



CITY OF SWEET HOME CITY COUNCIL AGENDA

March 19, 2020, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Call to Order and Pledge of Allegiance

- a) The City Council will hold a Special City Council public meeting on March 19, 2020 at 6:30p.m. in the City Council Chambers at City Hall, 3225 Main Street. In order to protect residents, staff, and elected officials due to the novel COVID-19 virus, the frequency and length of public meetings, including the City Council, boards and commissions, will be minimized. Non-urgent and non-essential City business with expected public feedback will be postponed. Individuals attending public meetings in person will be required to maintain appropriate social distancing, (i.e., maintain a 6-foot distance) and be free of symptoms related to COVID-19. The City of Sweet Home City Council is streaming the meeting via video format and asks the public to consider this option. To view the Special City Council meeting visit <http://bit.ly/SweetHomeCityCouncil>

This video stream has been approved by the Mayor as Chairperson of the meeting.

Roll Call

Recognition of Visitors and Hearing of Petitions:

New Business:

- a) [Request for Council Action - Resolution No. 4 for 2020 - Declaring State of Emergency Proclamation](#)
- b) [Request for Council Action - Resolution No. 5 for 2020 - A Resolution Adopting the City of Sweet Home Pandemic Response Plan](#)
- c) [Request for Council Action -Temporary Policy Response to COVID-19](#)
- d) [Request for Council Action - Revised Personnel Policy - Emergency Response Duties](#)
- e) [Request for Council Action - Emergency Relief for City Utility Accounts and other City Fees](#)
- f) [Proclamation - Urging Compassion and Flexibility from Leaseholders and Lenders during the Coronavirus Emergency](#)
- g) Cancellation of the March 24, 2020 City Council Meeting

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

Reports of City Officials:

Mayor's Report

City Manager's Report

Police Chief

City Attorney

Adjournment

RESOLUTION NO. 4 FOR 2020

A RESOLUTION PROCLAIMING A “STATE OF EMERGENCY” CONCERNING COVID-19.

WHEREAS, the City of Sweet Home has the authority granted under ORS Chapter 401 and the Sweet Home Municipal Code Chapter 2.52.030, that provides direction to the City, its officials, and others in the event of an emergency that exists within the City; and

WHEREAS, the City Manager, acting as the Emergency Program Manager, under Sweet Home Municipal Code Chapter 2.52 hereby requests the Sweet Home City Council to proclaim the existence of a “state of emergency” for the City of Sweet Home concerning COVID-19; and

WHEREAS, a Proclamation declaring a “state of emergency” for the City of Sweet Home has been prepared and attached hereto; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME:

That the City Council hereby declares and proclaims that the City of Sweet Home is in a “state of emergency” and directs the Mayor of Sweet Home to execute said Proclamation.

That the Proclamation attached hereto is incorporated herein and made a part of this resolution.

IT IS FURTHER DECLARED, that emergency procurement of goods and services are authorized pursuant to ORS 279B.080, and all other applicable laws and rules.

This resolution shall become effective immediately upon passage by the City Council and signature of the Mayor.

PASSED by the Council and approved by the Mayor this 19th day of March 2020.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder



PROCLAMATION Declaring a State of Emergency for the City of Sweet Home

WHEREAS, the City of Sweet Home has the authority granted under ORS Chapter 401 and the Sweet Home Municipal Code Chapter 2.52.030, that provides direction to the City, its officials, and others in the event of an emergency that exists within the City; and

WHEREAS, the Sweet Home Municipal Code Chapter 2.52 designates the City Manager as the City of Sweet Home Emergency Program Manager; and

WHEREAS, Sweet Home Municipal Code Section 2.52.040 (A) empowers the Emergency Program Manager to request the Sweet Home City Council to proclaim the existence of a “state of emergency” for the City of Sweet Home; and

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease that may result in serious illness or death and is easily transmissible from person to person; and

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on March 8, 2020, Governor Kate Brown declared a state of emergency exists in all counties in the State of Oregon due to the number of confirmed cases of COVID-19 in the State; and

WHEREAS, on March 13, 2020, the President of the United States Donald Trump declared a public emergency for the novel coronavirus (COVID-19) beginning on March 13, 2020; and

WHEREAS, on March 16, 2020, Linn County Board of Commissioners signed a proclamation of emergency due to the number of confirmed cases of COVID-19 in the County, thus enabling Linn County government to take extraordinary measures; and

WHEREAS, the health, safety and welfare of Sweet Home residents, businesses, visitors and staff is of utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, the City may require additional assistance in the future, and a formal declaration of emergency allows additional resources to flow to the City in a timely fashion; and

WHEREAS, existing conditions related to the COVID-19 warrant the proclamation of emergency, as defined by Sweet Home Municipal Code Section 2.52.020; and

WHEREAS, Sweet Home City Council met and passed by resolution this Proclamation declaring a “state of emergency” for the City of Sweet Home; and

NOW, THEREFORE, I, Greg Mahler, Mayor of the City of Sweet Home, do hereby proclaim with City Council authorization, a “state of emergency” in the City of Sweet Home; and that during the existence of said emergency, the powers, functions, and duties of the Sweet Home Emergency Program Manager and the emergency organization of this city shall be those prescribed by state law and by ordinances and resolutions of this City. Said “state of emergency” shall exist for a period of time during which conditions of COVID-19 exist which have given rise to the Proclamation. The local emergency for the COVID-19 shall continue until terminated by the Mayor of the City of Sweet Home, State of Oregon.

PROCLAIMED this 19th day of March 2020

IT IS FURTHER DECLARED, that emergency procurement of goods and services are authorized pursuant to ORS 279B.080, and all other applicable laws and rules.

Mayor

ATTEST:

City Manager – Ex Officio City Recorder
Emergency Program Manager for the City of Sweet Home



REQUEST FOR COUNCIL ACTION

Title: Adopting the City of Sweet Home Pandemic Response Plan

Preferred Agenda: March 19, 2020

Submitted By: Julie Fisher, Administrative Assistant

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution ☒ Motion ☐ Roll Call ☐ Other ☐

Relevant Code/Policy: [Sweet Home Municipal Code Chapter 2.52](#)

Towards Council Goal: 2.3: Invest in long term staff stability & training

Attachments: City of Sweet Home Pandemic Response Plan

Purpose of this RCA:

Adopting the City of Sweet Home Pandemic Response Plan

Background/Context:

City leadership staff have been meeting regularly to address and respond to the latest guidance for our community and staff.

The City Manager, acting as the Emergency Program Manager, under Sweet Home Municipal Code Chapter 2.52 shall be responsible for the development of the City's Emergency Plan which shall provide for the effective mobilization of all of the resources of the city, both public and private, to meet any condition constituting a local emergency and shall provide for the organization, powers and duties, services and staff of the emergency organization.

