proper respect and good judgment in their use of social networking sites. Social networking postings involving offensive derogatory, sexually explicit, harassing or bullying behavior, or which otherwise violates any City policy, are prohibited.

Employees are reminded that if they make any social networking postings that affiliate the employee with the City, readers may view the employee as a representative or spokesperson of the City. In light of this possibility, unless specifically authorized in writing or via email by an employee's Department Head or the City Manager:

1. Employees may not express opinions or personal views that could be misconstrued as being those of the City.
2. Employees may not identify themselves as representing the City or its views.
3. Employees may not speak on behalf of the City.
4. Social networking postings may not reference or refer to City employees, business partners, or disclose or discuss any other City business that is not a matter of public concern or otherwise protected by applicable law.

If the City determines that an employee's use of social networking is adverse to the City's operations, creates or gives the appearance of a conflict of interest, negatively affects or impacts an employee's work or ability to work for the City, or is in violation of this policy or any other City policy, the City reserves the right to take any disciplinary or corrective action the City deems to be appropriate, up to and including termination of employment.

In implementing this social networking policy, the City will respect employees First Amendment rights and any other right under applicable law.

Social Media Use in Connection with Work

This policy establishes guidelines for the use of social media sites by City employees in connection with their work duties.

on and for the protection and fair treatment of all employees. Courtesy and common b site (www.cityofmolalla.com) on which City-sponsored photographs and videos may be posted; and the City of Molalla's Facebook page. Additional social media sites may be approved for City use in the future, and will be announced. The City reserves the right to terminate any City social media site at any time without notice.

General Principles and Rules

All City social media sites will adhere to applicable federal, state, local regulations and policies. Furthermore, all City social media sites will comply with usage rules and regulations required by the site provider/vendor, including privacy policies.

1. All City of Molalla social media sites created and/or utilized by designated employees in connection with their work will be subject to approval and monitoring by Department Heads under the direction of the City Manager.
2. The City of Molalla website will remain the City's primary and predominant internet presence. The best, most appropriate City of Molalla uses of social media tools fall generally into two categories:
 - a. As channels for disseminating time-sensitive information as quickly as possible (example: emergency information)
 - b. As marketing/promotional channels which increase the City's ability to broadcast its messages to the widest possible audience.
3. Whenever possible, content posted to city of Molalla social media sites should contain links directing users back to the City's official website for in-depth information, forms, document, or online services necessary to conduct City business.

All City employees are encouraged to follow City social media sites as a means of staying informed regarding activities of the City.

City of Molalla Social Media Team

The City Manager will establish a 'Social Media Team' to create, administer, and monitor the City's social media accounts by posting and, when necessary, removing public information. The 'Social Media Team' welcomes and encourages suggestions regarding relevant information to be considered for social media postings, as well as any improvements on how information is disseminated through this type of media.

Responsibilities

Employees: Social Media Team employees representing the City of Molalla through social media outlets, during the course of their official duties, must conduct themselves at all times as representatives of the City and must comply with all City policies and applicable laws.

Management: Department heads and/or the City Manager will ensure oversight and approval or removal of content posted to City social media sites.

Policy

Use of social media for City business shall at all times comply with other applicable City policies and shall be limited as follows:

All employees with work duties related to or involving City social media shall conduct their work in accordance with all applicable City policies. These employees will be trained and expected to comply with all applicable laws. Only these designated or assigned City employees are permitted to use social media to conduct City business.

All City social media sites will use authorized City contact information for account set-up, monitoring and access. Employees are not permitted to use personal e-mail accounts, phone numbers or other personal contact information for setting up, monitoring, or assessing a social media site for city business, other than what is required by the social media platform that is being used.

Content posted to City social media sites is limited to City-sponsored or City-endorsed information, programs, services, and events. Content may include, but is not limited to, written information, photographs, videos, and hyperlinks. Comments are allowed but must be monitored under and comply with the City of Molalla policy Prohibited Content Policy. Only authorized personnel are allowed to post to the City's social media sites.

While conducting City business, authorized City employees are not permitted to express personal views or concerns through posting on any of the City's social media sites. Posting on any social media site by an employee, while conducting City business, must only reflect the views, policies, and positions of the City as outlined and specifically designated by the City.

Employees may not post or publish content that would violate copyright laws. To avoid copyright infringement, employees may only post or upload content developed or owned by the City. If copyrighted materials are used employees must maintain physical records of copyright licenses and honor any branding or labeling requirements specified in the copyright license. Any content that is considered public domain will not apply.

Public Records Disclosure Policy

Use of social media for City business is subject to the Oregon Public Records and Meetings Laws under ORS 192.410 et seq and 192.610, respectively. Because of this, the following provisions apply to the use of City sponsored social media sites:

1. Social media site should be used for **information distribution only**. Comments from the public regarding City posts will be permitted on any of the City's social media sites except that members of the public will not be allowed to comment on the City's Facebook "wall". Comments from the public that are deemed as derogatory, inappropriate, or otherwise prohibited by this policy will be deleted. 'Team' members are not permitted to engage in any instant messaging dialogue or online "chat" discussions with

visitors to the City social media sites. Visitors with questions and/or requests for additional information will be directed to the City's official website to contact the City by: e-mail, telephone, mail or other means.

2. Files of all information posted on social media websites in the course of conducting City business must be retained by the City in accordance with Oregon Public Records Law. This information must be kept in appropriately marked files maintained in the department director's office or City Recorders' office.
3. Public Records requests for information posted on the City's social media websites shall be directed to the City Recorder.
4. City social media sites will be managed consistent with Oregon Open Meetings Law. Members of the City Council, City boards, commissions, or committees are not permitted to respond to any published posting or use any social media site or any form of electronic communication to respond, blog, engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body in violation of the Oregon Public Meetings Law.

COMMUNICATIONS AND SOFTWARE SYSTEMS

Electronic Communications Systems

This section is meant to familiarize employees with appropriate use of City communications equipment. More detailed information relating to this topic and guidance on the retention of public records created through the use of City communications equipment are provided in a separate administrative policy provided to all employees.

Our electronic communications systems include, but are not limited to, computers, software, electronic mail (e-mail), copiers, fax machines, telephones, voice mail, cell phones, surface messengers, and various on-line services. All of these systems, and any identified by the City in the future, are operated and managed based upon this policy.

These systems and any other informational, storage, or retrieval services that the City of Molalla provides are City tools and are to be used for City purposes only.

The use of these systems is not private or confidential. All communications are considered to be public record and subject to disclosure. The City of Molalla within the bounds of the law, reserves and intends to exercise the right to review, audit, intercept, access, and search these systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems, and the systems themselves, remain the property of the City of Molalla.

These systems shall not be used to receive or send copyrighted materials, trade secrets, proprietary information, or similar materials regardless of the source without prior authorization.

Any messages or communications used through this system are subject to the city's policies, including our anti-harassment, anti-discrimination, and non-solicitation policies. You are expected to carefully compose and review the wording, tone, and content of your communications before transmission.

You should check with your supervisor if you have any questions about the proper use of communication or software systems. All system users who discover violations of this policy are expected to notify their supervisors or managers immediately. Improper use or violation of this policy can result in disciplinary action, up to and including termination.

Electronic Mail System

You are reminded to be courteous to other users of the e-mail system and always conduct yourself in a professional manner. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. You should write e-mail communications with no less care, judgment, and responsibility than you would use for letters or internal memoranda written on City letterhead. As with all other communications, email messages are part of the public record and subject to disclosure.

