

City Council Meeting Agenda

May 18, 2020

6:30 p.m. Public Meeting

To attend the meeting electronically call 1-312-757-3121, Access code 277-721-125

Phoenix Plaza Civic Center 220 N. Main St.

A complete agenda packet is available on the city's website. *If you need special accommodations, please give city hall 48-hour prior notice.*

1. Call to Order / Roll Call / Confirmation of a Quorum

Except as provided in Section 33 of the City Charter, a minimum of four Council Members are needed for a quorum and to conduct city business. If the Mayor is needed to establish a quorum, then he/she may become a voting member for that meeting (*Phoenix Municipal Code, Chap. 2.28.020.A.4*).

2. Pledge of Allegiance

3. Appoint City Council Vice-President

4. Public Comments

This item is for persons wanting to present information or raise an issue, not on the agenda. **To comment, please submit your comments in writing to the City Recorder by 5:00 pm on the day of the meeting.** (In accordance with state law, a recording of the meeting will be available at city hall, but only your name will be included in the meeting minutes.) While the Council or staff may briefly respond to your statement or question, **the law does not permit action on, or extended discussion of, any item not on the agenda** except under special circumstances.

5. Consent Agenda

Items on the Consent Agenda are considered routine and will be adopted by one motion. **There will be no separate discussion of these items unless it is requested by a member of the Council or staff.** If so requested, that item will be pulled from the Consent Agenda and considered separately immediately following approval of the remaining items.

a. Reports for Information & Possible Action:

- 1. Resolution No. 1054 - Declaring a Local State of Emergency.....4
- 2. RVCOG IGA City Manager Recruitment Services.....7

3. Resolution 1053 - A Resolution Establishing City Officials for the Purpose of Signing on Behalf of the City of Phoenix for City Funds	22
4. Declaring a Vacancy on the City Council.....	24
5. Intergrated Pesticide Management (IPM)	26

b. Minutes to Approve and File:

1. Minutes from City Council Meeting May 04, 2020,.....	29
2. Minutes from Executive Session May 04, 2020,	33

6. Consent Agenda Items Pulled for Discussion

7. Unfinished Business

8. New Business

a. Discussion - City Council Roles Facilitation by League of Oregon Cities.....	34
b. Discussion - City Council Vacany Appointment Process.....	38

9. Ordinance: Reading/Adoption

10. Staff Reports

- a. City Attorney
- b. City Manager

11. Mayor and Council Comments / Reports

Any Councilor may make an announcement or raise any item of business that is not on the agenda. While other Councilors or city staff may briefly respond or comment, the law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. If extended deliberation or potential action on a matter is desired, Council may direct staff to place the item on a future meeting agenda.

12. Adjournment

June 01, 2020 City Council

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June 15, 2020 City Council

- Resolution No. TBD – A Resolution Adopting the Budget, Making Appropriations and Levying and Categorizing Taxes for Fiscal Year 2020/21 for City of Phoenix
- Resolution N. TBD – A Resolution Declaring the City Election to Receive State Shared Revenues
- Resolution No. TBD – A Resolution Certifying that the City of Phoenix Provided Four or More Services on Accordance with the Requirements of ORS 221.760

To be scheduled: City Council

- Code Enforcement Introduction
- Street Scape
- Strategic Plan – Half-Day Study Session
- Building Code

To be scheduled: PHURA

Upcoming City of Phoenix Meetings:

All non-essential meetings canceled until further notice.

June 08, 2020	Planning Commission – Public Hearing 6:30 pm at 220 N. Main St., Phoenix
July 06, 2020	City Council Meeting 6:30 pm at 220 N. Main St., Phoenix

**CITY OF PHOENIX
PHOENIX, OREGON**

RESOLUTION NO. 1054

**A RESOLUTION OF THE CITY OF PHOENIX
DECLARING A LOCAL STATE OF EMERGENCY
IN THE CITY OF PHOENIX AS A RESULT OF COVID-19 PANDEMIC**

WHEREAS, Chapter II, Section 4 of the City of Phoenix 2015 Phoenix Charter provides:

Powers. The city has all powers that the constitutions, statutes, and common law of the United States and of this state now or hereafter expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers.

WHEREAS, the following conditions have resulted in the need for a local state of emergency declaration.

COVID-19 (novel corona virus) was declared a pandemic by the World Health Organization on March 11, 2020.

Corona virus are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life for individuals with underlying health conditions.

COVID-19 requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible.

On March 8, 2020, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1). Governor Brown also issued guidance regarding group gatherings and social distancing to minimize potential opportunities for the COVID-19 to spread (Executive Order No. 20-05).

The unknown duration of the COVID-19 pandemic will have significant financial impact to the community.

The office of the city manager of the City of Phoenix has been closely monitoring updated information for the state through the Oregon Health Authority (OHA), and the Centers for Disease Control (CDC) for U.S. updates. The primary focus at the City is to restrict the spread of COVID-19 and to maintain the health of our workforce so the City can continue to provide crucial City services.

Pursuant to ORS 401.309(1), the governing body of a city may declare, by ordinance or resolution, that a state of emergency exists within the city. The City Council has further

adopted an Emergency Operations Plan (August 2013) (the "EOP") in coordination with the state, county and other local governments within Jackson County.

Pursuant to the 2015 Phoenix Charter, Chapter IV, the City Council may exercise its administrative authority through adoption of resolution.

The City Council and its Mayor, through this resolution have determined that a state of emergency exists that requires a "coordinated response of all government levels to save the lives and protect the property of a large portion of the population" EOP 1.6.1.

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

SECTION 1. Findings. The City Council hereby adopts as findings and conclusions the foregoing recitals.

1. The mayor and City Council declare that a Local State of Emergency exists throughout the City of Phoenix.

SECTION 2. Order. This Declaration of Local State of Emergency is effective immediately and shall remain in effect **indefinitely**, so long as COVID-19 continues to pose an ongoing, immediate, and substantial threat to life, safety, health, or property in the City of Phoenix.

1. The declaration by the City Council states the emergency:
 - (a) The nature of the emergency is as defined in the recitals;
 - (b) The geographical boundaries of the area subject to the emergency procedures are within the boundaries of the City of Phoenix more specifically defined by Figure 2-1 in the EOP;
 - (c) The duration of time during which the area so designated shall remain an emergency area is as provided above in this Order; and
 - (d) Any special regulations imposed as a result of the state of emergency are as provided herein and as future needs require and all will be made based rationally upon specific need as clearly apparent by the circumstances presented.
 - (e) The city manager or his designee is authorized to institute special regulations as specifically needed and provided herein, such special regulation to be ratified by the City Council at the next legally scheduled meeting thereafter.
2. To protect the health and safety of City employees, with input from the City Human Resource department, IT, legal and other city department heads, City Council directs the city manager or his designee to have and continue to develop emergency policies and guidance on the use of sick leave, vacation leave, tele-commuting, meeting protocol, identification of essential and non-essential staff for ongoing presence at City facilities, and other policies that will be in effect for the duration of the emergency.
3. To eliminate exposure to and spread of COVID-19, and in support of state and federal guidelines for social distancing, the City of Phoenix is cancelling a number of programs and

public meetings through **June 30**, at which time the City will review the information from the CDC and Jackson County Health for updated decisions.

- At this time, scheduled City Council meetings will continue to occur, but with modifications including reduced meeting length and encouragement of live streaming options.

4. To respond to the COVID-19 Pandemic, the City may procure needed goods and services in accordance with ORS 279B.080 and without compliance with normal procurement procedures, redirect any necessary City funds for emergency purposes, and take any other action set forth in PMC 3.04, including any actions necessary for the protection of health and safety.

6. Sign ordinances will be suspended during this emergency.

7. The City will take all necessary steps authorized by law to coordinate the response and recovery of this emergency, including but not limited to, requesting assistance from the State of Oregon and Jackson County.

PASSED AND ADOPTED by the City Council and signed by me in authentication thereof on this 13th day of May, 2020.

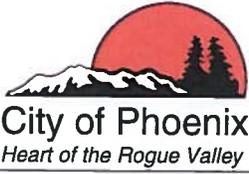
Mayor

ATTEST:

Bonnie Pickett, City Recorder

Approved as to form:

City Attorney
Douglas M McGeary, OSB 880793



City of Phoenix
Heart of the Rogue Valley

Agenda Item #: 5a2

Agenda Report to Mayor and Council

Agenda item title: RVCOG IGA City Manager Recruitment Services

Meeting Date: May 18, 2020

From: Eric Swanson Interim City Manager

Action: Motion, Ordinance, Resolution, Information only, Other

SUMMARY

The City Council directed the Interim City Manager to contact RVCOG to provide City Management recruitment services. Ann Marie Alrey, RVCOG Deputy Director of HR-Finance-IT Administration was contacted and provided a response to this request. The attached Intergovernmental Agreement (IGA) and associated recruitment materials were developed from recent City Manager recruitment efforts.