This plan/annex provides guidance to City of Sweet Home and may serve as the plan for maintaining essential functions and services during an influenza pandemic. This guidance/annex neither replaces nor supersedes any current continuity plan; rather it supplements it, bridging the gap between the traditional, all-hazards continuity planning and the specialized continuity planning required for a pandemic by addressing additional considerations, challenges, and elements specific to the dynamic nature of a pandemic.

This guidance/annex stresses that essential functions can be maintained during a pandemic outbreak through mitigation strategies, such as social distancing, increased hygiene, the vaccination of employees and their families, and similar approaches. Influenza may not, in itself, require a traditional continuity response, such as partial or full relocation of the organization's essential functions, although this response may be concurrently necessary due to other circumstances.

The Challenge/Problem:

How to discourage spread of the coronavirus and plan for maintenance of city services?

Stakeholders:

City Staff- The City of Sweet Home performs essential functions and services that may be adversely affected in the event of a natural or man-made disaster. In such events, organizations should have continuity plans to assist in the continuance of their essential functions. Continuing to perform essential functions and provide essential services is vital to an organization's ability to remain a viable entity during times of increased threats from all hazards, manmade or natural. Since the threat to an organization's continuity of operations is great during a pandemic outbreak; it is important for organizations, The City of Sweet Home, to have a Pandemic response in place to ensure it can carry out its essential functions and services. While organizations may be forced to suspend some operations due to the severity of a pandemic outbreak, an effective Continuity of Operations Plan can assist an organization in its efforts to remain operational, as well as strengthen the ability to resume operations.

Department Heads – Written policy will give Department Heads tools to give clear and concise policy information to staff throughout the city.

Community of Sweet Home- Plans are being tailored to suit current and expected future needs to keep essential services as normal and available as possible for the citizens of Sweet Home during this pandemic.

Emergency Operations Planning Team - The Emergency Operations Planning Team shall, under the supervision of the Emergency Program Manager, develop emergency plans and manage the emergency program of the city and shall have such other powers and duties as may be assigned by the Emergency Program Manager.

Issues and Financial Impacts:

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city.

Elements of a Stable Solution:

Council to approve the City of Sweet Home Pandemic Response Plan.

Options:

1. Do Nothing.
2. Recommend additional revisions. Council could review the policy and recommend additional revisions. Staff would take these recommendations and revise the proposed policy for review at a future Council meeting.
3. Make a Motion to Approve the City of Sweet Home Pandemic Response Plan

Recommendation:

4. Staff recommends option #3 - Make a Motion to Approve the City of Sweet Home Pandemic Response Plan

1.

RESOLUTION NO. 5 FOR 2020

A RESOLUTION ADOPTING THE CITY OF SWEET HOME PANDEMIC RESPONSE PLAN

WHEREAS, the City Manager, acting as the Emergency Program Manager, under Sweet Home Municipal Code Chapter 2.52 shall be responsible for the development of the City's Emergency Plan which shall provide for the effective mobilization of all of the resources of the city, both public and private, to meet any condition constituting a local emergency and shall provide for the organization, powers and duties, services and staff of the emergency organization; and

WHEREAS, in response to the COVID-19 Pandemic, the Emergency Program Manager has developed the City of Sweet Home Pandemic Response Plan; and

WHEREAS, the plan shall take effect upon adoption by resolution of the City Council; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME:

That the City Council hereby adopts the said City of Sweet Home Pandemic Response Plan which is attached hereto.

This resolution shall become effective immediately upon passage by the City Council and signature of the Mayor.

PASSED by the Council and approved by the Mayor this 19th day of March 2020.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder

City of Sweet Home

Pandemic Response



City of Sweet Home
3225 Main Street
Sweet Home, OR 97386
sweethomeor.gov

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PURPOSE

I. INTRODUCTION

The City of Sweet Home performs essential functions and services that may be adversely affected in the event of a natural or man-made disaster. In such events, organizations should have continuity plans to assist in the continuance of their essential functions. Continuing to perform essential functions and provide essential services is vital to an organization's ability to remain a viable entity during times of increased threats from all hazards, manmade or natural. Since the threat to an organization's continuity of operations is great during a pandemic outbreak; it is important for organizations, The City of Sweet Home, to have a Pandemic response in place to ensure it can carry out its essential functions and services. While organizations may be forced to suspend some operations due to the severity of a pandemic outbreak, an effective Continuity of Operations Plan can assist an organization in its efforts to remain operational, as well as strengthen the ability to resume operations.

II. PURPOSE

This plan/annex provides guidance to City of Sweet Home and may serve as the plan for maintaining essential functions and services during an influenza pandemic. This guidance/annex neither replaces nor supersedes any current continuity plan; rather it supplements it, bridging the gap between the traditional, all-hazards continuity planning and the specialized continuity planning required for a pandemic by addressing additional considerations, challenges, and elements specific to the dynamic nature of a pandemic.

This guidance/annex stresses that essential functions can be maintained during a pandemic outbreak through mitigation strategies, such as social distancing, increased hygiene, the vaccination of employees and their families, and similar approaches. Influenza may not, in itself, require a traditional continuity response, such as partial or full relocation of the organization's essential functions, although this response may be concurrently necessary due to other circumstances.

CONCEPT OF OPERATIONS (CONOP)

OBJECTIVES

The objective of this plan is to ensure that a viable capability exists to continue essential City of Sweet Home functions in case of a Pandemic event and specifically when the primary facility is either threatened or inaccessible. The objectives of this Plan include:

- To ensure the continuous performance of essential functions/operations during an emergency.
- To protect essential facilities, equipment, records, and other assets.
- To reduce or mitigate disruptions to operations.
- To reduce loss of life, minimize damage and losses.
- To identify and designate principals and support staff affected.
- To facilitate decision-making for execution of the Plan and the subsequent conduct of operations.
- To achieve a timely and orderly recovery from the emergency and resumption of full service to all customers.

PLANNING CONSIDERATIONS AND ASSUMPTIONS

In accordance with State guidance and emergency management principles, a viable capability:

- Must be maintained at a high-level of readiness.
- Must be capable of implementation, both with and without warning.
- Must be operational no later than 12 hours after activation.
- Must maintain sustained operations for up to 30 days.
- Should take maximum advantage of existing local, State or federal government infrastructures.

CITY FUNCTIONS

This section outlines essential functions and tiers of response to public health emergencies or potential emergencies that may affect the ability of the City of Sweet Home to perform its mission-essential functions from City Hall and other city facilities.

ESSENTIAL FUNCTIONS

Given the expected duration and potential multiple waves of pandemic outbreaks, organizations must review the process involved in carrying out essential functions and services in order to develop plans that mitigate the effects of the pandemic while simultaneously allowing the continuation of operations which support essential functions.

The following functions would be deemed essential during a pandemic event:

- City Hall functions:
 - City Manager
 - Finance Director
 - Emergency Management Director
 - Public Information Officer
 - CEDD Director
- Police Department essential functions will be dictated by the Sweet Home Police Chief
- Public Works essential functions will be dictated by the Public Works Director
- Sweet Home Library essential functions will be dictated by the Librarian

TIER ACTIVATION/RESPONSE

The following scenarios would likely require the activation of the City of Sweet Home Pandemic Plan:

TIER I – State - The State of Oregon has received evidence and cases of a potential pandemic causing virus found in the state.