You should know that even when a message is erased through e-mail it is still possible to retrieve and read that message. We expect employees to respect others' privacy, and not retrieve or read electronic messages unintended for them unless authorized in writing to do so. The use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the City Manager and/or their designee.

Telephone Usage

The City of Molalla realizes that employees must occasionally make and receive personal telephone calls at work. Such calls must be held to a minimum, and should impact your work as little as possible. Unauthorized or improper use of the telephone, including City provided cell phones (discussed below), and charging long distance calls to the City will result in corrective action, up to and including termination.

Voice Mail System

The voice mail system at the City of Molalla belongs to the City and is provided for use in conducting City business. All communications and information transmitted by, received from, or stored in this system are City records. The voice mail system is to be used for City business only. The City of Molalla in its discretion reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the system, for any reason and without employee permission. Any exception to this policy must receive prior approval from management officials with

authority to waive the policy. Please remember that messages on the voicemail system are subject to public record and disclosure laws.

Company Cell Phone Usage

If you are provided a cell phone by the City of Molalla it is meant to be used for official City calls, or to contact police or emergency services, but not for personal use. Personal use may be subject to disciplinary action up to and including termination. In addition, the Internal Revenue Service Code provides that the value of the personal use of a cell phone is a taxable fringe benefit and must be included in the employee's wages—which could result in a tax liability to the employee.

Assignment of a City cellular phone or a monthly cell phone allowance for any employee is at the sole discretion of the City, and the City reserves the exclusive right to modify or discontinue such assignment, allowance, or practice at any time for any reason.

Use of Personal Cellular Phone for City Business

As part of your duties here at the City, you are required to carry a cellular phone for job related purposes. Pursuant to City policy you are hereby authorized to receive a \$40 monthly Cell phone allowance in lieu of being assigned a City cellular phone and plan, with the following conditions:

1. You are responsible for acquiring your own cellular phone and calling plan and maintaining active service at all times;
2. You agree to use your personal cellular phone for City business according to the requirements of your job;
3. You agree to allow publication of your cellular phone number with the City as needed;
4. You will carry your cell phone with you during all assigned duty periods; keep the cell phone and ringer/vibrator on during these periods; and will respond to calls in a timely fashion. It is understood that it may be necessary to temporarily turn your phone off during certain meetings, etc. and it is expected that you will respond to messages as soon as feasible thereafter;
5. Use of your personal cell phone and calling plan for work related use in lieu of being assigned a City cellular phone will not be subject to Oregon law restrictions or prohibitions against personal use of City owned equipment. You agree, however, that use of your phone for personal calls during assigned duty periods will be limited so as not to interfere with performance of required duties.
6. You will receive the cellular phone allowance in monthly payments as part of compensation through the City payroll system. This cell phone allowance is considered personal income to you as defined by the IRS, and is therefore subject to standard payroll taxes.

DRESS CODE

It is the City's expectation that employees project a professional image at work. Casual clothing is allowed as an alternative to the typical business attire of dresses, suits, ties and dress shoes.

However, not all casual clothing is appropriate for the workplace. Clothing that may be fine for working in the yard, going on a picnic or playing sports may not be appropriate for the office nor is clothing that reveals too much skin. Employees should avoid wearing anything to City offices that is excessively worn, frayed, wrinkled or soiled.

Take your day's schedule into account when you are dressing to come to work. If you have a meeting scheduled with visitors, or if you are advised that others in the City facility you are working in may have visitors with whom you will come in contact, you will want to make sure that you are dressed appropriately. Of course, more formal business attire is always acceptable if that is your preference.

Listed below is a general overview of acceptable business casual wear as well as a listing of some of the more common items that are not appropriate for the office. Neither list is intended to be all-inclusive. Rather, they are intended to set the general parameters for proper casual business wear and allow you to make judgments about items that are not specifically addressed. A good rule of thumb is that if you are not sure if something is acceptable, choose something else or inquire first.

- Clothing in general should be presentable, without excessive wear or soiled. Inappropriate items include sweatpants, cut-offs, wind suits, shorts (regardless of the length or style), bib overalls, leggings, spandex or other form-fitting pants. Under garments should not be visible.
- Shirts—Casual shirt, golf or polo shirt, sweaters and turtlenecks are acceptable. Inappropriate items include tank tops, sweatshirts, halter tops, t-shirts unless worn under another shirt, sweater, blouse, jacket or jumper. Bare midriff styles, transparent clothing and low cut tops that could be a distraction to employees and/or customers should not be worn to work.
- Dresses and Skirts—Casual dresses and skirts, and split skirts at or below the knee are acceptable. Dress and skirt length should be no shorter than three inches above the knee. Slits in clothing should also not exceed 3 inches above the knee. Mini-skirts and spaghetti-strap dresses or tops should not be worn to work.
- Footwear—Loafers, boots, flats, dress sandals, open-toed shoes, clogs and leather deck shoes, sneakers are acceptable. Slippers and flip-flops are not acceptable.

- Jewelry—Should be conservative with no visible body piercing other than pierced ears.

With the prior approval of the City Manager jeans are acceptable on “casual” days or if he/she determines that your job function allows you to wear that type of clothing.

If an item of clothing is deemed to be inappropriate for the office by the employee’s supervisor and/or the City Manager, the employee may be sent home to change clothes and will be given a verbal warning for the first offense and more serious disciplinary action may thereafter be taken if other or further dress code violations occur.

Any questions regarding this policy should be directed to the City Manager.

CREDIT CARD POLICY AND PROCEDURES

The use of the City credit card is available only for conducting City business with the approval of the City Manager or Department Heads.

Authorized uses of the City credit card with City Manager, Department Head or designee approval are as follows:

Travel purposes including hotel and travel accommodations while on City business;

Meals while on City business: and

Purchasing merchandise for the City that cannot be obtained through conventional sources, is less expensive, is timelier in delivery, or is of better quality.

Any unapproved purchases are the responsibility of the purchaser. Unapproved purchases may be regarded as misuse and may result in disciplinary action up to and including termination.

PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system upon which the City of Molalla can continuously monitor the effectiveness of the City and its operations, all employees will receive formal performance evaluations once a year. Managers and supervisory personnel are also encouraged to provide informal performance evaluations on an as-needed basis throughout the year.

The objectives of our performance management and formal appraisal process are:

- To ensure that each employee knows how he/she is performing against established performance standards;
- To determine how well the City is doing in assisting with work performance and objectives;
- To ensure communication and two-way feedback;
- To provide a tool for career planning; and,
- To provide a permanent record of employee performance and the City of Molalla contributions.

Managers and supervisory personnel are accountable for providing employee development actions designed to improve and enhance employee performance like:

- Reasonable employee training;

- Assigning, directing, controlling, and reviewing employee work;
- Assisting employees in correcting deficiencies; and,
- Objectively evaluating employee performance during the evaluation period.

Our performance appraisal program is intended to be participatory and equally involves both your input and your supervisor's input. This allows you to contribute to the growth and improvement of the City of Molalla. You are encouraged to:

- Inquire about your performance periodically;
- Accept additional responsibilities and show initiative;
- Ask for assistance in developing a goal-oriented path for advancement within the department or City and,
- Learn about training available to assist you in improving your skills or qualifying for a promotion or lateral transfer (if applicable).