BACKGROUND AND DISCUSSION

The process to recruit the next City Manager will be similar to previous processes. RVCOG will advertise, receive and screen applicants and provide a recommendation to the City Council to determine the finalists. It will be up to the City Council to interview and make a selection.

COUNCIL GOALS SUPPORTED

Goal 21 Implement standardized hiring and personnel practices that result in staff retention and job satisfaction.

FISCAL IMPACT

RVCOG estimates that the total costs for these services to be \$4K-\$5K. We have budgeted recruiting costs in the upcoming 2020-21 budget.

RECOMMENDATION

Recommend approval of the IGA with RVCOG for City Manager recruitment services.

PROPOSED MOTION

I move approval of the IGA for City Manager Recruitment services and authorize the Mayor to sign the IGA on behalf of the City.

ATTACHMENTS

Proposed IGA and recruitment materials.

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is made and entered into by and between the Rogue Valley Council of Governments, hereinafter referred to as “RVCOG,” and the City of Phoenix, hereinafter referred to as “CITY,” all of which are hereinafter referred to collectively as the “PARTIES;”

WITNESSETH

WHEREAS, RVCOG is a voluntary association of local governments serving Jackson and Josephine Counties, Oregon; and

WHEREAS, the CITY is a member agency of RVCOG; and

WHEREAS, RVCOG has been asked by the CITY to provide services related to its recruitment of a new City Manager; and

WHEREAS, the purpose of this agreement is to make provisions for RVCOG to perform professional services for the CITY and to receive a cost reimbursement for said services.

NOW THEREFORE, in consideration of the mutual terms, conditions, stipulations and covenants herein contained, the PARTIES do hereby agree to the following:

A. EMPLOYMENT OF RVCOG

The CITY hereby agrees to engage RVCOG and RVCOG hereby agrees to perform the services hereinafter set forth.

B. SCOPE OF SERVICES

RVCOG shall do, perform, and carry out in a legal and proper manner, as reasonably determined by the CITY, the services requested by the CITY, as described in *Attachment A – Scope of Services / Fee Schedule*, which is attached hereto, and by this reference incorporated herein.

C. TIME OF PERFORMANCE

This agreement is effective upon signature by the PARTIES and shall remain in effect until recruitment of a City Manager has been completed or until the agreement is terminated by either party, in writing, per section D of this Agreement. Recruitment activities will begin on or after July 1, 2020.

D. AMENDMENTS AND TERMINATION

- This document constitutes the entire agreement between the PARTIES and no other

agreement exists between them for the noted services, either stated or implied. Any amendments or changes to the provisions of this agreement shall be reduced to writing and signed by all PARTIES.

2. Any of the PARTIES may cancel this agreement at any time with or without cause by giving thirty (30) days notice in writing and delivered in person or by certified mail to the signatory entities to this agreement. Such termination shall be without prejudice to any claims, obligations, or liabilities any of the PARTIES may have incurred prior to such termination.
3. If any contemplated funding is not obtained or continued at levels sufficient to allow for full performance herein, this agreement may be modified or terminated to accommodate such reduction in funds.

E. PAYMENTS

1. RVCOG will invoice the CITY on a monthly basis. The CITY shall reimburse RVCOG within 30 days of receipt of invoice.
2. Reimbursement will be made at the rates specified in *Attachment A*, subject to adjustments on July 1st of each year that this agreement is in force. Rates may also be adjusted on the first day of any month following an employee's change in status that affects pay or benefit rates. These rates apply to all time spent on professional services covered by this agreement and travel time to and from the CITY, if any. The CITY will also pay for any supplies, materials, other expenses, and travel costs incurred in performing the services.
3. Total reimbursement under this agreement shall not exceed \$TBD.

F. RESPONSIBILITIES

The CITY shall administratively assist RVCOG in accomplishing the tasks identified under Scope of Services by making the payments identified in Section E above; maintaining regular communication with RVCOG; helping to resolve differences that may arise between the PARTIES; and providing background information and technical support as necessary to accomplish any task assigned.

G. INDEMNIFICATION

1. Subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260–30.300, the Oregon Constitution, Article XI, Section 7 and the terms of any applicable policies of insurance, the parties agree to save, hold harmless and indemnify each other, including their officers, agents and employees, from any loss, damage, injury, claim, or demand by a third party against either party to this agreement arising from the activities of the other party in connection with this Agreement. None of the PARTIES shall be liable for any loss, damage, injury, claim, or demand against each other arising from

their respective activities in connection with this agreement, except as otherwise expressly set forth herein.

2. RVCOG shall comply with all applicable laws, ordinances and codes of the federal, state and local governments in its performance under this Agreement.
3. RVCOG, its subcontractors, if any, and all employees providing work, labor or materials under this agreement are subject employees under the Oregon Workers' Compensation law and shall comply with ORS 656.017 which requires them to provide Workers' Compensation coverage for all their employees.

H. INDEPENDENT CONTRACTOR

RVCOG is an independent contractor under this Agreement, and neither RVCOG, its subcontractors, nor its employees are employees of the CITY. RVCOG is responsible for all federal, state and local taxes and fees applicable to payments for services of its employees under this agreement.

I. ASSIGNMENT AND SUBCONTRACTS

RVCOG shall not assign this contract or subcontract any portion of the work without the prior written consent of the CITY, whose consent shall not be unreasonably withheld. Any attempted assignment or subcontract without the CITY' written consent shall be void. RVCOG shall be fully responsible for the acts or omissions or any of the assigns or subcontractors and of all persons employed by them. The approval by the CITY of any assignment or subcontract shall not create any contractual relation between the assignee or subcontractor and the CITY.

J. LIMITATIONS

This agreement in no way restricts RVCOG or the CITY from participating in similar agreements with other public or private agencies, organizations, or individuals with regard to any aspect of this agreement, so long as the same do not unreasonably interfere with any of the PARTIES' performance herein.

K. CONFIDENTIALITY - NON-DISCLOSURE

Subject to the Oregon Public Records Law, ORS 192.410-192.505, no report, information, or other data given to or prepared or assembled by the RVCOG pursuant to this Agreement which the CITY have requested be kept confidential, shall be made available to any individual or organization by RVCOG without the prior written approval of the CITY.

L. REPORTS AND RECORDS

All work produced by RVCOG while working for the CITY shall be the exclusive property of the CITY provided that RVCOG may obtain a copy of any public record information by paying for the reproduction costs thereof.

----- SIGNATURE PAGE FOLLOWS -----

DRAFT

IN WITNESS WHEREOF, RVCOG and the CITY have caused this agreement to be executed by their authorized representatives as of the date of the last signature affixed below:

PARTIES TO THE AGREEMENT:

City of Phoenix

Rogue Valley Council of Governments

Authorized Signature

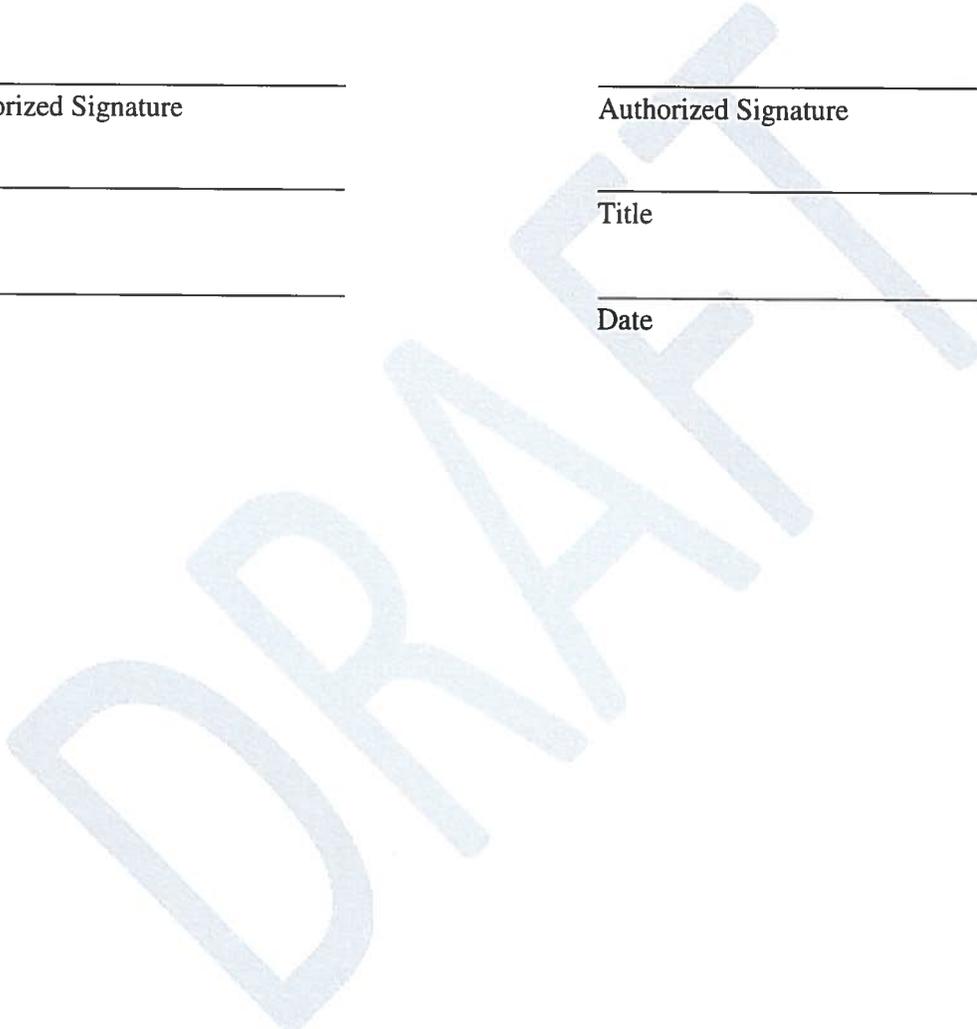
Authorized Signature

Title

Title

Date

Date



ATTACHMENT A – SCOPE OF SERVICES / FEE SCHEDULE

Scope of Services: RVCOG will provide the CITY with professional services related to the recruitment of a new City Manager using the following Project Scope:

Phase 1 –

- Review and update prior recruitment materials (job announcement and job description) and submit for Council approval
- Update City of Phoenix Employment Application to include Veteran’s Preference
- Post job opening in determined locations per Council approval
 - Indeed - No Cost
 - GovernmentJobs.com - \$175
 - League of Oregon Cities - \$20
 - Western City (League of California Cities) - \$300
 - International City/County Management Association (ICMA) - \$600 (Non-member price)

Phase 2 –

- Develop screening profile (desired skills/experience and rating scale)
- Receive applicant packets and send acknowledgements
- Apply Veterans' Preference points as applicable

Phase 3 –

- Review and rate applications using screening profile (developed in Phase 2)
- Select candidates to move to next step in process
- Notify applicants not chosen for interview
- Schedule and perform interviews
- Select top candidate(s)
- Conduct background (if necessary) and reference checks
- Determine top applicant in conjunction with Council
- Notify interviewees who were not chosen

2020 Fee Schedule

Hourly Rates Effective 7/1/2020*

Deputy Director	\$107.05/hr
Human Resources Specialist	\$50.18/hr

*Subject to adjustments on July 1 and on the first day of any month following an employee's change in status that effects pay or benefit rates. Hourly rates include travel time.



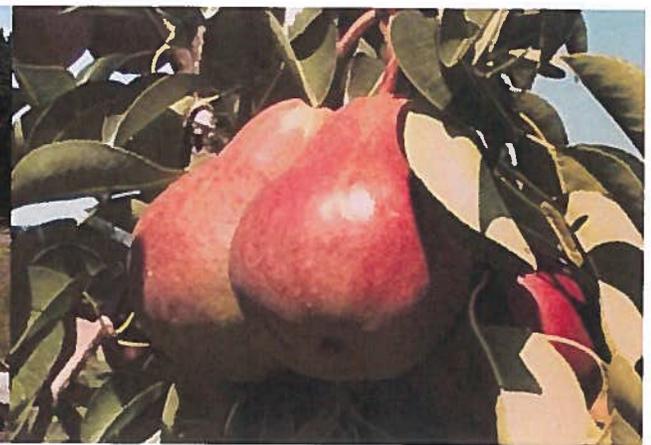
career opportunity

CITY MANAGER

City of Phoenix, Oregon

Salary: \$90,000 - \$105,000 DOE/DOQ

The City of Phoenix seeks a City Manager who embraces the values of honesty, integrity and transparency and will model these values while working with City Council, staff, business partners and the community. The ideal candidate will be a team player and an experienced public administration professional who is well-grounded in the practices and principles of human resource management, fiscal management, budget development, growth management and staff leadership. If this sounds like you, and you are an excellent communicator with superior interpersonal and listening skills, this is a great opportunity for you!

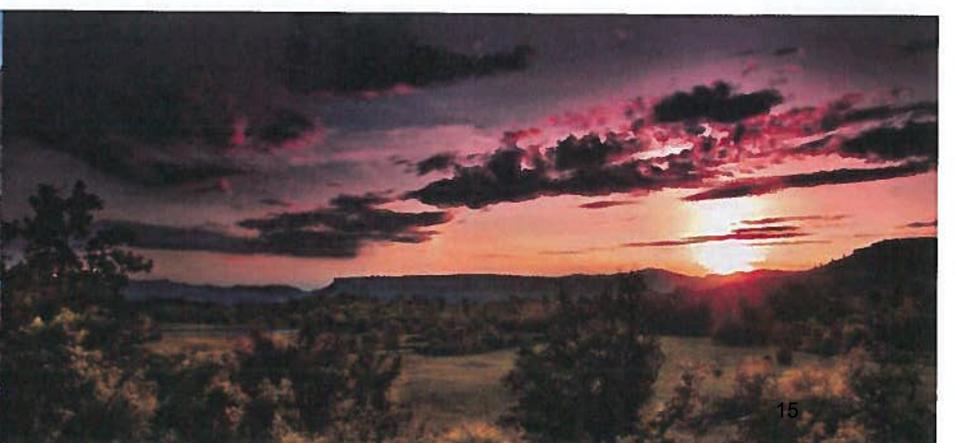


City of Phoenix

A GREAT PLACE TO WORK, LIVE & PLAY

The City of Phoenix City Council is focused on building partnerships and trust while engaging the community, and seeks a new City Manager who is committed to those ideals. Phoenix operates under a Council-Manager form of government. The Council consists of a mayor and six councilors who establish the policy direction for the City, appoint the City Manager and City Attorney, appoint the members of the City's advisory boards and commissions, adopt the annual budget and serve as the communication link to the citizens of Phoenix. The Council is also the board of directors of the Phoenix Urban Renewal Agency and the City Manager serves as the Agency's executive director.

The City is located in the heart of the beautiful Rogue Valley in Southern Oregon. Nestled between the Siskiyou and Cascade Mountain ranges, the City of Phoenix (pop. 4,600) offers affordable, small-city charm, a mild climate and easy proximity to world-class cultural and recreational amenities. The nearby Rogue River offers renowned fishing and rafting adventures, the Mount Ashland Ski Area is just 20 miles south of the City, and Rogue Valley golf courses are open year-round. The internationally acclaimed Oregon Shakespeare Festival is located nearby, as is the Britt Festival, which brings A-list musical artists to the Rogue Valley every summer. Phoenix is a family-friendly and diverse community with a top-notch school system. The City's growth and development potential is unmatched in Southern Oregon. Phoenix now seeks a City Manager with the energy and acumen to guide that growth and development and to propel the City to the bright future that awaits.