During this Tier, all functions of city resume normal operations. The following items should be implemented:

- Monitor messages from Federal, State, and County Public Health Authorities
- Notify Department Heads and employees of

implementation of Stage I and why

- Implement Community notification through social media/news media with precautionary steps to take to prevent infection and spread
- Implement increased cleaning precautions (handwashing, surface cleaning)
- Encourage sick people to stay home
- Review Stage II, III and IV procedures

TIER II – County - Linn County has received evidence or cases of a potential pandemic causing virus found in the county.

During this Tier, city operations should be modified. In addition to Tier I items, the following items should be implemented:

- Monitor messages from Federal, State, and County Public Health Authorities
- Notify Department Heads and employees of implementation of Stage II and why
- Implement Community notification through social media/news media with precautionary steps to take to prevent infection and spread
- Decrease human-to-human contact
- Consider closing customer service functions (Library, Utility Billing, CEDD, Code Enforcement, etc.)
- Consider sending at-risk personnel (based off demographics) home
- Consider telework options for non-essential functions
- Review Stage III and IV procedures

TIER III – City - The City of Sweet Home has received evidence or cases of potential pandemic causing virus found in the city.

During this Tier, city operations should be limited to essential functions. In addition to Tier I and II items, the following items should be implemented:

- Monitor messages from Federal, State, and County Public Health Authorities
- Notify Department Heads and employees of implementation of Stage III and why
- Implement Community notification through social media/news media

with precautionary steps to take to prevent infection and spread

- Only essential functions should be at the workplace or on telephone stand-by
- Non-essential personnel should attempt to telework, if possible
- Review Stage III and IV procedures

TIER IV – Widespread City Outbreak - Widespread pandemic virus throughout the City of Sweet Home

During this Tier, city operations, except for police services, will cease. The Police Chief will determine police services they respond to. In addition to Tier I and II items, the following items should be implemented:

- Monitor messages from Federal, State, and County Public Health Authorities
- Notify Department Heads and employees of implementation of Stage IV and why
- Implement Community notification through social media/news media with steps to keep themselves safe and isolated
- Essential functions will telework and maintain communication
- Non-essential personnel should attempt to telework, if possible
- Continue to review all procedures

OPERATIONAL HOURS

- The City Manager will determine the hours of operation during an event.
- Essential members must be prepared to support a 24-hour-per-day, 7-day-per-week operation.

CONCLUSION

CONCLUSION

Maintaining City of Sweet Home essential functions and services in the event of pandemic requires additional considerations beyond traditional continuity planning. Unlike other hazards that necessitate the relocation of staff performing essential functions to an alternate operating facility, a pandemic may not directly affect the physical infrastructure of the organization. As such, a traditional “continuity activation” may not be required during a pandemic outbreak. However, a pandemic outbreak threatens an organization’s human resources by removing essential personnel from the workplace for extended periods of time. Accordingly, the City of Sweet Home continuity plan addresses the threat of a pandemic outbreak. Continuity Plans for maintaining essential functions and services in a pandemic should include implementing procedures such as social distancing, infection control, personal hygiene, and cross-training (to ease personnel absenteeism in a critical skill set). Protecting the health and safety of key personnel and other essential personnel must be the focused goal of the organization in order to enable the organizations to continue to operate effectively and to perform essential functions and provide essential services during a pandemic outbreak.



REQUEST FOR COUNCIL ACTION

Title: Temporary Policy Response to COVID-19

Preferred Agenda: March 19, 2020

Submitted By: Julie Fisher, Administrative Assistant

Reviewed By: Ray Towry, City Manager

Type of Action: Resolution ____ Motion x Roll Call ____ Other ____

Relevant Code/Policy: City of Sweet Home Personnel Policies

Towards Council Goal: 2.3: Invest in long term staff stability & training

Attachments: Temporary City Response to COVID-19 Policy

Purpose of this RCA:

New temporary personnel policies to discourage spread of the coronavirus and plan for maintenance of city services.

Background/Context:

City leadership staff have been meeting regularly to address and respond to the latest guidance for our community and staff.

The proposed temporary personnel policies are to discourage spread of the coronavirus and plan for maintenance of city services. These include policies on telecommuting, sick leave due to COVID-19, alternate work schedules, social distancing, identification of essential staff, and ensuring sick or exposed staff stay home. Plans are being tailored to suit current and expected future needs.

The Challenge/Problem:

How to discourage spread of the coronavirus and plan for maintenance of city services?

Stakeholders:

City Staff- Employees have been asked to follow preventative everyday measures and stay home if they are exhibiting fever, coughing, or breathing difficulties and to contact their healthcare provider. This written policy will address telecommuting, sick leave due to COVID-19, alternate work schedules, social distancing, identification of essential staff, and ensuring sick or exposed staff stay home.

Department Heads – Written policy will give Department Heads tools to give clear and concise policy information to staff throughout the city.

Community of Sweet Home- Plans are being tailored to suit current and expected future needs to keep essential services as normal and available as possible for the citizens of Sweet Home during this pandemic.

Issues and Financial Impacts:

Financial impacts would be minimal as staff would be using accruals to cover time loss for any qualifying OFLA/FMLA event and specific COVID-19 issues as identified in the Temporary City Response to COVID-19 Policy. In addition, funds used specifically towards COVID-19 are expected to be reimbursed by Federal Aid Funds.

Elements of a Stable Solution:

Council to authorize the Temporary Policy Response to the Personnel Policies.

Options:

1. Do Nothing. There would be no Temporary Policy Response to the Personnel Policies.
2. Recommend additional revisions. Council could review these proposed changes and recommend additional revisions. Staff would take these recommendations and revise the proposed policy for review at a future Council meeting.
3. Make a Motion to Authorize the Temporary Policy Response to COVID-19.

Recommendation:

1. *Staff recommends option #3 - Make a Motion to Authorize the Temporary Policy Response to COVID-19.*

COVID-19 PUBLIC HEALTH EMERGENCY FLEXIBLE AND EVOLVING RESPONSE PLAN

A. INTRODUCTION

This policy addresses issues the City can anticipate due to the coronavirus, also known as COVID-19. It is intended to be flexible, and subject to on-going review and revision based on circumstances and developing knowledge. The City has carefully considered each of the following:

- Needs and welfare of City employees and their families.
- Imperatives to maintain continuity of essential City services to protect the community.
- Operational needs.
- Union proposals.
- The scope of the City's and unions' duty to bargain concerning mandatory subjects of bargaining in this circumstance.
- Exigencies of this unique, public health and employee health emergency.
- Applicable Oregon and federal law.
- Ability to implement changes to this policy and City practices to keep pace with public health developments.