Performance evaluations serve as one factor in decisions related to employment such as training, pay increases, job assignments, employee development, promotions, and retention (including termination). Reports are to identify specific performance levels as compared to established standards, to acknowledge the merit of outstanding performance, and to prescribe the means and methods of improving performance deficiencies to the required level of performance.

CORRECTIVE ACTION

Our high performance expectations reflect our belief that everyone benefits when we work together and conduct ourselves in a manner that reflects the best interests of both the City of Molalla and its employees. It is the philosophy of the City to correct performance deficiencies and address violations of policies and work rules in order to correct situations and avoid repetition.

You will be informed if corrective action is necessary as soon as possible after any performance problem has been identified. Your manager or supervisor will discuss the situation with you, explaining the policy and the necessity of corrective action to avoid other disciplinary actions. You will be informed of the facts and observations leading to the decision to take corrective action as well as the proposed corrective action measures to be taken. You will be given the opportunity to provide additional information for consideration or to clarify any misunderstandings before corrective action is taken.

Unless otherwise provided for in a collective bargaining agreement or department policy, the disciplinary procedures in this section shall apply to all employees except probationary and temporary employees. Disciplinary action regarding the City Manager shall be conducted by the City Council.

Corrective action may include any of a variety of actions depending on the circumstances and severity of the particular situation, as well as the employee's previous disciplinary history, if any. Although the seriousness of a particular violation may warrant skipping any of these following steps, corrective action may include any or all of the following:

1. Verbal counseling. It will be confirmed in writing by your supervisor for your personnel file.
2. Written warning. Written documentation of the written warning will contain the facts surrounding the offense, previous verbal counseling or other communications on the subject, if any, plan of action for correcting the offense, and reference to the fact that further disciplinary action will be necessary if the offense is not corrected. Employees are given a copy of all written warnings, copies of which will be added to their personnel files.
3. Suspension. Suspension may also be used to remove an employee from City premises during an investigation. A suspension may be paid or unpaid. If you are suspended, it will be documented in your personnel file and you will receive a copy.
4. In certain instances a "Last-Chance Agreement" may be put into place to offer one last chance to comply with City standards, behavior or other area of correction. This agreement is signed by both the employee and manager and signifies that if compliance is not met, the employee will be terminated. This agreement usually

accompanied by a "Letter of Expectations" to clearly outline expectations of compliance with the agreement.

5. Discharge. Discharge decisions are confirmed in writing for the personnel file. The discharged employee also receives a copy.

All employees (including probationary or introductory employees) may seek to have the City Manager review any discipline or corrective action imposed on them by the City. In order to avail oneself of this review, an employee must present a written appeal to the City Manager within five days after the discipline that is the basis of the appeal. The City Manager will then meet with the employee within five business days of receiving the appeal and attempt to resolve the issue. Within five business days of that meeting, the City Manager will prepare a written decision to the employee that addresses the appeal.

COMPENSATION

PAY ADMINISTRATION

The City of Molalla values quality employees and is committed to compensating employees for their efforts and results. It is our intent to provide a competitive compensation package that will attract, retain, and motivate employees.

Your pay as a new employee is established based on the pay level of current employees in the same or similar positions and your previous experience and skills.

Information about your individual rate of pay and increases in pay, if any, is something the City strives to keep confidential and we ask that you exercise great discretion and care regarding any discussion of these matters.

Rate of Pay:

Each employee shall be paid at a rate established in the salary range for the class in which he/she is employed.

Entrance Salary:

Normally an employee will be appointed, hired, or reinstated at the first rate in his/her salary range. Authorization of the City Manager or City Council will be necessary if the entrance salary is established at other than the first rate in the salary range.

Salary Adjustments:

The following types of salary adjustments may be granted to an employee:

1. Cost of Living: This in-range adjustment is designed to maintain an equitable standard of living and occurs after approval of the City Manager or City Council.
2. Probation Increase: Every employee's compensation shall be increased to the next higher step of his salary range after six months of employment, except for a new or reinstated employee who starts above the first step.
3. Promotional Increase: A salary increase of an employee presently employed by the City who is filling a vacant or newly created position other than the employee's present class. The employee will be placed on a salary step of the new class at a higher pay than present salary.
4. Step Increase: A salary increase to the next higher step in the employee's pay range at the department or City Manager's discretion, subject to satisfactory performance.
5. Professional Certification: A salary increase provided for in labor agreements for obtaining special certifications or licenses.

Longevity:

Employees may become eligible for longevity pay according to the following schedule:

- a. After 2 years of continuous employment but less than three years—0.5% of the employee's regular pay.
- b. After 3 years of continuous employment but less than five years—1.0% of the employee's regular pay.
- c. After 5 years of continuous employment but less than seven years—1.5% of the employee's regular pay.
- d. After 7 years of continuous employment—2.0% of the employee's regular pay.

Exceptional Increase:

The Council may approve an exception to the general rules regarding salary increases where circumstances warrant such action.

Demotion:

If an employee is demoted or reclassified to a lower salary class, the same salary may be paid if approved by the Council. A demotion for cause shall result in a corresponding reduction in salary.

Hourly Rate:

Hourly rates of pay may be used for those classes or positions where conditions of employment warrant, i.e. temporary help, part time, etc.

WORKING OUT OF CLASSIFICATION

Employees temporarily assigned to work out of their present job class for more than five (5) continuous work days, shall be paid, retroactively beginning with the first day of "working out of class", at the lowest salary rate in the new work class which is higher than their current salary.

OVERTIME POLICY

Policy:

It is the policy of the City of Molalla to reduce to a minimum the necessity for overtime, except for emergency conditions or previously approved department policy.

Overtime Compensation:

The City pays one-and-one-half times a non-exempt employee's hourly rate for all hours worked over 40 in any workweek. (See "Employment Classifications" earlier in these Personnel Policies for information about exempt and non-exempt designations.) For a discussion about the City's right to provide Compensatory Time in lieu of overtime, see the "Hours of Work and Work Schedules" (Compensatory Time Off) section below.

No overtime may be worked by non-exempt employees unless specifically authorized by their supervisor or the City Manager. Supervisors/managers are responsible to ensure that no unauthorized overtime hours are worked unless a demonstrated need exists. Violations of this policy, whether by a non-exempt employee or a supervisor/manager may result in discipline up to and including termination.

PAY PRACTICES

PAYDAYS

Paydays are the last day of the month and the 15th of the month. If the payday falls on a weekend, paychecks will be distributed on the Friday prior to the established payday.

Payroll Deductions

Certain mandatory and elective deductions are made from employee pay, and are noted on the paycheck stub. The only deductions made are those mandated by law or authorized by you in writing, provided such deductions are not otherwise prohibited by state regulations.

Method of Payment

A statement showing gross earnings, deductions, and net salary will accompany each paycheck or notice of direct deposit. Employees are paid by check or by direct deposit to a checking or savings account at a financial institution, provided your financial institution has that capability.

Time Records

The time card is a record of time worked and must be filled out. It provides a permanent record of the time spent on the job. Each employee (including exempt employees) will be issued a time card at the start of the pay period. Employee pay is calculated from this record.

The time card should be completed on a daily basis and reviewed for completeness and accuracy no less than once each week. Supervisors will review and initial time cards each pay period. If an error is to be corrected or time clarified, the time card should be taken to the manager/supervisor, who will take the appropriate action. All manual entries or corrections must be made, reviewed, and initialed by the supervisor or other appropriate management member. Time cards should be reviewed, signed, and turned in at the end of the pay period. Your signature on the time sheet each pay period means that you have verified that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your time card. Willfully falsifying a time card, or inputting time on someone else's time card, will be grounds for corrective action, up to and including termination.