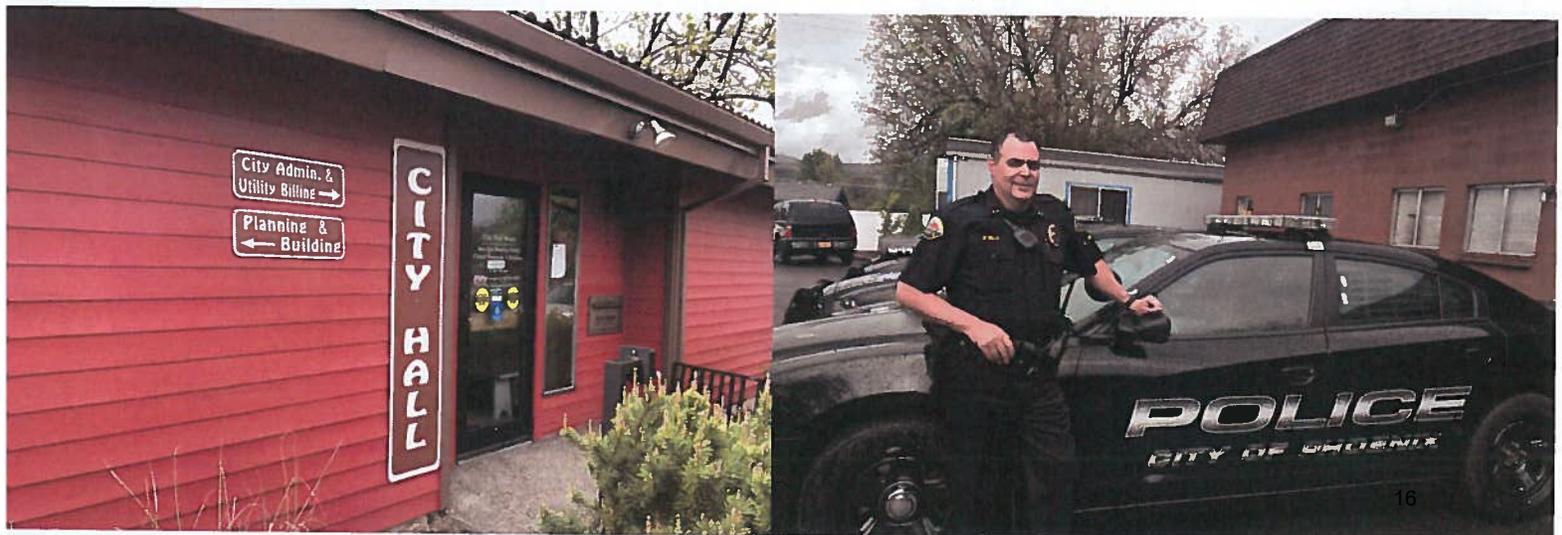
The Job & Ideal Candidate

The City Manager will work under the supervision of the City Council, leading a staff of 22 and overseeing an approximate budget of \$11 million (\$3.5 million in the general fund). This position serves as the chief executive officer of the City and executive director of the Urban Renewal Agency and is responsible for coordinating and directing all phases of city operations, projects and programs. This position oversees human resource management, budget preparation, fiscal oversight and supervision of the City's four department heads in Police, Public Works (Water, Streets and Parks), Planning, and Administration (Finance and Human Resources). Sewer services and fire protection are provided by special districts that are independent of the City. The City Manager will develop policy and procedures and engage and work closely with constituents, businesses and City Council members.

CHALLENGES & OPPORTUNITIES

- ▶ Master planning for the urban growth expansion area that will be Southern Oregon's next major commercial/industrial hub.
- ▶ Updating the City's Urban Renewal Plan and master planning for the development and redevelopment of downtown Phoenix.
- ▶ Working with the City Council on initiatives to build community partnerships with City government.
- ▶ Major capital projects, including street reconstruction and water line replacement.
- ▶ Executing plans for City space needs, including a new police station and City Hall remodeling.

THE IDEAL CANDIDATE is an experienced public administrator well-grounded in the practices and principles of human resource management, fiscal management, budget development and staff leadership. A calm demeanor under pressure is a must, as is a passion for public service. Excellent communication skills and the ability to be a team player and have an open-door policy with staff, the City Council, and the public are required. The ideal candidate also has the ability to think flexibly and strategically, but act decisively to achieve results. Other required skills include the ability to engage, motivate and build trust, and be comfortable relying on the expertise of the city's department heads.



CANDIDATE REQUIREMENTS:

- ▶ Bachelor's degree in Public Administration, Business Administration, Finance, Human Resource Management or closely related field. (Master's degree in Public Administration preferred.)
- ▶ Knowledge and understanding of public meetings and public records law and experience working in a union environment.
- ▶ Prior experience as the manager or assistant manager of a city, county or special district is preferred. Experience with Urban Renewal Agency management is highly desirable.
- ▶ Knowledge of: modern and highly complex principles and practices of municipal administration, organization, and economic development functions and services; organizational and management practices as applied to the analysis and evaluation of programs, policies, and operational needs; municipal tax and budget law; Oregon land use law and growth management policies; risk management and loss prevention; effective public relations and interrelationships with community groups, business and other municipal organizations and agencies.
- ▶ An equivalent combination of education, management and supervisory experience and training providing the knowledge, skills and abilities necessary to perform the essential functions of the position may be substituted on a case-by-case basis.

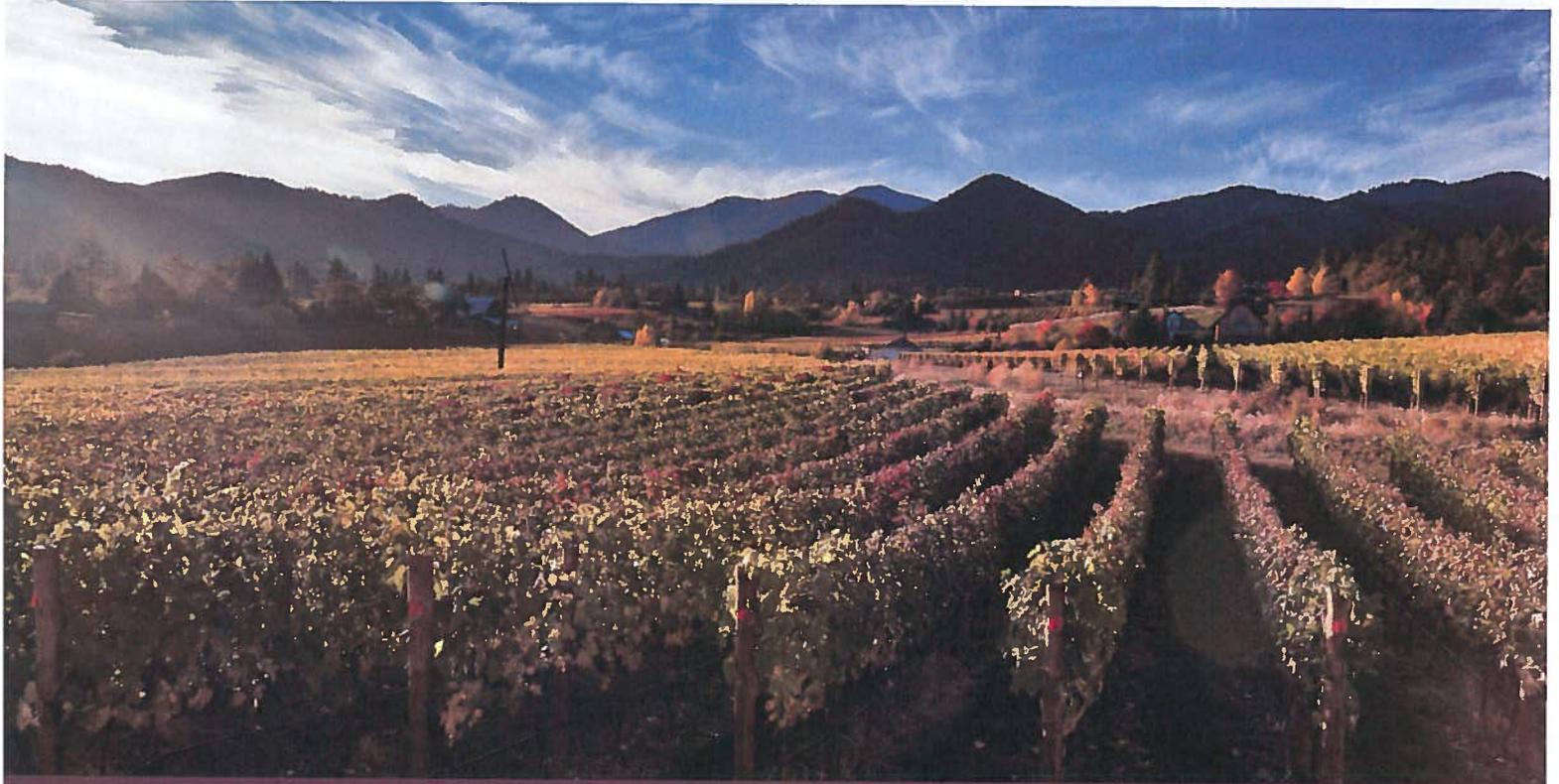


In Addition, the City Manager Will...

- ▶ Support and oversee the work of others, and provide staff opportunities for professional growth.
- ▶ Empower others and promote interdepartmental teamwork and collaboration.
- ▶ Have excellent communication and presentation skills.
- ▶ Provide fiscal oversight and accountability of a \$11 million budget and \$150 thousand urban renewal budget, and oversee budget development, revenue forecasting, and grants and loans.
- ▶ Perform long-term financing for the City's operational and capital needs, and provide financial analysis for the City Council/Urban Renewal Board, executive team, and Budget Committee.
- ▶ Be a big picture visionary to advance the City's goals and objectives.
- ▶ Ensure the effective and efficient implementation of Council policy direction.
- ▶ Be responsible for enforcement of city ordinances, policies, contracts, franchises and leases.
- ▶ Keep the Council informed of issues, trends and matters of city-wide interest and other matters that may rise to the Council's level of attention.
- ▶ Select, appoint, supervise, and evaluate department directors.
- ▶ Represent the City in the community and at professional meetings; participate on a variety of boards, commissions, and groups; attend all City Council meetings.
- ▶ Confer with residents, businesses, and other individuals, groups, and outside agencies having an interest in the affairs of the community or City government.
- ▶ Negotiate contracts and solutions on a variety of administrative, fiscal, and special projects, including collective bargaining agreements with City labor unions.