This policy will be revised periodically, and shall be maintained as a "living" policy subject to adaptation based on lessons learned, innovations and need for responsiveness to evolving circumstances.

Employees should consult their Department Head for clarification if required, or to offer ideas or proposals beneficial for City consideration.

Actions necessary to protect employee health and public health will be guided by state and federal public health authorities. Should any of the following occur, the City will determine the response most appropriate in the circumstance *case-by-case*:

- An employee has been exposed to an individual who has tested positive for COVID-19 (as confirmed by the CDC or other authorized body) and is directed to quarantine by a public health official;
- An employee has tested positive for COVID-19 (as confirmed by the CDC or other authorized body);
- A family member in an employee's immediate household has tested positive for COVID-19 (as confirmed by the CDC or other authorized body); or
- An employee or a member of the employee's immediate household has symptoms of flu-like illness or is recovering from flu-like symptoms.

Any employee affected in any of these ways is required to notify the Department Head or the City Manager.

B. GENERAL POLICY:

The City will follow the guidance of the Oregon Health Authority (OHA), Centers for Disease Control (CDC), and Linn County Health authority. The City will adhere to the recommendations of these public health experts regarding preventative measures including social distancing, quarantines and curtailment of non-essential City functions. The City will adjust as the recommendations of these agencies evolve.

This policy applies to all employees, and specifically those who fall into any of these categories:

1. An employee or an employee's dependent or household member who is under observation, being monitored or has been diagnosed with COVID-19;
2. An employee or a household member identified by the CDC as presenting risk for serious complications from COVID-19 who has been advised by a medical professional or Public Health Authority not to leave home or not to attend work;
3. An employee whose supportive services for a dependent (such as medical transportation and in-home care) are unavailable due to documented exposure of COVID-19, and the employee must care for that dependent;
4. An employee whose public or alternative transportation is unavailable due to documented exposure of the employee to COVID-19 and that employee is unable to travel to and from work.

In the event that the CDC, the OHA, or a Linn County Health authority directs the City to take advanced steps such as social distancing, quarantines or curtailment of non-essential City functions, this policy will apply to those who perform non-essential services as determined *case-by-case* in the City's discretion. In this event, the City Manager will issue appropriate guidance for the continuation of essential services, staff reductions and paid/unpaid leave alternatives. At a minimum, employees who perform or directly support police, water, water treatment, payroll and human resources functions will be deemed essential during this COVID-19 pandemic. Certain municipal court employees may be deemed essential for the hours required to perform those services required by the Judge.

C. DEFINITIONS:

Novel Coronavirus / COVID-19: A respiratory disease caused by a novel (new) coronavirus. The virus has been named "SARS-CoV-2". The disease it causes has been named "coronavirus disease 2019" ("COVID-19").

Curtailed Operations: A change or reduction to the routine services, service levels, activities and functions of an office or department.

Household Member: Any person who resides in the employee's household.

Immediate Family: As defined by Oregon Family Leave Act: the spouse, same-gender domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, step parent, parent-in-law, parent of same-gender domestic partner, grandparent or grandchild of the employee, or a person with whom the employee is or was in a relationship of *in loco parentis*. It also includes the biological, adopted, foster or

stepchild of an employee or the child of an employee's same-gender domestic partner. For the purposes of OFLA, an employee's child in any of these categories may be either a minor or an adult at the time serious health condition leave, sick child leave, or leave under ORS 659.159(1)(e) is taken.

Isolation: A method to separate sick people with a contagious disease from people who are not sick. Isolation is a term applied to infection control actions taken by public health officials to stop or slow down the spread of highly contagious disease.

Medical Advice: Information or advice received from a healthcare professional.

Quarantine: Quarantine separates and restricts the movement of people who have been exposed to a contagious disease pending confirmation of illness which warrants isolation.

Social Distancing: Measures taken to restrict when and where people gather to stop or slow the spread of infectious diseases. Social distancing measures include limiting large groups of people coming together, closing buildings and canceling events.

Tele-work: A work arrangement in which the employee works outside the normal work site, generally working from home.

Linn County Health Authority: The County health authority for public health concerns in Linn County including the County Health Director and the Oregon Health Authority.

D. POLICY REQUIREMENTS AND GUIDELINES:

1. Priorities and City Expectations: The health and safety of City employees are among the City's highest priorities. The City and employees must cooperate in adherence to the following:
 - a. Based on concern that an employee has been exposed to the COVID-19 virus the City may require the employee to be evaluated by a physician or public health authority. The City will cooperate with medical experts and the employee will cooperate with both the City and health authorities and healthcare providers regarding exclusion from the workplace and other precautions.
 - b. If there is a reasonable basis to suspect exposure, the City may ask an employee questions to determine the employee's threat level to others or possible need for self-quarantine.
 - c. If there is a reasonable basis based on current CDC guidelines to suspect that an employee may have COVID-19, the City may send the employee home. The City may take reasonable measures to protect the employee, other employees, citizens, customers and the City. Current CDC guidelines define reasonable basis as including that an employer has credible information suggesting an employee may have been infected with COVID-19, an employee was exposed to an affected area or in close or extended contact with someone tested positive for COVID-19, or an employee has been in

close or extended contact with someone who has recently visited a high risk location per CDC guidance.

- d. The City requires that employees cooperate with and adhere to infection control measures (e.g., washing hands, coughing etiquette, social distancing and other measures publicized by public health authorities). The City will provide necessary personal protective equipment to those employees required to use it on the job.
- e. CDC guidance is that the City should require that employees self-disclose and self-quarantine after: travel to high-risk locations (as defined by the CDC), and after exposure to a family member or other close contact (roommate, physician) who has tested positive for COVID-19 or recently visited a high risk location identified by CDC guidance.
- f. Consistent with CDC guidance, the City expects that all employees will strictly cooperate and comply with CDC guidance as publicized periodically, including:
 - ◆ Staying home when sick, respiratory etiquette, and hand hygiene,
 - ◆ Performing routine environmental cleaning,
 - ◆ Taking appropriate steps before traveling to affected areas consistent with public health authority guidance, and
 - ◆ Cooperating fully with this policy and City expectations that employees will notify their supervisors if they have family members with COVID-19.
- g. All employees will cooperate with the City to insure continued compliance with OSHA requirements. OSHA governs infectious disease under the general duty clause of Oregon and federal law. If there is a recognized hazard, the City must take reasonable steps to prevent and abate the hazard. The City will conduct a hazard assessment to determine risk of infection and adopt appropriate protective procedures (e.g., workplace sanitation and, where there is credible threat of infection, quarantine).
- h. When it becomes reasonable to do so, the City will require an employee to stay home. It may be reasonable to require an employee to stay home if the employee meets the criteria set forth by the CDC. The Equal Employment Opportunity Commission's guidance does not forbid an employer from requiring an employee who has COVID-19 or who has been exposed to COVID-19 to stay home because such an employee poses a "direct threat" to others.
- i. Permitting employees to return to work will occur when reasonable. If there is a reasonable basis to suspect an employee was exposed to the virus, CDC recommends the employee remain away from the workplace for at least the 14-day quarantine period. To alleviate burdens on the healthcare system the City will not require a medical certification in order for such an employee to return to work as a general rule. However, if an employee has taken leave under the FMLA, is considered a "direct threat" under the ADA by virtue of their exposure to COVID-19, or is seeking an accommodation, the City may

request a medical certification *case-by-case* as the City deems appropriate. In addition, if certification is not possible and there is a business need to return an employee to work, the City may impose other reasonable requirements to help ensure the employee is not infected (e.g., symptom free during the incubation period or, where the employee was symptomatic, that the employee be symptom free for at least 14 days without medication, and/or a temperature test before returning to work).