If time cards are not received to the Finance Director by 10:00 a.m. on the assigned date due, the Finance Director has the authority to carry over any overtime pay earned or compensatory time to the next pay period.

Final Paycheck

While we request that you give us at least ten days advance notice prior to departure when resigning or retiring from the City of Molalla, if you provide us with at least 48 hours notice (excluding holidays and weekends) you will receive your final paycheck on the last day worked. In all circumstances, final paychecks will be processed and tendered in accordance with law. Final paychecks will include all wages earned through the last workday plus payment for any accrued and vested benefits that are due and payable at separation.

HOURS OF WORK AND WORK SCHEDULES

City of Molalla Hours

The general office hours at City Hall are 8:00 a.m. to 5:00 p.m., Monday through Friday. City Hall will be closed from 1:00 p.m. to 2:00 p.m. at which time employees will take their lunch break. Other departments such as Police, Public Works, Library and Aquatic Center have work days and hours which vary according to the department operating schedules.

Specific workday and workweek schedules for each employee will be determined from time to time by the appropriate manager based on the City's needs. We will attempt to notify you of any changes in workdays or workweek schedules two weeks prior to the effective date of change. Management reserves the right to modify schedules consistent with the needs of the City.

The normal workday is 8 hours. The total hours in a normal workweek are 40 hours. If you are a non-exempt employee, you should not begin work before your normal starting time nor continue working beyond the normal quitting time without advance approval from your supervisor. Working through a lunch period is also not permitted unless approval from your supervisor is obtained prior to the scheduled lunch break.

Compensatory Time Off

Except as provided in a collective bargaining agreement, the City may opt to provide compensatory time off at a rate of one and a half hours for each hour of overtime worked in lieu of overtime pay. Use of compensatory time off must be arranged by mutual agreement between the employee and supervisor.

Meal and Rest Periods

Meal and rest periods will be provided to you according to federal and state law. Supervisors will review and enforce these and establish schedules. Non-exempt employees are not permitted to work through a meal period unless City needs prevent them from doing so, and only after they have received approval from their supervisor before the scheduled meal break. Rest breaks (and in most cases, meal breaks) are mandatory and are not optional. An employee's lunch hour and rest break(s) may not be taken together as one break. Meals and rest breaks may not be "skipped" in order to leave early. Employees who fail to abide by these policies and laws may be subject to discipline, up to and including termination.

Social and Recreational Activities

Participation in off-duty social or recreational activities such as City picnics and holiday parties is entirely voluntary. Participation or nonparticipation will not affect your wages, hours, working conditions, or present or future employment opportunities.

Emergency Closing

Except for regularly scheduled holidays, City offices will be open for business Monday through Friday during normal business hours. We know that there may be circumstances beyond our control, such as inclement weather, national crisis, or other emergencies that may affect our hours of operation. On these occasions, the City of Molalla offices may close for all or part of a regularly scheduled workday. In such an event, the City will try to have supervisors contact all employees. You may also contact your supervisor. If weather does not permit you to come to work, or you must leave early due to inclement weather, you are expected to use vacation or compensatory time, you will not be paid by the City for these hours.

Building Access/Key Control

The purpose of this procedure for accessing City buildings and the issuance and control of building keys is to insure the safety of City employees, equipment and facilities. This procedure will apply to all employees, elected officials, contractors and volunteers of the City.

Building Access:

Each facility will have an individual(s) assigned to ensure that the facility is secured at the close of business each day.

Individuals that act as City liaisons for meetings held within various City buildings before or after standard work hours will ensure that the building is secure and that any alarm systems are activated before leaving the building.

If the person assigned to open the building at the beginning of the work day or for a meeting finds the building "open", that individual should immediately notify the Police Department and request an officer check the building before entering.

All unsecured buildings should be reported to the Police Department.

Employees must immediately report lost keys to their supervisor. The supervisor will notify the department head who will determine the need for re-keying of the building or rooms.

EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT

The City of Molalla will pay all actual and reasonable business-related expenses you incur while performing your job responsibilities. All such expenses must be pre-approved by your supervisor before payment will be made. Expense reports must be supported by proofs of purchase, e.g., receipts.

Mileage Reimbursement

If you use your own vehicle for City business, you will be reimbursed for City related business travel at the current rate per mile determined by the IRS.

In order to recover these costs, an expense report must be signed by you and dated, initialed by your supervisor/manager, and submitted to the Finance department for processing according to policy. If you have questions about expense reports and mileage allowances, ask your supervisor.

BENEFITS

PURPOSE AND POLICY

Discretionary employment benefits not mandated by state or federal law are selected and controlled by the City of Molalla. Decisions to provide and continue providing these benefits are based on such considerations as cost, composition of our workforce, operational efficiency, and desirability of benefit provisions. Where costs of discretionary insurance benefit plans exceed the City of Molalla's interest, ability, or willingness to pay the full premium rate to maintain the current benefit level, you may have to share in the cost to continue the insurance plan coverage.

Benefit Plan Documents

You'll receive summary plan descriptions upon eligibility and enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents will govern. These official documents are available from the Finance Director for your review.

INSURANCE BENEFITS

The City of Molalla currently provides Health, Dental and Vision insurance coverage for all full time employees and their dependents if they are eligible to participate in the plan. You will be provided with information about the plan at the time you become eligible to participate. You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to the Finance Director.

HEALTH REIMBURSEMENT ACCOUNT

The City of Molalla provides a Health Reimbursement program whereas an amount of \$125.00 per month is added to qualified employees' accounts.

Plan Enrollment

Once you are eligible, you may complete enrollment forms available through the Finance Director.

An eligible employee who chooses not to enroll in the insurance plan is not entitled to any other form of compensation in lieu of coverage and is required to sign a written waiver of participation.

Termination of Coverage

In the event that you or your dependents lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time. Eligibility can be lost due to a prolonged absence from work or if certain "qualifying events" occur that would otherwise cause your group health coverage to terminate. Examples of qualifying events are termination of employment, reduction in hours, divorce or legal separation,

entitlement to benefits under Medicare, a dependent child reaching majority age, or a leave of absence.

You, your spouse, and/or dependents may continue group health insurance for a certain period of time at your own expense. However, continuation does not occur automatically. You must notify the City in writing within 60 days after the date a covered family member will lose coverage or the covered family member will permanently lose the right to continuation coverage. Election of coverage and payment of the premium must then occur within a specified time limit for coverage to continue. You and any covered dependent will receive information about the provisions of the law when you enroll and again if a qualifying event occurs.

Vacation

All full time employees are eligible for vacation based on the schedule below.

After having worked for six consecutive months, an employee shall be credited with forty-eight (48) hours of vacation leave. Thereafter, vacation leave shall accrue at the following rate:

<u>Years of Continuous Service</u>	<u>Vacation Leave Accrual</u>
Completion of ½ year through completion of 5 th year	8 hours per month
Beginning of 6 th year through completion of 10 th year	10 hours per month
Beginning of 11 th year through completion of 15 th year	12 hours per month
Beginning of 16 th year through completion of 20 th year	14 hours per month
Beginning of 21 st year and thereafter	16 hours per month

See the discussion regarding accrual limits, below.