Salary & Benefits

The city of Phoenix offers an excellent compensation and benefits package. The starting salary for the position is **\$90,000-\$105,000**, depending on experience and qualifications. The City offers an outstanding health benefits package including vision and dental (City pays 90% of the premium cost and contributes \$1,200 annually to an HRA-VEBA account). Retirement benefits are provided by Oregon PERS and contributions are paid 100% by the City of Phoenix.



— How to Apply —

*For consideration, please refer to application instructions at www.RVCOG.org/how-do-i/apply-for-a-job. Application materials are due by **JULY 27, 2020**.*

Questions: Contact Human Resources at Rogue Valley Council of Governments
541.664.6674 or HumanResources@RVCOG.ORG

CITY OF PHOENIX, OREGON
CITY MANAGER POSITION DESCRIPTION

As the chief executive officer and under the supervision of the City Council, the City Manager plans, organizes and directs all phases of the activities and operations of the City to ensure the most effective use of financial and human resources in the provision of City services to the public. Performs related duties as required.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

1. Develops, plans and implements goals and objectives for the City and receives input from the Mayor and the City Council. Recommends and administers policies and procedures necessary to provide municipal services. Approves major new or modified programs, systems, or policies that have a high impact or high visibility in the community.
2. Ensures adherence to and enforcement of all ordinances of the city and the laws of the state, as well as city policies and procedures. Ensures that the provisions of the franchises, contracts, leases, permits and privileges granted by the City are fully observed and reports to the Council any violations thereof.
3. Provides highly responsible administrative staff assistance to the City Council; directs specific and comprehensive analyses of a wide range of municipal policies; prepares and submits to City Council reports of financial and administrative activities. Communicates effectively and frequently with the City Council and keeps the Council informed of issues, trends and other matters of citywide interest.
4. Directs the development, presentation and administration of the City budget. Prepares and oversees the financial forecast of funding needed for staffing, equipment, materials and supplies; monitors revenues and expenditures; implements mid-year adjustments as necessary.
5. Participates in and supports development of the City's Executive Team, as well as the personal and professional development of department directors. Facilitates, leads and participates in the meetings and activities of the Executive Team.
6. Selects, appoints, supervises and evaluates department directors and meets with them individually to review the status of department operations and projects. Consults with and advises directors in matters that include problems, methods, alternative actions, staffing and planning.
7. Represents the City in the community and at professional meetings; participates on a variety of boards, commissions and groups; attends all City Council meetings; provides leadership and guidance for various community clubs and civic groups; appoints administrative committees for coordination of services and activities.
8. Meets with media representatives and provides information for feature articles and publicity releases. Responds to and resolves difficult/sensitive citizen inquiries, complaints and concerns.
9. Facilitates and proposes solutions on a variety of administrative, fiscal and high-profile projects. Administers specific program activities by planning, organizing and supervising activities. Establishes and/or implements operating policies and procedures.

10. Confers with residents, businesses and other individuals, groups and outside agencies having an interest in the affairs of the community or City government; interprets, analyzes and explains policies, procedures and programs. Reviews difficult or sensitive customer relations issues and implements corrective actions, as necessary, in a timely manner.
11. Negotiates contracts and solutions on a variety of administrative, fiscal and special projects, including collective bargaining agreements with City labor unions.
12. Coordinates the implementation of effective processes and models to maintain and promote organization-wide morale and a respectful, productive workplace.
13. Phoenix Urban Renewal Agency Executive Director: Oversees appropriate commercial and other development. Prepares agendas and budgets. Provides guidance to the Agency. Works with property owners within the urban renewal district along with state and county officials to provide the most meaningful economic development possible. Carries out the policies and directives of the urban renewal plan and the Agency board of directors.
14. Performs all duties as may be prescribed by City Council action.

EDUCATION AND EXPERIENCE:

Bachelor's degree in Public Administration, Business Administration, Finance, Human Resource Management or closely related field. A Master's Degree in Public Administration is preferred. An equivalent combination of education, management and supervisory experience and training providing the knowledge, skills and abilities necessary to perform the essential functions of the position may be substituted on a case-by-case basis. A minimum of two years of city, county or special district management experience is desired.

SKILLS AND ABILITIES:

1. Advanced analytical and data management skills.
2. Advanced written and oral communication skills.
3. Strong presentation and speaking skills.
4. Ability to communicate and serve as a strong partner with the City Council.
5. Attention to detail while maintaining a "big picture" vision of the long-term needs of the City.
6. Ability to quickly grasp new concepts and laws related to public agency management.

KNOWLEDGE NEEDED:

1. Modern and highly complex principles and practices of municipal administration, organization and economic development functions and services.
2. Organizational and management practices as applied to the analysis and evaluation of programs, policies and operational needs.
3. In-depth knowledge of public meetings and public records law, as well as parliamentary rules of procedure.
4. Principles and practices of municipal government budget preparation and administration, and working knowledge of Oregon tax and budget law.
5. Principles and practices of organization, administration and personnel management.
6. Research and reporting methods, techniques and procedures.

7. Principles of effective public relations and interrelationships with community groups and agencies, private business and other levels of government.
8. Sources of information related to a broad range of municipal programs, services and administration.
9. Pertinent Federal, State and local laws, codes, and regulations.
10. Principles of supervision, training and performance evaluation.
11. Principles of risk management and loss prevention.
12. Principles and practices of public procurement, including Oregon public contracting law.

PHYSICAL DEMANDS OF THE POSITION:

- Mobility: frequent sitting for long periods of time; occasional bending or squatting.
- Lifting: occasionally up to 30 pounds.
- Vision: constant use of overall vision; frequent reading, close-up work, and exposure to computer screens; occasional color and depth vision.
- Dexterity: and frequent use of keyboard and repetitive motion (e.g. data entry).
- Hearing/Talking: frequent hearing and talking, in person, in public, and on the phone.
- Emotional/Psychological: constant coworker and/or public contact.

WORKING CONDITIONS:

Work is performed primarily in an office environment with regular work site visits.

SUPERVISION RECEIVED:

Works under the general supervision of the City Council with significant latitude to complete assignments and program responsibilities independently.

ACCOMMODATIONS:

The information contained in this job description is in compliance with the Americans with Disabilities Act (ADA). To perform this job successfully, an individual must be able to perform each essential job function satisfactorily. The qualification requirements, physical demands, and work environment described in this job description are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individual with disabilities to perform the essential functions of the job and must not prohibit the employment of a person with disabilities.



Agenda Report to Mayor and Council

Agenda item title: Resolution No. 1053 – A Resolution Establishing City Officials for the Purpose of Signing on Behalf of the City of Phoenix

Meeting Date: May 18, 2020

From: Bonnie Pickett, City Recorder

Action: Motion, Ordinance, Resolution, Information only, Other

SUMMARY

This is a resolution to give authorization to the Mayor, Council President, Vice President, and Interim City Manager to sign checks and other documents associated with the City's bank account.

BACKGROUND AND DISCUSSION

The City of Phoenix requires two authorized signatures on each check. In order to ensure that at least two signatories are available at all times, the City authorizes four officials for signing. Additionally, Umpqua bank requires an authorized signer's authority to make any changes to the bank accounts. The resolution as presented will allow the City to change authorized signers.

FISCAL IMPACT

N/A

RECOMMENDATION

Staff recommends approval of the resolution.

PROPOSED MOTION

I move approval of Resolution No. 1050, establishing City officials for the purpose of signing on behalf of the City of Phoenix for City funds.

ATTACHMENTS

Resolution No. 1053



**CITY OF PHOENIX
PHOENIX, OREGON**

RESOLUTION NO.1053

**A RESOLUTION ESTABLISHING CITY OFFICIALS FOR THE PURPOSE OF
SIGNING ON BEHALF OF THE CITY OF PHOENIX FOR CITY FUNDS**

WHEREAS, the City Council of the City of Phoenix deems it necessary to designate depositories for city funds and who shall sign in behalf of the city for city funds:

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Phoenix Oregon designates the following as depositories for city funds:

Umpqua Bank, Phoenix, Oregon

BE IT FURTHER RESOLVED that the City Council of the City of Phoenix, Oregon hereby designates the elected and appointed officials listed below by name, title, and signature, as authorized to sign on behalf of the City of Phoenix for city funds:

Chris Luz, Mayor _____

Stuart Warren, Council President _____

_____, Council Vice-President _____

Eric Swanson, Interim City Manager _____

PASSED AND APPROVED by the City Council of the City of Phoenix and signed in authentication thereof at a regular meeting on the 18th day of May 2020.

Chris Luz, Mayor

ATTEST:

Bonnie Pickett, City Recorder

Agenda Report to Mayor and Council

Agenda item titles in chronological order:

1. Appoint City Council Vice President
2. Declaring a vacancy on the City Council
3. Discussion- City Council Vacancy Appointment Process

Meeting Date: May 18, 2020

From: Eric Swanson, Interim City Manager (ICM)

Action: X__ Motion, __Ordinance, __Resolution, __Information only, __Other

SUMMARY

This agenda report will address the three actions that the city council will need to consider to elect the Vice President of the City Council, declare the vacancy on the City Council, and move forward with the process of filling the vacancy.