2. Administrative and Protected Leave: Employees who fall into one of the four (4) categories listed in the General Policy section above and are not authorized to perform tele-work may use Administrative Leave without pay or any paid leave accrual to which the employee is entitled. Upon proper OFLA or FMLA certification these employees will be granted protected leave in accordance with law.
3. Discretionary Leave for Convenience: The City will strive to cooperate with Employees who do not fall into one of the four (4) categories listed in the General Policy section above who wish to be absent from work for personal, family reasons. Consistent with City operational needs and strategies to permit reasonable accommodations, the City will make *case-by-case* considerations and authorize unpaid leave, paid leave, intermittent paid leave and similar arrangements in order to meet employee needs such as closure of schools and childcare facilities. Sick leave will be made available only to employees entitled to use it due to their own health condition or for circumstances which entitle the employee to use sick leave.
4. Tele-work Accommodation: If an employee meets one of the four (4) categories listed in the General Policy section above but is not presenting symptoms, is not sick and is able to work, tele-work may be an option. The following considerations will apply:
 - a. The employee must consider alternatives to address family needs which do not require the employee to be present as a caregiver.
 - b. The employee may elect to take paid or unpaid protective leave in accordance with law, City policy and the City's applicable labor contract.
 - c. If the employee believes that the work permits tele-work as an option, the employee may propose arrangements that will address City needs and requirements. The department head and City Manager will consider such tele-work proposals *case-by-case*. Approval decisions will be informed by the public interest and City operational considerations as described for tele-work above with regard to ADA accommodation implications.
 - d. Employees authorized for tele-work must be available on-line and on an authorized computer and by phone. The phone contact while working remotely must meet all other conditions and expectations established for the tele-work arrangement.
 - e. If approved, any tele-work option may be discontinued by the City at any time. All tele-work approved arrangements are temporary, indefinite and not guaranteed for any duration.

- f. If tele-work is authorized the City and the employee will determine what resources are required and whether the employee will incur costs which the City must reimburse. If a non-FLSA exempt employee (or an employee not paid on a salary basis as defined by law) who does not regularly work remotely is permitted to do so during the COVID-19 pandemic, the City may need to reimburse the employee for additional phone, internet or other expenses incurred by the employee. Although the U.S. Department of Labor has not stated that employers must reimburse employees, Wage and Hour Division guidance suggests that if the City requires a non-exempt employee to work from home, the City may not require the non-FLSA exempt, hourly employee to pay for business expenses if doing so would reduce such employee's earnings below the required minimum wage or required overtime compensation.
5. COVID-19 Diagnosis: Employees who notify the City in writing of diagnosis as infected by COVID-19 will be approved for the first fourteen (14) days of FMLA/OFLA protected leave without need of medical certification during that period. In this event, FMLA/OFLA paperwork will be required and shall be presented to the City after the first 80 hours of protected leave. In each such case, medical certification will be required to support the leave entitlement. If the employee submits FMLA/OFLA leave certification, it will be protected as FMLA/OFLA leave.
6. Essential Employees: Employees who provide essential services to the City, as determined by the City, may be denied administrative leave and required to attend work. However, the City will entertain alternative work scheduling opportunities and encourage public safety and other essential services employees to assist and accommodate each other's personal and family needs through shift trades, shift extensions and other creative arrangements.
7. Municipal Court Employees: The Municipal Court Judge may issue orders and policy guidance which delineates essential Court services under such specific circumstances as the Judge may determine. The City Manager will seek the advice and consent of the Judge with respect to any staffing reduction warranted by the Court's workload. Judicial staff needs are expected to be affected by reductions in Court docketed appearances, modification of case management requirements, postponement of trials and other matters unaffected by legal mandates for timely judicial review required by law.
8. Exceptions: Exceptions to this temporary policy may be granted by the City Manager. Any situation or circumstance not covered in this temporary policy shall be governed by existing City policies and procedures. The City Manager may depart from City policy when appropriate to address unforeseen exigency, to alleviate hardship or to accommodate an employee, family or humanitarian consideration.
9. Implementation: Elected officials, department managers and supervisors are responsible for implementing this policy. Observance of this policy is mandatory for all City employees. Making a false claim or providing false information to the City to obtain favorable treatment, a benefit or accommodation will impact the City and other employees, and will be grounds for serious discipline including discharge. Providing

false information concerning an employee or family situation to gain consideration not warranted in fact for the reasons given may constitute official misconduct, creation of a false public record, and/or forgery.

10. Review: This temporary policy will be reviewed by the City Manager periodically so that it remains current with circumstances and developments. This temporary policy will remain in effect during the period covered by the COVID-19 Emergency Declaration issued by the State of Oregon. When the emergency ceases, this policy will lapse. However, if a risk of public health emergency is again identified by a public health authority, then this policy in the form last in effect shall become effective for the duration of the emergency.

E. IMPLICATIONS AND IMPACTS OF CONTROLLING LAWS:

1. Health Insurance. Oregon requires health insurance plans to cover the costs of coronavirus testing not subject to deductibles, co-payments or co-insurance costs. There is currently no requirement under Federal law for plans to cover costs related to coronavirus testing; however this will likely change when the Families First Coronavirus Response Act (H.R. 6201) becomes law. It has passed the House of Representatives and is before the Senate for enactment as of the date this policy is first adopted.

2. Sick Leave and Vacation. Existing City policy and labor contract terms define benefits related to access to sick leave and vacation. These continue to apply subject to any accommodation to the COVID-19 emergency permitted by this policy. In nearly all if not all cases, sick leave will be determined by City policy and the labor contracts. When applicable, the City also provides benefits required by Oregon Paid Sick Leave laws (40 hours paid sick leave per year, which may be used after the employee's 90th day of work, which the City accrues at a rate of 30:1 (one hour of leave per 30 hours worked) but not in addition to the accruals otherwise provided by City policy and labor contract.

3. ADA, FMLA and OFLA. COVID-19 is not a disability but could lead to development of a disability. The City regards COVID-19 infection as a serious health condition.

Labor contract terms and laws apply to COVID-19 infection to the same extent as any other serious health condition, and guarantee 12 weeks of protected leave per year for eligible employees in appropriate circumstances. This policy addresses separately issues related to exposures, infection, positive tests and quarantine.