Vacation Scheduling

Vacations shall be approved by the department head. Employees who want to use vacation time should request time off as early as possible so that arrangements for work coverage can be made. Requests for vacation time are to be made in writing and submitted to your supervisor. Consideration will be given to each request, and requests will be granted wherever possible. In granting vacation leave, consideration will be given to both the employee's request and the operational needs of the department. In the event of competing requests for times submitted concurrently, approval will be given to the employee with the longest tenure.

Continuous Service

"Continuous Service" is defined as that service unbroken by separation from the City services other than by military, Peace Corps, vacation, sick leave, leave protected under applicable Oregon or federal law, other authorized paid leave, or an employee who voluntarily resigns and returns to employment with the City within thirty (30) days. Employees returning from unpaid leave or employees, who were laid off, shall be entitled to credit for service prior to the leave or layoff.

Department Head Vacation Records

The City Manager shall approve the vacation periods of all department heads of the City.

Treatment of Vacation Accrual on Termination or Death

Upon the termination of an employee for any reason, all accumulated vacation leave shall be paid to the employee, at the employee's wage rate at the time of separation. When an employee dies, the City will pay any unearned wages (including accrued vacation) in accordance with ORS 652.190.

Cash in Lieu of Vacation

Employees are encouraged to take vacations at least annually. Vacation is intended for rest and recreation away from work. The City discourages "cashing in" vacation time but will consider such requests on a case-by-case basis to accommodate unusual needs or circumstances. The City Manager may authorize cashing-out accrued Discretionary Paid Leave under the following conditions:

1. Employees are eligible after five years of employment.
2. Employees shall have taken a minimum of two weeks of vacation during the year preceding the request.
3. The employee maintains at least 80 hours of Discretionary Paid Leave after the cash-in.
4. All requests will be considered and approved or denied by the City Manager once per employee once per fiscal year based on this administrative criteria and availability of funds.

Vacation accrual will be paid out at separation in accordance with applicable laws.

Vacation accrual is not to be banked and never used; therefore, vacation accrual cannot exceed 360 hours (45 days) at the beginning of any calendar year. Department heads shall make every effort to schedule employee vacation. Any vacation hours exceeding 360 hours will be transferred to a non-cashable sick leave, not to exceed 528 (66 days).

SICK LEAVE BENEFIT

A regular full-time employee will receive 40 hours of sick leave after six months of continuous employment. Sick leave is accumulated at a rate of 8 hours per month.

It is in your best interest not to be at work when you are ill or injured. It is your supervisor's or manager's responsibility to send you home if you are ill or injured, and you are expected to cooperate with the decision.

Routine doctor or dentist appointments must be charged to sick time.

Sick time accumulated will not exceed 528 hours (66 days).

You are expected to notify your supervisor/manager at the beginning of each workday during illness or injury. Exceptions to this include a serious accidental injury, hospitalization, or when you know in advance that you will be absent for a certain period and have informed management ahead of time.

A medical release statement may be requested for review before you return to work in certain situations.

Unused sick leave is not paid at termination.

Sick leave is not accumulated while an employee is on a leave of absence. Nor is accumulated sick leave time paid if you leave the employment of the City of Molalla. It is also not applied towards PERS.

SICK LEAVE DONATION PROGRAM

To prevent a loss in income to an employee because of a serious personal or family medical issue, all employees meeting the following criteria are eligible to participate in this program.

A recipient may only receive donated hours for one occurrence in a twelve month period.

Eligible recipient: To be eligible to receive donated sick leave from other employees, an employee must:

- a. Have applied for and been approved by their immediate supervisor and City Manager for a leave of absence due to a serious medical condition, either personal or that of an immediate family member who requires their assistance with medical care.
- b. Have exhausted his or her own sick leave, vacation and comp balances.

Eligible donor: To be eligible to donate sick leave to another employee, an employee must:

- a. Have a minimum of 120 hours of sick leave in their own bank after the donation.
- b. Donate sick leave in a minimum of 2 hour blocks.

Policy

It is the policy of the City of Molalla to permit donation of sick leave to employees to prevent a loss in income because of a serious personal or family medical issue. The sick leave transfer program is a voluntary program that allows employees to donate excess sick leave to any employee who experiences a serious health condition that would cause that employee to have a loss in income. The intent of the sick leave donation program is to aid employees with a serious personal or family medical condition, where they otherwise would not have enough leave balances to cover that period of absence from work.

NOTE: This is to cover a serious health condition of the employee or immediate family member who is in need of their care. This program is not to be used for elective surgeries or parental leave.

Guidelines for Use

City employees may not directly or indirectly intimidate, threaten, or coerce any other employee for the purpose of interfering with any right such employee may have with respect to donating, receiving, or using accrued sick leave under this program.

Tax Liability

The tax liability associated with donated leave will be the responsibility of the recipient, in compliance with IRS Revenue Ruling 90-29. Paid time will be subject to all tax liability associated with regular pay including Federal, State, and FICA withholding.

HOLIDAYS

Work performed on designated paid holidays shall be considered as overtime work and shall be compensated on the basis of time and one-half for the hours worked in addition to regular holiday pay. If an employee works on a holiday listed below, they will be allowed to accrue comp time at the rate of double and a half time, instead of overtime pay (as specified by employee).

Holidays falling on a regularly scheduled day off

When a recognized holiday falls on a regularly scheduled day off, the employee shall receive off either the workday immediately preceding or a workday during the week immediately following the regularly scheduled day in lieu of the holiday.

Holidays

- JANUARY New Years Day
Martin Luther King Day
- FEBRUARY President's Day (3rd Monday in February)
- MAY Memorial Day (last Monday in May)
- JULY Independence Day (July 4)
- SEPTEMBER Labor Day (1st Monday in September)
- NOVEMBER Veteran's Day (November 11th)
Thanksgiving Day (4th Thursday in November) AND
Day immediately following Thanksgiving
- DECEMBER Christmas Day
- **Floating Holiday** (to be used any time during the calendar year with approval by the City)

If any of such holidays fall on Saturday, the proceeding Friday shall be observed. A holiday falling on a Sunday shall be observed on the following Monday.

RETIREMENT BENEFITS

An employee who works six (6) months in a qualifying position requiring at least six hundred (600) hours per twelve (12) month period is eligible for retirement benefits if the six (6) months "waiting period" is not interrupted by more than thirty (30) consecutive working days.

The City of Molalla participates in the Oregon Public Employee's Retirement System (PERS). The City Manager may authorize payment by the City of the employee's contributions to this plan. Employees shall not have the option of receiving the salary payment and paying the PERS employee contribution directly. The City Manager is responsible for overall management of the plan.

LEAVES OF ABSENCE

LEAVE OF ABSENCE POLICY

This guide is a summary of Family and Medical Leave policy and procedures. Generally, and as will be discussed, eligible employees are entitled to 12 weeks of unpaid leave of absence for the reasons identified below. Federal and state law prohibit retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested or used Family and Medical Leave. In all cases, applicable state and federal laws, rules, policies and collective bargaining agreements govern the employee's and the Employer's rights and obligations, not this document.

FMLA and OFLA are not optional. The law requires the Employer to provide these entitlements.

For more information please refer to the "Your Rights and Responsibilities" poster located in City Hall (and which is incorporated here by reference), or contact Human Resources.

Definitions

Family Member

- For purposes of FMLA, "family member" is defined as a spouse, parent (biological, adoptive, step, foster, or *in loco parentis*), or a "son or daughter" (defined below).
- For purposes of OFLA, "family member" includes the definitions found under FMLA and also includes a parent-in-law, grandparent, grandchild, registered same-sex domestic partner, and parent or child of a registered same-sex domestic partner.

