City Council Meeting
Monday, December 8, 2014
ADDITIONS Meeting Agenda:

Add to Agenda:

9. B. **RESOLUTION NO. 2014-88 APPOINTING THE CITY MANAGER PRO TEM**

9. C. **RESOLUTION NO. 2014-89 ESTABLISHING COMPENSATION FOR CITY MANAGER PRO TEM**

9. D. **RESOLUTION NO. 2014-90 DECLARING INTENT TO APPOINT A CITY MANAGER**

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December 8, 2014

STAFF REPORT AND THREE RESOLUTIONS AUTHORIZING THE CITY OF FOREST GROVE TO APPOINT A PRO TEM CITY MANAGER, ESTABLISH THE COMPENSATION RATE FOR THE PRO TEM CITY MANAGER AND ESTABLISH THE INTENT TO APPOINT A NEW CITY MANAGER

Project Team: **Mayor Truax**
City Council Members
Brenda Camilli, Human Resources Manager

Issue Statement: The current City Manager is resigning his position effective December 31, 2014. In accordance with the City Charter, the City Council must appoint a pro tem city manager, establish a compensation rate for the pro tem, and declare its intent to appoint a new city manager. Staff has created three resolutions to accomplish these aims for the Council's approval.

Fiscal Impact: The costs to implement this agreement are within the parameters set by Council and funds have been identified in the 2014-2015 budget and within the 5-year fiscal plan.

Staff Recommendation: Staff recommends the City Council approve the attached resolutions.

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9B

RESOLUTION NO. 2014-88

RESOLUTION APPOINTING THE CITY MANAGER PRO TEM

WHEREAS, the current City Manager has resigned effective December 31, 2014; and

WHEREAS, Chapter VIII, Section 33 (h), of the City Charter requires the appointment of a City Manager Pro Tem.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That Thomas E. Gamble is hereby appointed City Manager Pro Tem, effective January 1, 2015.

Section 2. That Thomas E. Gamble, as City Manager Pro Tem, shall have all the powers and duties of the City Manager provided in Chapter VIII, Section 33 (h), of the City Charter.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of December, 2014.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of December, 2014.

_____
Peter B. Truax, Mayor

9C

RESOLUTION NO. 2014-89

RESOLUTION ESTABLISHING COMPENSATION

FOR THE CITY MANAGER PRO TEM

WHEREAS, Thomas E. Gamble will be appointed City Manager Pro Tem effective January 1, 2015, by resolution on December 8, 2014; and

WHEREAS, compensation for this position must be set by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That compensation and employment for Thomas E. Gamble shall be provided as stated in the City Manager Pro Tem Employment Agreement (Exhibit A).

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of December, 2014.

_____

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of December, 2014.

_____

Peter B. Truax, Mayor

AMENDMENT TO EMPLOYMENT AGREEMENT

DATE: December 8, 2014

PARTIES: THE CITY OF FOREST GROVE, Oregon, a municipal corporation (City), and Thomas Gamble (Employee)

RECITALS:

1. The City and Employee are parties to an Employment Agreement dated March 5, 2004 under which City employs Employee as Parks and Recreation Director (The Agreement).

2. The parties have mutually agreed to amend Employee's Employment Agreement, dated March 5, 2004 for the term of the appointment as City Manager Pro Tem.

THE PARTIES AGREE:

The agreement shall be amended as follows:

SECTION 1

DUTIES

City employs Employee as City Manger Pro Tem of City to perform the functions and duties specified in the City Charter and to perform such other legally permissible duties and functions as may be assigned by the City Council.

SECTION 2

TERM

The Pro Tem City Manager serves at the pleasure of the City Council. Employee is appointed for the term beginning January 1, 2015 and continuing until the commencement of the new City Manager, or the employee's removal from the Pro Tem City Manager position by the City Council. The contract may also be terminated earlier by mutual consent of both parties.

SECTION 3

SALARY

City shall pay Employee a base salary of $10,958 per month during the term of this appointment payable in installments at the same time as other employees of City are paid.

The position of City Manager Pro Tem is designated as FLSA-Exempt and is not eligible for overtime compensation.

SECTION 4

TERMINATION

Employee serves at the pleasure of the Council as provided for in Chapter VIII, Section 33 (d) of the City Charter and may be removed at any time without just cause. Employee shall have the right to voluntarily resign the position. Employee shall give the City sixty (60) days' notice in advance of a voluntary resignation unless a shorter time is approved by the City Council. Upon termination, the employee will return to his regular assignment as Parks and Recreation Director and Agreement dated March 5, 2004 will remain in effect as written. Termination of employment as City Manager Pro Tem will in no way be considered a break in service of full-time, regular employment with the City as long as employee returns to his regular assignment as Parks and Recreation Director.

SECTION 5

HOURS OF WORK

The position of City Manager Pro Tem is expected to be a full-time position and to be available during business hours. It is recognized that the Employee must devote time outside normal office hours to attend meetings and conduct business related to the City.

SECTION 6

AUTOMOBILE

Employee shall have use of an automobile provided by City to be used for City-related business at City's expense.

SECTION 7

PROFESSIONAL DEVELOPMENT

City shall pay reasonable travel costs and subsistence expenses actually incurred by Employee for professional and official travel, meetings involving functions of the City and for professional development activities.

SECTION 8

GENERAL EXPENSES

City shall reimburse Employee for expenses of a non-personal job-related nature as they are incurred by Employee on a monthly basis. Such reimbursement shall be based upon expense vouchers, receipts, statements or personal affidavits.

SECTION 9

VACATION AND SICK LEAVE

The accrual of vacation and sick leave will continue in accordance with Employee's Employment Agreement dated March 5, 2004.

SECTION 10

LIFE, DISABILITY AND HEALTH INSURANCE

The City will provide life, disability and health insurance in accordance with Employee's Employment Agreement dated March 5, 2004.

SECTION 11

RETIREMENT PLAN

The City shall contribute to established retirement plan in accordance with Employee's Employment Agreement dated March 5, 2004. The temporary appointment of employee to City Manager Pro Tem is in no way considered a break in service of regular employment with the City.

SECTION 12

EFFECTIVE DATE

This Agreement shall be effective as of January 1, 2015, which shall be the first day of Employee's employment as City Manager Pro Tem.

Peter B. Truax, Mayor City of Forest Grove	Thomas Gamble, Employee City Manager Pro Tem

9D

RESOLUTION NO. 2014-90

RESOLUTION DECLARING INTENT TO APPOINT A CITY MANAGER

WHEREAS, a vacancy will occur effective December 31, 2014, in the office of the City Manager; and

WHEREAS, Chapter VIII, Section 33 (d), of the City Charter requires the City Council to fill the City Manager office by appointment as soon as practicable after a vacancy occurs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the City Council hereby declares its intent to appoint a City Manager.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 8th day of December, 2014.

_____
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of December, 2014.

_____
Peter B. Truax, Mayor