Employees who are merely concerned about COVID-19 are not disabled and are not entitled to accommodation. Only qualified disabled employees have a right to consideration of reasonable accommodation such as a work from home arrangement, provided there is no undue hardship and that the accommodation does not pose a "direct threat" (defined by EEOC) to the safety of self or others.

4. Tele-work. The City will consider authorizing remote work from home when required by current laws. Tele-work will be permitted and facilitated when tele-work constitutes a reasonable accommodation and is required due to protected classification (employees with a serious health condition or an age-related condition that requires reasonable accommodation during the COVID-19 pandemic). In each case the City will

weigh the following considerations of accommodation and practicality:

- reasonableness and undue hardship,
- reasonable and realistic capacity to manage and supervise the work,
- capacity for appropriate communication and collaboration,
- ability to establish and oversee expectations,
- ability to monitor hours of work and productivity,
- for non-FLSA exempt employees, requirements for a clearly established system to track hours and monitor breaks and meal periods, and
- whether the arrangement will adequately protect City interests including personal workspace safety, ergonomics, confidentiality of information, and communication needs.

5. Workers' Compensation & COVID-19 Exposure. This policy does not address workers compensation insurance coverage or law related to exposures and a claimant's burden of proof to show that the exposure was work-connected. Employees should treat any work related exposure in the manner established for blood borne pathogens and file an appropriate accident report with the City.

6. HIPAA & GINA Considerations. Federal laws such as Health Insurance Portability and Accountability Act (HIPAA) and the Genetic Information Nondiscrimination Act of 2008 (GINA) require that covered entities, including employers and health plans, maintain the privacy of protected health information. Although COVID-19 has been declared a pandemic, there is no exception to HIPAA and GINA requirements related to the coronavirus. The City and City employees who gain access to personal health information are required to take the same steps to protect health information about any employee's coronavirus status as we would any other protected health information. GINA prohibits employers from discriminating against an employee based on the employee's family member's illness (such as whether an employee's family member has or had coronavirus). The City will continue to comply with these requirements.

The City cannot reveal an employee's medical diagnosis. If the City learns that employees may have been exposed to COVID-19, the City will generally communicate the exposure or potential exposure occurrence without providing information that would identify the individual employee.

7. COBRA Coverage. COBRA requirements and rights will apply if a triggering event occurs and impacts any employee. If an employee's work hours are reduced such that the employee is no longer entitled to health insurance coverage and City coverage is lost, then a COBRA notice must be sent to the employee by CIS. The City will monitor CIS for rule changes in light of this pandemic and will keep employees informed of developments, particularly those related to modifications of employment requirements for coverage to avoid a lapse of coverage for employees who have reduced work schedules. Of course, employees authorized to take paid leave (sick leave and vacation) will continue to be insured as active employees during such paid leaves of absence.

8. FLSA Considerations. FLSA exempt executive and administrative employees who are required to stay home due to COVID-19 issues must be paid salary through any workweek during which any compensable work is performed. FLSA exempt employees may be able to continue working while at home temporarily, and if this is an option, they

will be paid their usual salary.

F. LABOR RELATIONS CONSIDERATIONS:

This policy is adopted as an emergency response to the unprecedented public health emergency and pandemic. Decisiveness and appropriate response are critical for viral contagion containment. This circumstance mandates immediate actions which are wholly inappropriate for collective bargaining. Bargaining as a condition of implementation will create delay which could cost human life.

The City recognizes labor law decisions which define and clarify matters mandatory for bargaining (some of which may be implicated by the subjects addressed in this policy). These might include, for example:

- needs to alter shift schedules and extend hours of work,
- elimination and alteration of vacation,
- elimination of assignments to reassign to higher priority work,
- requiring performance of additional and/or new duties,
- securing and providing appropriate safety equipment,
- other matters central to employee safety,
- impacts on vacation and leave,
- identification of essential and non-essential employees in this particular emergency,
- determining needs and requirements for tele-working arrangements, and
- use of accrued leaves for personal reasons occasioned by this emergency when the entitlement to paid leave does not exist.

The City has determined that it may respond to an emergency and adopt unilateral changes required under emergency conditions without first bargaining, at least on a temporary basis and perhaps otherwise. ERB explicitly recognizes the needs of a public employer to manage and supervise and that under some conditions enforcement of PECBA rights can adversely affect the duties and mandates of public services. These decisions provide justification for the City's action in issuing this policy without first bargaining, and the pandemic emergency and public health considerations constitute a defense and appropriate reason not to bargain as the City and unions would do ordinarily.

The City will not decline to consider employee and Union ideas and proposals to modify this policy. However, for the duration of this public health emergency the City will exercise its right to manage, direct, supervise and assign personnel. The City will allocate resources as the City deems in the best interest of the public. The City will not defer or delay appropriate action based on traditional labor relations jurisprudence which time and necessary responsiveness do not permit in the face of pandemic and public health emergency. When the emergency has passed, and beforehand if reasonable and practical, the City will bargain if requested to do so concerning mandatory subjects changed or impacted by this policy, including considerations of retroactivity if any.

G. FURLOUGH ADMINISTRATION:

If the City determines that sufficient work does not exist and/or that circumstances

warrant reduction in the City workforce, the City will layoff employees by job classification for which insufficient work exists. In cases where there are more than one position in the job classification, layoffs will be by seniority.

The City will interpret and apply the AFSCME contract in the administration of any layoff should the City determine this action is required. The City may, in appropriate circumstances, provide notice to an employee or employees of “partial layoff” and may implement layoff as a reduction of hours of work in the current classification or as a reclassification to a part-time position. Partial layoff may be effectuated as a temporary reclassification to a part-time position.

Laid off and furloughed employees will likely be entitled to unemployment benefits based on formulas administered by the State of Oregon Employment Division in accordance with federal law. These might be amended in response to the COVID-19 outbreak, and such changes may provide greater relief than previously available.



REQUEST FOR COUNCIL ACTION

Title: Personnel Policy Revision – Emergency Response Policy

Preferred Agenda: March 19, 2020

Submitted By: City Manager Ray Towry

Reviewed By: City Manager Ray Towry

Type of Action: Resolution ____ Motion __X__ Roll Call ____ Other ____

Relevant Code/Policy: City of Sweet Home Personnel Policies

Towards Council Goal: 2.1: Update & streamline process
2.3: Invest in long term staff stability & training
2.5: Continue to implement best financial practices

Attachments: Section 2(f) Emergency Response Duties

Purpose of this RCA:

Revisions to the Personnel Policies for the City of Sweet Home.

Background/Context:

This policy provides paid administrative leave to employees under certain conditions during an emergency or when a city workplace is closed.

The Challenge/Problem:

Necessary updates to the Personnel Policies for the City of Sweet Home.

Stakeholders:

- City of Sweet Home Staff – When released from duty, staff will receive paid administrative leave for the duration of the shift for which they were scheduled.
- City of Sweet Home City Council – Charter, SHMC 2.48.030, past policies, and past practice dictates that the Council is responsible for personnel rules including salary administration.