Child

For purposes of OFLA Parental and Sick Child Leave, "child" includes a biological, adopted, foster or stepchild, the child of a registered same-sex domestic partner or a child with whom the employee is in a relationship of *in loco parentis*.

Eligible Employee

OFLA – To qualify for OFLA Serious Health Condition Leave or Sick Child Leave, an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week. To qualify for Parental Leave under OFLA, an employee must have been employed for at least 180 days (no per-week hourly minimum is required). Oregon Military Family Leave (OMFLA) – Employee must perform services (actual hours worked) for the Employer for an average of at least 20 hours per week at the time leave is requested. A different calculation method applies for reemployed service members under USERRA who seek OMFLA leave; see the Human Resources Department for more information.

FMLA – Employees are eligible for FMLA leave if they have worked for a covered employer for at least one year (which may be based on separate stints of employment),

for 1,250 hours during the 12 months preceding the date leave is to begin, and if they are employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite.

Leave under Oregon and federal law will run concurrently when permitted.

Family Medical Leave

This includes all of the types of leave identified in the section below, entitled "Reasons for Taking Leave," unless otherwise specified.

Serious Health Condition

"Serious health condition" is defined under FMLA and OFLA as an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition.

Other conditions may meet the definition of continuing treatment; please see the Human Resource Department for more information. The common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, and cosmetic treatments (without complications), are examples of conditions that are not generally defined as serious health conditions.

Son or Daughter or Child

For purposes of FMLA leave, a "son or daughter" is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis* who is either under 18 years of age or 18 years of age or older and incapable of self-care due to a mental or physical disability. A different definition of "son or daughter" applies to "Call to Active Duty" and "Servicemember Family" leaves of absence – please see the Human Resource Department for more information.

For purposes of OFLA leave, a "child" is a biological, adopted, foster or stepchild, the child of a same-gender domestic partner or a child with whom the employee is in a relationship of *in loco parentis*. The age of the "child" does not matter.

REASONS FOR TAKING LEAVE

Family Medical Leave may be taken under any of the following circumstances:

1. **Bereavement Leave.** Effective January 1, 2014, an Eligible Employee may take up to two weeks of OFLA leave per death of a Family Member to make arrangements necessitated by the death, to attend the funeral or memorial service, or to grieve. Employees must take Bereavement Leave within 60 days of receiving notification of the Family Member's death.

2. Call to Active Duty Leave: Eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the regular Armed Forces, National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain “qualifying exigencies.” “Qualifying exigencies” may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, parental care, for rest and recuperation, and attending post-deployment reintegration briefings. This type of leave is available under FMLA only; however, under OFLA, specifically under the Oregon Military Family Leave Act, during a period of military conflict, as defined by the statute, 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 of the U.S. 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 or registered same-sex domestic partner has been notified of an impending call or order to active duty and before deployment and when the military person is on leave from deployment. Please see the Human Resource Department for the eligibility requirements for Oregon Military Family Leave Act leave.
3. Employee’s Serious Health Condition Leave: To recover from or seek treatment for an employee’s serious health condition, including pregnancy-related conditions and prenatal care.
4. Family Member’s Serious Health Condition Leave: To care for a Family Member with a serious health condition.
5. Parental Leave: For the birth of a child or for the placement of a child under 18 years of age for adoption or foster care. Parental leave must be completed within 12 months of the birth of a newborn or placement of an adopted or foster child.
6. Pregnancy Disability Leave: For incapacity due to pregnancy, prenatal medical care or birth.
7. Servicemember Family Leave: Eligible employees may take up to 26 weeks of leave to care for a “covered servicemember” during a single 12-month period. A “covered servicemember” is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is

undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Under some circumstances, a veteran will be considered a "covered servicemember." This type of leave is available under FMLA only.

8. **Sick Child Leave:** To care for a child who suffers from an illness or injury that does not qualify as a serious health condition but that requires home care. This type of leave does not provide for routine medical and dental appointments or issues surrounding the availability of childcare when the child is not ill or injured. Sick child leave is not available if another family member is able and willing to care for the child. This type of leave is available only to employees who are eligible under OFLA.

LENGTH OF LEAVE

In any one-year calculation period, eligible employees may take:

- Up to twelve (12) weeks of Parental Leave, Serious Health Condition Leave (employee's own or family member), Sick Child Leave, or Call to Active Duty Leave. For employees exercising their right to Bereavement Leave or OMFLA leave, the absences under those leaves will be deducted from the employee's eligibility for 12 weeks of unpaid leave;
- In some cases, an additional twelve (12) weeks of leave may be available to an eligible employee for an illness, injury or condition related to pregnancy or childbirth that disables the employee; and
 - In some cases, employees who take the entire twelve (12) weeks of OFLA Parental Leave will be entitled to an additional twelve (12) weeks of Sick Child Leave.

When leave is taken for Servicemember Family Leave, an eligible employee may take up to 26 weeks of leave during the One-Year Calculation Period to care for the servicemember. During the One-Year Calculation Period (defined below) in which Servicemember Family Leave is taken, an eligible employee is entitled to a combined total of 26 weeks of FMLA Leave (some of which may include other types of FMLA-specific leaves of absence).

WHAT IF I DON'T WANT TO USE FMLA OR OFLA LEAVE?

If you are an eligible employee who is absent from work for a reason that qualifies as FMLA or OFLA leave, the Employer has no choice but to designate the absence as FMLA, OFLA or both. The amount of paid leave an employee has accrued or the employee's desire to "save FMLA and OFLA until later" are not a factor. FMLA and OFLA are not benefits; they are an entitlement that must be applied as the need occurs.

ONE-YEAR CALCULATION PERIOD

The "twelve month period" during which leave is available (also referred to as the "one-year calculation period") will be determined by a "looking forward" method. That means that the leave calculation year is 12 months starting with the first day family leave is taken by the employee. As an example, if an employee becomes eligible for and takes leave starting December 1, 2011, the employee is entitled to 12 weeks of leave until December 1, 2012.

INTERMITTENT LEAVE

Intermittent or reduced schedule leave may be taken during a period of Family Member or Employee Serious Health Condition Leave or Servicemember Family Leave. Additionally, Call to Active Duty Leave may be taken on an intermittent or reduced leave schedule basis. An employee may be temporarily reassigned to a position that better accommodates an intermittent or reduced schedule; employees covered by OFLA will not be reassigned without their express consent and agreement. Employees must make reasonable efforts to schedule planned medical treatments so as to minimize disruption of the Employer's operations, including consulting management prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both the County and the employee. Intermittent leave for Parental Leave is not available.

EMPLOYEE RESPONSIBILITIES – NOTICE

Employees must provide at least 30 days' advance notice before Family Medical Leave is to begin if the reason for leave is foreseeable based on an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of a family member, or the planned treatment for a serious injury or illness of a covered servicemember (Servicemember Family Leave). If 30 days' notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

For Call to Active Duty Leave, notice must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable. For Bereavement Leave, oral notice must be provided within 24 hours of beginning leave. Written notice must then be provided to the employer within three days of returning to work.

Whether leave is to be continuous or is to be taken intermittently or on a reduced schedule basis, notice need only be given one time, but the employee shall advise their immediate supervisor or the Human Resource Department as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown.

If circumstances change during the leave and the leave period differs from the original request, the employee must notify their immediate supervisor or the Human Resource Department within three business days, or as soon as possible. Further, employees must then provide written notice within three days of returning to work.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees will be expected to comply with the Employer's normal call-in procedures.