BACKGROUND AND DISCUSSION

Council President Terry Baker tendered his resignation effective May 5, 2020. Because of this vacancy the current Council Vice President Stuart Warren will become City Council President (City Code Section 33:3 of Chapter VI Elections). The City Council will then need to fill the City Vice President position (City Code Section 33:4 of Chapter VI Elections).

City Code Section 33:1 of Chapter VI Elections, stipulates that a vacancy in the Council shall be filled by appointment by a majority of the remaining Council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office.

The attachment provides a framework to proceed with filling this vacancy. It describes the required qualifications, description of City Councilor duties and time commitment. There is also a link to the application along with a timeline for interviews and appointment.

COUNCIL GOALS SUPPORTED

Goal 18 Open, transparent, consistent governance.

FISCAL IMPACT

N/A

RECOMMENDATION

1. Proceed with appointing the City Council Vice President
2. Declaring the City Council vacancy
3. Direct the ICM to proceed with advertising the vacancy as described in the attached document.

PROPOSED MOTION

I move to appoint _____ as Phoenix City Council Vice President

I move to declare a vacancy on the Phoenix City Council

I move to direct the ICM to proceed with advertising the vacancy as set for in the attached document entitled "Phoenix City Council Seeks Applicants for Vacant Position".

ATTACHMENTS

Phoenix City Council Seeks Applicants for Vacant Position

INTRODUCTION

Integrated Pest Management (IPM) is an approach that establishes a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health and environmental risks.

City of Phoenix, Oregon has adopted this Integrated Pest Management Plan for the buildings and grounds it manages. The plan outlines procedures to be followed to protect the health and safety of staff, residents and visitors from pest and pesticide hazards. The plan is designed to voluntarily comply with policies and regulations promulgated by the Department of Agriculture.

Objectives of this IPM plan include:

- Elimination of significant threats caused by pests to the health and safety of residents, staff and visitors.
- Prevention of loss or damage to structures or property by pests.
- Protection of environmental quality inside and outside buildings.
- Reduction of weeds and unwanted plant growth.

This IPM plan will be stored in the office of the IPM Coordinator.

IPM COORDINATOR

The Supervisor of Public Works or designee shall be the City's IPM Coordinator and be responsible to implement the IPM plan and to coordinate pest management-related communications between the City, service providers, city staff and residents.

The IPM Coordinator is responsible for the IPM implementation at each city facility.

POSTING AND NOTIFICATION OF PESTICIDE APPLICATIONS

When pesticide applications are scheduled in the City-managed buildings or on grounds, the City Service Providers and staff shall provide notification, including:

1. Posting a pest control information sign with the date, time and location of the application and the product applied in an appropriate area, including contact information for additional details.
2. Providing this information to all individuals working in the building.

RECORD KEEPING & PUBLIC ACCESS TO INFORMATION

The City of Phoenix will maintain records of all Service Provider visits and pest control treatments for at least three (3) years. Information regarding pest management activities will be made available to the public at the City of Phoenix Public Works Administrative Office.

TRAINING

All Facilities staff will be provided with training on the City's IPM policy at hire and during annual update training. Training will include the rationale for the IPM policy and program and specific elements including use of the pest-sighting log and prohibition of pesticide applications by non-certified individuals.

The IPM Coordinator will receive advanced training on identifying pest infestations and pest-conducive conditions. This training will improve the ability of the IPM Coordinator to oversee Service Providers and staff compliance with the City's IPM policy and plan.

GENERAL IPM STRATEGIES

Pest management strategies may include education, exclusion, sanitation, maintenance, biological and mechanical controls, and pre-approved, site-appropriate pesticides.

An Integrated Pest Management decision at the City shall consist of the following steps:

1. Identify pest species.
2. Select the appropriate management tactics based on current on-site information.
3. Assess effectiveness of pest management.
4. Keep appropriate records.

Decisions concerning whether or not pesticides should be applied in a given situation will be based on a review of all available options. Efforts will be made to avoid the use of pesticides by adequate pest proofing of facilities, good sanitation practices, selection of pest-resistant plant materials, and appropriate horticultural practices.

When it is determined that a pesticide must be used in order to meet pest management objectives, the least-hazardous material, adequate for the job, will be chosen.

All pesticide storage, transportation, and application will be conducted in accordance with the requirement of the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code 136 et seq.), Environmental Protection Agency regulations in 40 CFR, Occupational Safety and Health Administration regulations, the City policies and procedures, and local ordinances.

No person shall apply, store, or dispose of any pesticide on the City-managed property without an appropriate pesticide applicator license. All pesticide applicators will be trained in the principles and practices of IPM and the use of pesticides approved for use by the City. All applicators must comply with the IPM policy and follow appropriate regulations and label precautions when using pesticides in or around facilities.

CITY STAFF ROLES

The City administration will provide support to assist the IPM Coordinator in maintaining an IPM program that relies on minimal pesticide use. Such support will include efforts to promptly address any structural, horticultural, or sanitation changes recommended by the coordinator to reduce or prevent pest problems.

Furthermore, administration will assist the Coordinator in developing and delivering materials and programs for staff, residents, and visitors to educate them about the importance of good sanitation and pest control. The Supervisor of Public Works is responsible for ensuring staff compliance with the IPM policy and plan.

**City Council Regular Meeting
220 N. Main St.
Phoenix Plaza Civic Center
Monday, May 04, 2020**

1. CALL TO ORDER

Mayor Luz called the regular meeting of the City Council to order on Monday, April 04, 2020, at 6:30 p.m. at the Phoenix Plaza Civic Center.

ROLL CALL

PRESENT: Chris Luz, Terry Baker, Stuart Warren, Angie Vermillion, Jim Snyder, Robert Crawford, and Sarah Westover

STAFF PRESENT: Eric Swanson, Interim City Manager
J.C. Boothe, Finance Director
Bonnie Pickett, City Recorder
Derek Bowker, Police Chief

2. PLEDGE OF ALLEGIANCE

3. PRESENTATIONS

Matt Brinkley – Urbanization Element of the Comprehensive Plan

Matt Brinkley, Red Arrow Planning Development Research, gave a brief outline of the Urbanization Element of the Comprehensive Plan. Mr. Brinkley discussed his response to Josh LeBombard's comments to the Urbanization Element. He explained the process of approval of the Comprehensive Plan will follow and who and how it will be reviewed before approved.

4. PUBLIC COMMENTS

Mayor Luz noted that he received a letter from Tony Chavez's attorney. Mayor Luz noted he was advised by the City Attorney to correct a misunderstanding of the rules of public meetings. He stated that speech is widely protected under the Oregon and State constitution. Mayor Luz noted that under public comment anyone can make derogatory comments about the staff and the Council as long as physical harm to the person or their property doesn't occur. He noted that he should not treat each speaker differently, he should only say how much time they have to speak, the time has started, and when it has ended.

Written comments received from Carolyn Marshall, Tony Chavez, and Josh LeBombard (DLCD). All comments are attached to the minutes.

5. CONSENT AGENDA

a. Reports for Information & Possible Action:

1. Emergency Declaration Extension
2. Resolution 1050 – A Resolution Establishing City Officials for the Purpose of Signing on Behalf of the City of Phoenix for City Funds
3. Supplemental Budget
4. Appoint Budget Officer for FY 2020-21

b. Minutes to Approve and File:

1. Minutes from City Council Meeting, April 06, 2020
2. Minutes from Executive Session April 06, 2020

Councilor Vermillion requested item 5a1 be pulled from the consent agenda.

Motion: To approve the Consent Agenda with amendments expect for a1. MOVED BY WARREN, SECONDED BY SNYDER. No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

6. Consent Agenda Items Pulled for Discussion

Emergency Declaration Extension

Councilor Vermillion questioned why they would want to extend the declaration.

Mr. Swanson noted that the extension will allow the City to make quick decisions more efficiently. He noted Jackson County and the City of Medford have requested the opening of businesses in the Southern Oregon area of the Governors office.

Councilor Westover noted that we are discussing two different issues. Approving the declaration just extends the time constraints that are placed on it, the other is asking the Governor's office to lift social distancing measures, which she does not support. She noted that we need to keep our elders safe.

Mr. Swanson noted he received an email from Kelly Madding regarding the reopening of businesses through phase one process and how everyone needs to be aware of the requirements that need to be in place to keep people safe.

Councilor Snyder noted that the Governor extended the States declaration of emergency until July 06, 2020. He also noted that the council should consider the date and time of the City's declaration of emergency be after the date of the meeting so that citizens don't think it has been lifted in the morning before it comes before the council in the evening.