Issues and Financial Impacts:

None known

Elements of a Stable Solution:

The safety and welfare of the employees of the City of Sweet Home are paramount. The City recognizes the importance of paid administration leave for employees who are released from their assigned duties in an emergency or other event where City workplaces are closed.

Options:

1. Do Nothing. There would be no revisions to the Personnel Policies.
2. Make a Motion to approve the revised Personnel Policy regarding Emergency Response Duties.
3. Recommend additional revisions. Council could review these proposed changes and recommend additional revisions. Staff would take these recommendations and revise the proposed policy for review at a future Council meeting.

Recommendation:

1. Make a Motion: to approve the revised Personnel Policy regarding Emergency Response Duties.

City of Sweet Home



POLICY: City of Sweet Home Personnel Policies
Classification, Compensation and Benefits
Section 2(f) Emergency and Inclement Weather

Purpose Establish policies governing the City's Emergency and Inclement Weather Response.

Policy: Emergency and Inclement Weather

Except for regularly scheduled holidays, the City of Sweet Home will be open for business Monday – Friday during normal business hours. The City recognizes there may be circumstances beyond its control, such as inclement weather, national crisis, or other emergencies making one or more of the City work locations inaccessible. On such occasions, one or more of the City work locations may be closed for all or part of a regularly scheduled work day. In such an event, the City Manager or designee will make a decision and will endeavor to notify all managers for the purpose of contacting employees; you may also contact your immediate Department supervisor. In the event of an emergency, which destroys or renders a City worksite unsafe, the effected employees shall be reassigned, relocated or released at the discretion of the City. ~~If released, affected employee shall receive compensation at their regular rate in proportion to their scheduled work.~~

In the event of extreme inclement weather conditions, each staff member's ability to safely reach their work location may be different. Staff who cannot report to work in such circumstances should contact their Department supervisor and notify them of their inability to report to work. Employees unable to report to work due to inclement weather shall use eligible accrued leave (excluding sick leave) and or compensatory time to account for time off.

➤ Emergency Response Duties:

All City employees may be considered essential emergency staff. Determinations will be made based on public safety, employee safety, City needs and the duties of each City job classification and position. As a City employee, you may be called upon to return to, or remain at work during an emergency situation (inclement weather, earthquake, etc.) and to perform duties not normally part of your job. Each Department Director shall determine which staff is essential. Emergency and/or disaster situations may alter the normal job-related activities of departments. Some job-related activities may temporarily become non-essential, and others may become critical. Employees may temporarily be reassigned to support critical activities. During an emergency, your work schedule may change, as necessary (including without prior notice), from your normal hours and/or normal shift.

For emergency purposes, the City will endeavor to provide a means for contacting spouses, domestic partners, children at school or in daycare situations, and next of kin to the extent that employees have provided current and accurate contact information including as appropriate:

addresses, regular phone, cell phone, pager, fax numbers and/or e-mail addresses. To the extent allowable by law, such information will be held confidential by the City Manager's office. Further information regarding emergency response will be available in the City of Sweet Home Emergency Response Plan.

Employment & Compensation Considerations:

The City will respond to emergency situations as determined most appropriate. The City Manager shall identify and initiate appropriate actions as circumstances evolve, which may include but are not ~~limited~~limited to any combination of paid leave, indefinite leave without pay, furlough, lay off for lack of work, reduction in hours of work, and position reclassification to part-time.

<i>Supersedes:</i> <i>SHPP Section 2(f)</i>	<i>Adopted by City Council:</i>	<i>Effective Date:</i>
<i>City Manager:</i>		

City of Sweet Home



POLICY: City of Sweet Home Personnel Policies
Classification, Compensation and Benefits
Section 2(f) Emergency and Inclement Weather

Purpose Establish policies governing the City's Emergency and Inclement Weather Response.

Policy: Emergency and Inclement Weather

Except for regularly scheduled holidays, the City of Sweet Home will be open for business Monday – Friday during normal business hours. The City recognizes there may be circumstances beyond its control, such as inclement weather, national crisis, or other emergencies making one or more of the City work locations inaccessible. On such occasions, one or more of the City work locations may be closed for all or part of a regularly scheduled work day. In such an event, the City Manager or designee will make a decision and will endeavor to notify all managers for the purpose of contacting employees; you may also contact your immediate Department supervisor. In the event of an emergency, which destroys or renders a City worksite unsafe, the effected employees shall be reassigned, relocated or released at the discretion of the City.

In the event of extreme inclement weather conditions, each staff member's ability to safely reach their work location may be different. Staff who cannot report to work in such circumstances should contact their Department supervisor and notify them of their inability to report to work. Employees unable to report to work due to inclement weather shall use eligible accrued leave (excluding sick leave) and or compensatory time to account for time off.

Emergency Response Duties:

All City employees may be considered essential emergency staff. Determinations will be made based on public safety, employee safety, City needs and the duties of each City job classification and position, As a City employee, you may be called upon to return to, or remain at work during an emergency situation (inclement weather, earthquake, etc.) and to perform duties not normally part of your job. Each Department Director shall determine which staff is essential. Emergency and/or disaster situations may alter the normal job-related activities of departments. Some job-related activities may temporarily become non-essential, and others may become critical. Employees may temporarily be reassigned to support critical activities. During an emergency, your work schedule may change, as necessary (including without prior notice), from your normal hours and/or normal shift.

For emergency purposes, the City will endeavor to provide a means for contacting spouses, domestic partners, children at school or in daycare situations, and next of kin to the extent that employees have provided current and accurate contact information including as appropriate: addresses, regular phone, cell phone, pager, fax numbers and/or e-mail addresses. To the

extent allowable by law, such information will be held confidential by the City Manager's office. Further information regarding emergency response will be available in the City of Sweet Home Emergency Response Plan.

Employment & Compensation Considerations:

The City will respond to emergency situations as determined most appropriate. The City Manager shall identify and initiate appropriate actions as circumstances evolve, which may include but are not limited to any combination of paid leave, indefinite leave without pay, furlough, lay off for lack of work, reduction in hours of work, and position reclassification to part-time.

Labor Relations Implications of Emergency Responses:

The City's desire to collaborate and cooperate with employees' collective bargaining representatives and the usual manner of doing so may be eclipsed by natural or public health emergencies which do not permit inaction and delay which bargaining prior to emergency responsiveness. Therefore, the City will not be constrained by a duty to bargain before unilaterally changing or impacting mandatory subjects of bargaining in an emergency. Nevertheless, the City Manager will continuously consider employee and union suggestions and input, and the City will bargain concerning impacts to mandatory subjects of bargaining as well as retroactive considerations when and as the circumstances permit.