Employees who fail to comply with the Employer's leave procedures may be denied leave, or the start date of the employee's Family Medical Leave may be delayed.

CERTIFICATION

Generally speaking, employees must provide sufficient information for the Employer to determine if the leave may qualify for FMLA or OFLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for either Call to Active Duty or Servicemember Family Leave.

Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Additionally:

1. Employees requesting serious health condition leave for themselves or to care for a covered Family Member will be required to provide certification from the health care provider of the employee or the covered family member to support the request.
2. Employees requesting sick child leave under OFLA may be required to submit, at a minimum, a note from a doctor if the employee has requested to use more than three days (i.e., one three-day occurrence or three separate instances) of sick child leave within a one-year period.

Employees must furnish the Employer's requested medical certification information within 15 calendar days after such information is requested by the Employer. In some cases (except for leave to care for a sick child), the Employer may require a second or third opinion, at the Employer's expense. Employees also may be required to submit subsequent medical verification during the leave period.

Employees will not be asked for, and they should not provide, any genetic information about themselves or a family member in connection with a FMLA/OFLA medical certification.

FITNESS-FOR-DUTY CERTIFICATION

If Family Medical Leave is for the employee's own serious health condition, the employee must furnish, prior to returning to work, medical certification (fitness-for-duty certification) from their health care provider stating that the employee is able to resume work.

SUBSTITUTION OF PAID LEAVE FOR UNPAID LEAVE

Employees are required to use any available and accumulated paid leave (such as vacation, sick leave, comp time, donated leave, floating holiday, holiday banks) while on approved Family Medical Leave. If the employee's accumulated paid leave is exhausted, the leave will be unpaid.

HOLIDAY PAY WHILE ON LEAVE

Employees receiving short- or long-term disability will not qualify for holiday pay. Employees using vacation pay or sick pay during a portion of approved Family Medical

Leave in which a holiday occurs will qualify to receive holiday pay. Employees who are on unpaid leave during a holiday will not qualify to receive holiday pay.

ON-THE-JOB INJURY OR ILLNESS

Periods of employee disability resulting from a compensable on-the-job injury or illness will qualify for FMLA Leave if the injury or illness is a "serious health condition" as defined by applicable law.

OFLA leave will not be reduced by and will not run concurrently with any period the employee is unable to work because of a disabling compensable injury; however, if the injury or illness is a "serious health condition" as defined by Oregon law and the employee has refused a bona fide offer of light-duty or modified employment, OFLA leave will commence.

If the employee's serious health condition is the result of an on-the-job injury or illness, the employee may qualify for workers' compensation time-loss benefits.

BENEFITS WHILE ON LEAVE

If an employee is on approved Family Medical Leave, the Employer will continue the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. If the leave qualifies only for Oregon Family Medical Leave (but not FMLA), the City will not continue to pay for group health insurance premiums. Employees may elect to continue coverage at their own expense.

JOB PROTECTION

Employees returning to work from Family Medical Leave will be reinstated to their former position. If the position has been eliminated, the employee may be reassigned to an available equivalent position. Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement. Employees are expected to promptly return to work when the circumstances requiring Family Medical Leave have been resolved, even if leave was originally approved for a longer period. With the exception of employees on leave as the result of an on-the-job injury or illness or otherwise required by law, reinstatement shall not be considered if the leave period exceeds the maximum allowed.

The use of Family Medical Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employees who work for other employers during a "serious health condition" leave may be subject to discipline up to and including termination. Additionally, all employees who use Family Medical Leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

HEALTH AND SAFETY

EMPLOYEE HEALTH AND SAFETY

The City of Molalla is committed to providing a safe and healthful work environment. To accomplish this goal, everyone is expected to make good-faith efforts to promote safe and responsible behavior.

Safety rules and regulations are developed by managers, supervisors and safety committees. This process is ongoing and requires periodic review. Safety audits are undertaken to determine the necessity and feasibility of providing protective equipment, improving work safety practices, and other safeguards to make the workplace safe and healthful. Training for employees regarding workplace hazards and the proper and safe methods to use in performing their job tasks is provided.

All employees are expected to apply their skills and attention to the performance of their duties in accordance with the highest standard of care and good judgment. Employees are expected to faithfully adhere to safety rules and regulations, including using appropriate protective clothing and equipment, attending all training sessions related to their jobs, and following the directions of supervisory personnel.

Employees who are aware of safety hazards in or near the workplace are encouraged to report them to your immediate supervisor or the City Manager. Employees are also encouraged to bring any questions they may have about safe working conditions, or how to work safely, to their supervisor.

Accident Investigation and Reporting

All job-related injuries or illnesses should be reported to a supervisor immediately, regardless of severity. If, for any reason, you feel you cannot report the injury or illness to a supervisor, you may report it to the City Manager or Human Resource Department. (In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made). Failure to report an on-the-job injury or illness may preclude or delay the payment of any benefits you may be eligible for and could subject the City of Molalla to fines and penalties.

If an injury occurs:

1. Take immediate actions and/or render remedial first aid.
2. Seek emergency medical care if necessary – call 9-1-1.
3. Report the injury to a supervisor as soon as possible.

Injured employee responsibilities (to be carried out as soon as possible):

1. Fill out and submit an accident report form.
2. Cooperate in an accident investigation.
3. Complete the 801 Form if medical attention is sought.

4. Provide supervisor with a medical release from doctor/medical provider.
5. Review the incident with the supervisor or department head.
6. Discuss ability to return to a temporary modified job (if possible) and possible job restrictions.

Supervisor/Department Head responsibilities:

1. Conduct an investigation into the cause of the injury or accident.
2. Send the completed 801 Form (for medical treatment) investigation and current job description to the City Recorder.
3. Assign temporary light duty for the injured employee (where appropriate) as soon as they are released to return to work.
4. Monitor light duty to assure that worker stays within the restrictions and co-workers support injured worker on completing job tasks.
5. Continue to communicate and confer with claims manager.

Early Return-to-Work Program

The City's Return-to-Work program provides guidelines and procedures to return employees who become ill or injured, to meaningful employment as soon as possible. The program is not intended to be a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability, nor is it intended to deny time off rights under any family or medical leave laws.

The Return-to-Work program for work related injuries/illness consists of a team effort by supervisors, injured workers and their treating physicians, management, and workers' compensation claims staff. All team members will take an active role in returning injured employees to productive work.

Participating in this program helps employees to recover and return to full employment as soon as their medical condition permits. This Return-to-Work program is a transitional program designed to help ease employees back into their full duties or full work shift. It is not intended to become a replacement for a regular job.

In order to accommodate the employee's return to work, some light-duty job assignments may be in a department other than the employee's own,

Employees returning from a work injury or illness will be required to provide their supervisor a doctor's or medical professional's release prior to resuming work or temporary light duty. The release will specify whether the employee may resume full duties or has any restriction and the length of any restrictions. Please check with your supervisor to find out if you will need a return to work note from your physician or applicable other professional.

A special job will not be created in the event you are not able to perform the duties of the job you were employed to do in the event you are injured to the point you can no longer perform that job.

Use of Tobacco in the Workplace

Tobacco use is a danger to health and can cause annoyance and discomfort to those who are present in the same or confined places. As a result, all City buildings and vehicles are designated as non-smoking; this includes smokeless tobacco.

Places outside the office may be designated as tobacco use areas. If any employee has a concern about the areas designated, he/she should speak with his/her supervisor. Use of tobacco products is authorized only during breaks.