Motion: I move that we make an extension of the declaration of emergency, to change the end date from May 18, 2020, to May 19, 2020. MOVED BY SNYDER, SECONDED BY BAKER. No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

8. NEW BUSINESS

a. Resolution 1052 – Establishing a Police Station Reserve Fund for the 2020/21 Fiscal year.

Mr. Swanson noted the resolution is to establish a fund where revenue can be placed to build a new police station.

Ms. Boothe noted that the revenue that would be moved into the fund would not strictly be from the fees on the utility bills. She noted that the fund is designed to accumulate carry over revenue to this new fund.

Motion: I move to approve Resolution No. 1052, establishing a Police Station Reserve Fund for the 2020/21 Fiscal Year. MOVED BY SNYDER, SECONDED BY WARREN.
No further discussion.

ROLL CALL VOTE AS FOLLOWS:

Ayes: Snyder, Warren, Westover

Nay: Crawford, Baker

Abstain: Vermillion

MOTION APPROVED WITH THREE AYES

9. Ordinance Reading/Adoption

10. STAFF REPORTS:

Doug McGeary, City Attorney, no report.

Eric Swanson, Interim City Manager, no report.

11. MAYOR AND COUNCIL COMMENTS/ REPORTS:

Councilor Crawford no comment.

Councilor Baker no comment.

Councilor Vermillion noted she would like to discuss exit interviews of exiting employees. She noted that she wants to know why City employees are being removed from their positions.

Mayor Luz noted that this is an issue that is not a charge of the council.

Councilor Baker asked if an employee has a dispute with management what is the regulation regarding council speaking with this dismissed employee.

McGeary noted that the employee handbook gives employees guidance on who the designated person would be to go to for employee concerns. He noted that it is not a good idea for them to go to the council.

Mayor Luz noted that the council should not be addressing employment issues or their employment status.

Councilor Westover noted that several things are going on, the first being a lack of trust in the information they are receiving from the City Attorney that they have hired to help them avoid situations that could lead to litigation. She noted that she had found several articles from legal journals stating what the roles and responsibilities of the council are and are not; which states employee matters are not to be handled by the council. Councilor Westover stated that the council has a great opportunity to hire a city manager with input from staff to handle employee issues for the council. She noted that the council should not be getting between the city manager and staff regarding employee issues.

Councilor Baker asked who should the council go to if they can't go to the city manager.

Mayor Luz noted that he can go to the city attorney if he feels he can't go to the city manager.

Motion: I move to table the conversation until the next council meeting to discuss the roles of the council. **MOVED BY WARREN, SECONDED BY WESTOVER.** No further discussion

MOTION APPROVED BY UNANIMOUS VOTE

Councilor Warren noted he is also concerned about employee retention and may look into the HR department. He also noted he recently got back from his Grand Canyon trip and is happy to see everyone again.

Councilor Westover noted she is also concerned about employee retention and the role the council plays in it.

Councilor Snyder noted that we all owe the people that work in and around the city to make everyone's life better while putting theirs at risk, a strong thank you.

Mayor Luz noted the new dog park at Colver Park has been completed. When restrictions are lifted, please go check it out. He also mentioned that someone had removed all the cautionary tape on the playground equipment at the park.

12. ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Bonnie Pickett
City Recorder

**City Council Executive Session Meeting
220 N. Main St.
Phoenix Plaza Civic Center
Monday, May 04, 2020**

CALL TO ORDER

Mayor Luz called the executive session of the City Council to order on Monday, May 04, 2020, at 8:20 p.m. at the Phoenix Plaza Civic Center.

ROLL CALL

PRESENT: Chris Luz, Stuart Warren, Angie Vermillion, Terry Baker, Jim Snyder, Sarah Westover, and Rober Crawford

STAFF PRESENT: Eric Swanson, Interim City Manager
Douglas McGeary, City Attorney
Bonnie Pickett, City Recorder

Mayor Luz convened into executive session at 8:20 p.m. under ORS 192.660 (2) (f), to consider information or records that are exempt by law from public inspection.

Discussion followed and no decisions were made. Mayor Luz closed the executive session.

Motion: To extend the meeting until 9:30 p.m. **MOVED BY BAKER, SECONDED BY VERMILLION.** No further discussion.

MOTION APPROVED BY UNANIMOUS VOTE

The meeting adjourned at 9:33 p.m.

Bonnie Pickett
City Recorder

Agenda Report to Mayor and Council

Agenda item title: City Council Roles Facilitation by League of Oregon Cities

Meeting Date: May 18, 2020

From: Eric Swanson, Interim City Manager

Action: X__ Motion, __Ordinance, __Resolution, __Information only, __Other

SUMMARY

The City Council directed the Interim City Manager (ICM) to contact the League of Oregon Cities (LOC) to request City Council roles facilitation services. The City Attorney and ICM contacted Patty Mulvihill, LOC General Counsel and Tamara Jones, Deputy General Counsel for City County Insurance Services (CIS) to discuss the facilitation services requested. LOC provides these services to their member cities.

BACKGROUND AND DISCUSSION

The attached proposal provides an outline of the process that was provided by Patty Mulvihill. The proposal recommends a full day with city council and staff participation in late July or early August. Prior to the date selected, LOC staff will contact City Councilors and City Staff to customize the approach to the facilitation.

COUNCIL GOALS SUPPORTED

Goals 18 Open, transparent, consistent governance

Goal 19 Council and Staff teamwork/action guided by clear goals and priorities.

FISCAL IMPACT

CIS will provide \$1,500 stipend to support this effort. LOC charges a \$5,000 flat fee. The proposed 2020-21 Executive Department budget includes a line item of \$33,250 for Professional and Contract services that could support the \$3,500 expenditure.

RECOMMENDATION

After discussion and commitment to participate in the process is achieved, move forward as outlined in the LOC proposal.

PROPOSED MOTION

I move to authorize the Interim City Manager to sign the proposal with the LOC for facilitation services.

ATTACHMENTS

Proposal for Facilitation Services



Proposal for Facilitation Services

Submitted to:

Eric Swanson
Interim City Manager
City of Phoenix
112 W. 2nd
Phoenix, Oregon 97535
eric.swanson@phoenixoregon.gov

May 13, 2020

Dear Eric:

Based on our conversation from Monday, I understand that you have asked for a proposal for a full-day (8 hour) facilitation from the League of Oregon Cities (LOC). The purpose of the facilitation will be to hopefully accomplish three things among various city of Phoenix officials: (1) begin the process of solidifying trust; (2) identify any communication barriers, and if any barriers are identified, build new communication pathways; and (3) identify roles and responsibilities for each official participating in the facilitation. LOC strongly encourages each elected official, the city manager, and all department heads to participate in this facilitation.

Any facilitation provided by LOC will be specifically tailored to the city of Phoenix and its current needs. No two facilitations are the identical. To build a Phoenix-specific facilitation, LOC staff will review all governing documents and relevant codes/policies of the city of Phoenix, review the city's recent internal investigation report, and conduct a series of one-on-one interviews with each person who will participate in the facilitation. Once these three actions have been taken, an outline of the facilitation will be provided to you, as the Interim City Manager, whereupon you can comment and make suggested changes.

The interviews between LOC and Phoenix officials will be confidential, at no time will LOC share the results of the interviews with any person who is not an employee of the LOC. Each person interviewed will be asked a series of questions designed to identify their specific concerns with how Phoenix is currently operating and the goals they hope to achieve with the facilitation. In my experience, these interviews can last anywhere between 20 minutes to one hour, it really depends on the person being interviewed and what they have and want to say. LOC will also allow for facilitation participants to send it comments/concerns via email if participants prefer that communication mode. Interviews will be conducted between 7 to 4 weeks in advance of the facilitation date – this allows LOC staff enough time to digest what was learned in the interviews to help build a Phoenix-specific facilitation program.

It is understood that the City of Phoenix intends for this training to be open only to City of Phoenix officials and the cost estimate below reflects as such (LOC understands this will be a public meeting and the public may be invited to watch the proceedings, but that the public will not be allowed to participate in the facilitation). The cost for this facilitation is a flat fee of \$5,000.00. Phoenix will be billed for the facilitation within the 30 day

period following the facilitation.

LOC has four potential dates upon which it can conduct the facilitation:

- Tuesday, July 28, 2020 (8 a.m. to 5 p.m. – 1 hour lunch break);
- Wednesday, July 29, 2020 (8 a.m. to 5 p.m. – 1 hour lunch break);
- Tuesday, August 11, 2020 (8 a.m. to 5 p.m. – 1 hour lunch break); and/or
- Wednesday, August 12, 2020 (8 a.m. to 5 p.m. – 1 hour lunch break).

I have tentatively blocked off these four dates until you identify which date works best for your city. If none of the dates work for Phoenix, we will need to look at dates during the month of September.

If you choose to proceed with this proposal, please sign below where indicated and indicate which date you wish to use for the facilitation. The City of Phoenix will be responsible for providing the meeting space for the facilitation and any additional optional meeting needs such as food and beverages, pens and notepads, etc.