<i>Supersedes:</i> <i>SHPP Section 2(f)</i>	<i>Adopted by City Council:</i>	<i>Effective Date:</i>
<i>City Manager:</i>		



REQUEST FOR COUNCIL ACTION

Title: City of Sweet Home Emergency Relief for City Utility Accounts and other City Fees

Preferred Agenda: March 19, 2020

Submitted By: Blair Larsen

Reviewed By: Ray Towry

Type of Action: Resolution ____ Motion __X__ Roll Call ____ Other ____

Relevant Code/Policy:

Towards Council Goal: Vision Statement, Aspiration V: economically strong environment; Goal 4.2: lead economic development efforts

Attachments: COVID-19 Emergency Relief for City Utility Accounts and other City Fees Policy

Purpose of this RCA:

The purpose of this temporary policy is to recognize that the novel coronavirus, also known as COVID-19, severely impacts businesses and residents financially in the City of Sweet Home, and may require businesses to completely close, reducing income for employees. As operating costs do not necessarily stop accruing when a business closes, or a resident loses income, the City of Sweet Home desires to do what it can to ease this financial burden, and continue to provide access to water and wastewater services.

Background/Context:

The Coronavirus Pandemic has resulted in the involuntary shutdown of businesses across the country, as citizens are instructed to stay home and avoid public gatherings. These business impacts are affecting all businesses within the City—some are staying open, but many are being forced to shut down. In addition, residents are facing drops in income as their employers cut hours and close down.

When a business shuts off its utility account, the City charges a fee to pay for the staff time required to conduct the paperwork and manually shut off the water to the premises. When the business turns the account back on, there is likewise a fee. These fees are each \$20, for a total of \$40.

If an account is not shut off, but has no water or wastewater usage, the City still charges a base fee. Thus, a business could still be accruing charges even though it is not open and is not using the water or wastewater system.

The proposed policy would allow businesses to request that the City pay the shut off and turn on fees out of the City's economic development funds, thus allowing a business to avoid any City utility charges during their closure.

In addition, all utility accounts are charged fees for late payments, and are eventually shut off for non-payment, resulting in higher account balances and residences without running water.

The Challenge/Problem:

How do we help local businesses avoid expenses at a time when state and federal emergency measures are forcing them to close and lose all revenue? How do we assist residents who are financially impacted by the current emergency, and continue to provide them with vital water and wastewater service?

Stakeholders:

City of Sweet Home Businesses: City of Sweet Home utilities include a base charge that continues to accrue, even when they are shut down and there is no water or wastewater usage. This requires payment from businesses during a time when they have no customer revenue. In addition, businesses face late fees and the shut off of services for non-payment.

City of Sweet Home Residents: Residents are facing continuing utility costs at a time when they are facing reduced or lost employment on a large scale. In addition, water and wastewater services are critical for proper hygiene, which vitally important to combat the current pandemic.

Sweet Home City Council Members: Council members are elected to be stewards of public infrastructure and utilities, but also have an interest in promoting and supporting local businesses and assisting residents in an emergency.

Issues and Financial Impacts:

Shut off and turn on fees are set at \$20 each, meaning \$40 is charged each time an account is shut off and turned back on again. The City only has 228 commercial utility accounts, however, many businesses offer essential goods and services and will not close. We anticipate that no more than 100 businesses would take advantage of this policy, which would cost the City \$4,000.

Fees for late payments on utility accounts are \$5, plus 1.5% of the balance. We do not know how long the current emergency will last, which makes it difficult to tell how big the financial impact of the policy would be. However, the City collects approximately \$4,000 annually in late fees and interest.

Elements of a Stable Solution:

An ideal outcome would be the approval of a policy that would allow businesses to shut down without accruing additional charges on their utility accounts, and would continue to provide water and wastewater service to resident under more flexible terms than currently allowed.

Options:

1. Do Nothing. Continue without an emergency policy in this area.
2. Approve the proposed emergency policy.
3. Direct staff to assist businesses and residents in some other way.

Recommendation:

Staff recommends option 2, **motion to approve the proposed Emergency Relief for City Utility Accounts and other City Fees Policy.**

City of Sweet Home



POLICY: City of Sweet Home Emergency Relief for City Utility Accounts and other City Fees

Purpose: The purpose of this temporary policy is to recognize that the novel coronavirus, also known as COVID-19, severely impacts businesses and residents financially in the City of Sweet Home, and may require businesses to completely close, and reduced income for employees. As operating costs do not necessarily stop accruing when a business closes, or a resident loses income, the City of Sweet Home desires to do what it can to ease this financial burden.

Policy: **The City of Sweet Home will pay City utility account shut off and turn on fees for businesses that are forced by the current emergency to close down. These fees will be paid out of City economic development funds. This action will be taken at the request of affected businesses. In addition, the City will make arrangements, at an account holders request, to defer utility payments, create a payment plan, waive fees, or negotiate other payment relief methods. The City Manager may also waive any other City fees for the duration of the emergency. The City Manager will be the final authority on any discrepancies related to the interpretation of this policy.**

General Policy:

The City of Sweet Home upon request of a local business that is required to shut down due to the coronavirus pandemic, will shut off that business's city utility account in order to prevent the accrual of additional charges during closure. The normally required shut off fee will be paid out of City economic development funds. When the time comes for the business to open again, the City will likewise pay the normally required turn on fee out of City economic development funds. The City will waive each of these fees only once during the current emergency for the requesting business.

The City of Sweet Home will also, upon request of a residential account holder, negotiate payment plans; payment deferrals; waiver of late, shut off, and/or turn on fees; or other payment relief methods. Any special arrangements may only be made upon direct negotiation between the City and the Account Holder. The City encourages all account holders who need such arrangements to contact the City as soon as possible.

The City of Sweet Home, for the duration of the current emergency, will not shut off services for any utility account for non-payment.

The City Manager is also empowered to waive any other City fees during the current emergency in order to provide financial relief to City businesses and residents.

<i>Supersedes:</i>	<i>Adopted by City Council:</i>	<i>Effective Date:</i>
<i>City Manager:</i>		



WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease that may result in serious illness or death and is easily transmissible from person to person; and

WHEREAS, public emergencies have been declared by the Governments of the United States, the State of Oregon, Linn County, and the City of Sweet Home; and

WHEREAS, the novel coronavirus (COVID-19) emergency has resulted in the closure of business, reduction of work hours for employees, and other measures that negatively impact the local economy; and

WHEREAS, Sweet Home City Council met and passed by motion this proclamation for the City of Sweet Home; and

NOW, THEREFORE, I, Greg Mahler, Mayor of the City of Sweet Home, do hereby proclaim that the good of our local economy necessitates flexibility and compassion for all those who are affected financially by the novel coronavirus (COVID-19) emergency. With the support of the City Council of the City of Sweet Home, I urge all leaseholders and lenders to act with compassion and flexibility, and assist their tenants, customers, and debtors with deferred payments, payment plans, temporary discounts or other methods that may help them to stay in their homes or places of business.

PROCLAIMED this 19th day of March, 2020

Mayor

ATTEST:

City Manager – Ex Officio City Recorder