Tobacco users are expected to dispose of such items appropriately. Sidewalks and parking lots are not appropriate places of disposal.

Substance Abuse and Drug Testing

The objective of this policy is to provide a workplace and environment free from substance abuse. The City has a responsibility to employees and to the public to ensure safe operating and working conditions.

The following conditions and activities are expressly prohibited during working hours or while representing the City in any work-related fashion:

- Manufacturing, selling, attempting to sell, using, or possessing alcohol or other controlled or illegal substances that impair job performance or pose a hazard when use or possession occurs (except strictly in accordance with medical authorization);
- Reporting for work under the influence of alcohol, illegal drugs, or controlled substances in a manner that may impair work performance.

If your doctor prescribes over-the-counter or prescription drugs, you are responsible for ensuring that your ability to work safely will not be affected by taking the medication. If you are in doubt, or if you are aware of any side effects caused by your prescription or over the counter medication, please discuss this with your Department Head or City Manager before beginning work. Any medical issues discussed will be kept confidential.

For purposes of this policy, having any detectable level of an illegal or controlled drug in one's system while covered by this policy will be considered a violation. If there is a reasonable suspicion that an employee is in violation of this policy, the employee may be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. The City reserves the right to determine whether reasonable suspicion exists.

The following definitions apply:

Reasonable suspicion is defined as specific describable observations concerning such circumstances as the work performance, appearance (including, for example, noticeable odor of an alcoholic beverage), behavior, or speech of the employee, or being involved in an accident on City premises or involving City-provided equipment, tools or vehicles that results in physical injury or property damage.

Under the influence is defined as any detectable level of alcohol or drugs in an employee's blood or urine, or any noticeable or perceptible impairment of the employee's mental or physical faculties due to illegal or controlled substances. An employee who appears intoxicated on the job may be asked to take a breathalyzer test as well as a blood or urine screen test.

Controlled Substances are defined as all forms of narcotics, depressants, stimulants, hallucinogens, and cannabis whose sale; purchase, transfer, use, or possession is prohibited or restricted by law.

Over-the-counter drugs are defined as those that are generally available without a prescription from a medical doctor.

Prescription drugs are defined as those drugs that are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

Any employee who is found to be in violation of this policy, who refuses to submit to testing, or who refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination. The City also reserves the right to involve law enforcement officials for any conduct that is believed to be in violation of state or federal law.

Drug/Alcohol Testing

You may be required to submit to testing on a random or unannounced basis to determine the presence of, use of, or involvement with drugs or alcohol. This may include testing by random selection, testing of an entire department or work unit, or testing of specific identified categories of employees as a group.

New hires may be subject to a drug/alcohol test prior to beginning employment. Factors for determination are that of "safety & sensitive" such as police and public safety; where risk is encountered (including operation of heavy machinery, operation of machinery carrying hazardous materials, driving a bus, or license requiring CDL, working with water, sewer or electric utilities; and where an employee is in continuous contact with and is directly influential upon a juvenile; and positions where pre-employment drug/alcohol testing is required or allowed by federal or Oregon law

WORKPLACE VIOLENCE

The City of Molalla recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work, as well as employee productivity.

However, situations may occur that could present a risk of harm to employees and others. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the City of Molalla or that threatens the safety, security, property or financial interests of the City. Employees should make such reports directly to their immediate supervisor.

Some examples of workplace violence include but are not limited to:

- Hitting or slapping.
- Verbal threats to person or property.
- Threatening phone calls or e-mails.
- Intentional destruction of personal or public property.
- Stalking.
- Suggestions of violence.
- Verbal outbursts.
- Firearms at work or on public property (exclusions may apply for law enforcement).

All information related to the reports, including the name of the reporting employees, will be kept as confidential as possible under the circumstances. The City will notify the reporting employee of any action we take in response to the report.

Employee safety is of primary concern.

If a worker feels threatened or in danger of imminent bodily harm he/she should take the following steps:

1. Leave the scene, if it can be done safely. Do not attempt to control a violent person.
2. Call law enforcement (911) if the situation warrants.
3. The incident should be reported to the supervisor immediately or as soon as possible.

If the threatening individual poses no immediate physical threat, but is making verbal threats or otherwise intimidating workers or others in the area, then the employee should:

1. Keep back, move away from the individual, if possible in a way as not to provoke violence.
2. Notify a supervisor as soon as possible.

Any worker having knowledge of a violent act/threat involving other employees must report the incident immediately to a supervisor. The supervisor shall inform the City

Manager who will promptly start an investigation into the incident. Upon completion of a thorough investigation, it will be determined as to what corrective action, if any, shall be taken. Identification of any further safety or preventative measures will be discussed with department and safety committee members.

Situations may arise involving violent acts that demand immediate action to protect oneself or others. If such an incident occurs and there is no time to follow procedures per these guidelines or wait for a law enforcement official to respond, workers may protect themselves or try to escape. Employees are still required to report the incident as soon as possible.

The City may conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or potential threat to the safety of co-workers or others. An employee investigation may include investigation of criminal records and a search of the City's property such as desks, work areas, lockers, file cabinets, City cell phone records, voice mail systems, and computer systems.

Any intimidation, coercion, discrimination or retaliation against an individual who reports an act of workplace violence or who assists, participates or testifies in any manner in an investigation should be reported immediately. Those who engage in any act of retaliation, intimidation or harassment will be subject to disciplinary action up to and including termination.

SEPARATION FROM EMPLOYMENT

Separation from employment with the City of Molalla occurs when you voluntarily resign, or are laid off or discharged.

Resignation

In order to achieve an orderly transition and minimize workplace disruption, employees should notify their supervisor of their intent to resign at least (10) working days before departure, and (30) days before departure for supervisors and management-level personnel. Employees who fail to provide the requested notice may not be eligible for rehire with the City.

Return of City Property

Upon separation from employment, either voluntarily or otherwise, you must return all City of Molalla property in your possession by your last day of employment. City property includes City vehicles, keys, ID cards, pagers, tools, software, computers, computer disks, uniforms, this Manual, and any other items in your possession that are the property of the City of Molalla.

APPENDIX A

MANUAL RECEIPT ACKNOWLEDGMENT FORM

As an employee of City of Molalla, I acknowledge the following:

I have received a copy of the Personnel Policy Manual. I understand that the Manual contains important information about the City of Molalla's policies, work rules, and my benefits. I also understand that the Manual outlines my responsibilities as an employee of the City. I understand that I have the responsibility to read and understand the information in the Manual, and to ask my supervisor, City Manager or Human Resource Department for clarification of any information I do not understand.

I understand that this Manual is not a contract of employment or a guarantee of specific treatment in specific situations. Except for any supplemental safety policies and rules that apply to employees in certain jobs or work areas, or otherwise stated in a written employment contract, I understand that this Manual supersedes all prior Manuals, policies, and understandings on the subjects contained in it.

I understand that unless stated in an employment contract or collective bargaining agreement, the City of Molalla has the right to change, modify, add to, substitute, eliminate, interpret, and apply in its sole judgment, the policies, rules, and benefits described in this Manual. I further understand that should the content be changed, the City will require an additional signed acknowledgement from me to indicate that I am aware of the changes.

I further understand that unless stated otherwise in an employment contract signed by the City Manager or an applicable collective bargaining agreement, my employment with the City is "at will."

Employee Signature

Date

Print Employee's Name

Supervisor Signature

Date