Disclaimers: This facilitation is not intended to be a substitute for and will not provide legal advice. The materials provided through this training are intended to be for informational purposes only. Additionally, please consider that gatherings of public officials for facilitations such as this may constitute a public meeting and require providing public notice as required by law.

If you would like to proceed with this proposal, please complete the area below and return it by Friday, May 29, 2020.

Sincerely,
Patricia M. Mulvihill
General Counsel
League of Oregon Cities

On behalf of the City of Phoenix (City), I agree to the terms and fees as outlined in the proposal above. I understand that the League of Oregon Cities (LOC) reserves the right to cancel any facilitation for any reason in its sole discretion. The City may also cancel the period of instruction for any reason by doing so in writing at least fourteen (14) calendar days prior to the scheduled training date. If the City cancels with fewer than fourteen (14) calendar days prior to the event, the City may be billed for any actual cost incurred by LOC.

By: _____ **Date:** _____

Name: _____ **Title:** _____

Date of Facilitation (Please pick from four available options provided above or note that dates in September should be provided): _____

Agenda Report to Mayor and Council

Agenda item titles in chronological order:

1. Appoint City Council Vice President
2. Declaring a vacancy on the City Council
3. Discussion- City Council Vacancy Appointment Process

Meeting Date: May 18, 2020

From: Eric Swanson, Interim City Manager (ICM)

Action: X__ Motion, __Ordinance, __Resolution, __Information only, __Other

SUMMARY

This agenda report will address the three actions that the city council will need to consider to elect the Vice President of the City Council, declare the vacancy on the City Council, and move forward with the process of filling the vacancy.

BACKGROUND AND DISCUSSION

Council President Terry Baker tendered his resignation effective May 5, 2020. Because of this vacancy the current Council Vice President Stuart Warren will become City Council President (City Code Section 33:3 of Chapter VI Elections). The City Council will then need to fill the City Vice President position (City Code Section 33:4 of Chapter VI Elections).

City Code Section 33:1 of Chapter VI Elections, stipulates that a vacancy in the Council shall be filled by appointment by a majority of the remaining Council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office.

The attachment provides a framework to proceed with filling this vacancy. It describes the required qualifications, description of City Councilor duties and time commitment. There is also a link to the application along with a timeline for interviews and appointment.

COUNCIL GOALS SUPPORTED

Goal 18 Open, transparent, consistent governance.

FISCAL IMPACT

N/A

RECOMMENDATION

1. Proceed with appointing the City Council Vice President
2. Declaring the City Council vacancy
3. Direct the ICM to proceed with advertising the vacancy as described in the attached document.

PROPOSED MOTION

I move to appoint _____ as Phoenix City Council Vice President

I move to declare a vacancy on the Phoenix City Council

I move to direct the ICM to proceed with advertising the vacancy as set for in the attached document entitled "Phoenix City Council Seeks Applicants for Vacant Position".

ATTACHMENTS

Phoenix City Council Seeks Applicants for Vacant Position

Phoenix City Council Seeks Applicants for Vacant Position

The City Council of Phoenix, Oregon, is seeking applications to fill a vacancy created by the resignation of a Phoenix City Councilor, who tendered his resignation on May 5, 2020. On May 18, 2020 the Phoenix City Council declared a vacancy on the Council. Phoenix residents who are interested in being appointed to the City Council are invited to complete an application.

In order to serve on the Council, an applicant must be a registered voter who has lived in Phoenix for at least 12 months prior to his or her appointment and a qualified elector under the State Constitution.

The City Council consists of a mayor (elected to a two-year term) and six Councilors (elected to four-year terms). The Council seat filled by this appointment ending on December 31, 2020 will be up for election in November 2020. Councilors are volunteers who set policy and direction for the City, appoint and supervise the city manager, city attorney and adopt the annual budget.

There are two Council meetings each month, along with occasional special meetings, and Budget Committee meetings in May of each year. Councilors are also appointed to serve as liaisons to the City's standing boards and commissions and to regional commissions and committees that deal with such things as transportation, land use and the greenway. Councilors can expect to spend at least 20 hours a month preparing for and attending Council and other meetings.

Find the application form at this link:

http://www.phoenixoregon.gov/sites/default/files/fileattachments/city_council/page/605/application_for_boards.pdf

Interested parties are encouraged to attend City Council meetings. Questions to consider for those applying to City Council that can be addressed in the **Motivation Section** of the application:

1. What do you think are the biggest issues facing the City of Phoenix?
2. What is your primary motivation for seeking the vacant City Council seat?
3. What community and city activities have you been involved in recently?

Completed applications must be submitted to City Hall, 112 W. Main St., no later than Monday, July 13, 2020 at 4PM PST. Applicants will be interviewed by the Council at its July 20, 2020 meeting.

For more information, contact Eric Swanson, Interim City Manager, at 541-535-1955, ext. 317.

Application for Boards/Commission



Contact Information

Name:
Street Address:
Mailing Address:
City/State/Zip:
Home Phone:
Work Phone:
E:Mail Address:

Background

Years of Residence in Phoenix:
Place of Employment:
Occupation:
City/State/Zip:
Educational Background:
Prior Civic Activities:

Boards/Commissions of Interest

Please check all of the following that interest you:

- City Council Planning Commission Community Events Committee
- Budget Committee Parks and Greenway Commission
- Other short-term task or focus groups that meet for a specific purpose and then disband when the business is complete

Special Skills or Qualifications

Motivation

Special Notice

Please be advised that members of the City Council and Planning Commission are required to file an annual Statement of Economic Interest with the State of Oregon. A sample reporting form is available at City Hall.

Agreement and Signature

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if I am accepted as a volunteer, any false statements, omissions or other misrepresentations made by me on the application may result in my immediate dismissal.

Name (printed): _____

Date: _____

Signature: _____

Our Policy

It is the policy of the City of Phoenix to provide equal opportunities without regard to race, color, religion, nation origin, gender, sexual preference, age or disability. The City of Phoenix accepts applications from potential board/commission members throughout the year and will hold applications until vacancies exist on specific boards/commissions.

CHAPTER VI: ELECTIONS

Section 25. State Law.

Except as this charter or a city ordinance prescribes to the contrary, a city election shall conform to state law applicable to the election. All elections for city offices must be nonpartisan.

Section 26. Councilors.

The term of a Councilor in office when this charter is adopted is the term for which the Councilor was elected or appointed. At each general election preceding the expiration of their terms of office, three Councilors shall be elected each for a four year term.

Section 27. Mayor.

The term of the Mayor in office when this charter is adopted continues until the beginning of the first odd-numbered year after adoption. At a general election preceding the expiration of the Mayor's term in office, a Mayor shall be elected for a two year term.

Section 28. Term of Office.

The term of office of an elective officer who is elected at a general election begins at the first Council meeting of the year immediately after the election and continues until the successor to the office assumes the office.

Section 29. Prerequisite.

(1) An elective city officer shall be a qualified elector under the state constitution and shall have resided in the city limits during the 12 months immediately before being elected or appointed to the office.

(2) No person may be a candidate at a single election for more than one elective city office.

(3) The Council is the final judge of the election and whether its members have met the prerequisites of the position.

(4) The prerequisites of appointive officers of the city are whatever the Council prescribes or authorizes.

(5) Neither the Mayor nor a Councilor may be employed by the city.

Section 30. Nominations.

The Council must adopt an ordinance prescribing the manner for a person to be nominated to run for Mayor or a city Council position.

Section 31. Oath of Office.

Before assuming city office, an office holder shall take an oath or affirm that he or she will faithfully perform the duties of the office and support the laws of the City of Phoenix.

Section 32. Vacancies, Occurrence.

The office of Mayor or of a member of the City Council becomes vacant:

- (1) Upon the incumbent's:
 - (a) Death,
 - (b) Adjudicated incompetence, or
 - (c) Recall from office; or
- (2) Upon declaration by the Council of the vacancy in case of the incumbent's:
 - (a) Failure, following election or appointment to the office, to qualify for the office within ten (10) days after the time for the term of office to begin,
 - (b) Absence from the city for thirty (30) days or from all meetings of the Council within a 45-day period without the Council's consent,
 - (c) Ceasing to reside in the city,
 - (d) Ceasing to be a qualified elector under state law,
 - (e) Conviction of a public offense punishable by loss of liberty, or
 - (f) Resignation from the office.

Section 33. Vacancies, Filling.

- (1) A vacancy in the Council shall be filled by appointment by a majority of the remaining Council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office.
- (2) A vacancy in the office of Mayor shall be filled by the Council president for the remainder of the vacated term.
- (3) A vacancy in the office of Council president will be filled by the Council vice-president for the remainder of the vacated term.
- (4) A vacancy in the position of Council vice-president will be filled by Council appointment of a Council vice-president at the next Council meeting.