



Bend Metro Park & Recreation District

November 21, 2023

Board of Directors Agenda and Reports

www.bendparksandrec.org



play for life



Our Vision

To be a leader in building a community connected to nature, active lifestyles and one another.

Our Mission

To strengthen community vitality and foster healthy, enriched lifestyles by providing exceptional park and recreation services.

We Value

Excellence by striving to set the standard for quality programs, parks and services through leadership, vision, innovation and dedication to our work.

Environmental Sustainability by helping to protect, maintain and preserve our natural and developed resources.

Fiscal Accountability by responsibly and efficiently managing the financial health of the District today and for generations to come.

Inclusiveness by reducing physical, social and financial barriers to our programs, facilities and services.

Partnerships by fostering an atmosphere of cooperation, trust and resourcefulness with our patrons, coworkers and other organizations.

Customers by interacting with people in a responsive, considerate and efficient manner.

Safety by promoting a safe and healthy environment for all who work and play in our parks, facilities and programs.

Staff by honoring the diverse contributions of each employee and volunteer, and recognizing them as essential to accomplishing our mission.

play for life

District Office | Don Horton, Executive Director

799 SW Columbia St., Bend, Oregon 97702 | www.bendparksandrec.org | (541) 389-7275



Board of Directors

November 21, 2023

District Office Building | 799 SW Columbia | Bend, Oregon



AGENDA

4:00 pm EXECUTIVE SESSION

The Board will meet in Executive Session prior to the regular meeting pursuant to ORS 192.660(2)(h) for the purpose of consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. This session is closed to all members of the public except for representatives of the news media. News media is asked to contact Sheila Reed to attend sheilar@bendparksandrec.org.

The board will meet in person with a virtual link to the regular meeting following the executive session at 5:30 pm. The public may provide public input in-person at the meeting or via the virtual Zoom link.

Please use the link below to join the webinar:

<https://us02web.zoom.us/j/87992316039>

Or Telephone:

US: +1 669 900 6833

Webinar ID: 879 9231 6039

5:30 pm CONVENE MEETING

VISITORS

The board welcomes input from individuals at our public meetings about district-related issues. Members of the community who wish to make public comment may attend the meeting in person or virtually. To provide a public comment in person, please fill out one of the brief cards and submit it to staff in the back of the room. To provide public comment virtually, click on the "Raise Hand" option. You will be called into the meeting in the order received. Virtual visitors should turn on their cameras and microphones. All remarks should be limited to 3 minutes or less. If there are questions, follow up will occur after the meeting. Thank you for your involvement.

STAFF INTRODUCTIONS

Katy Aceto

Andy Hatz

WORK SESSION

1. ORPA Awards

CONSENT AGENDA

1. Minutes: 10/17/2023
2. Codify Personnel Policies

BUSINESS SESSION

1. Approve construction contract for Little Fawn Park – *Jason Powell (15 min)*

EXECUTIVE DIRECTOR'S REPORT
REPORTS – Quarterly Administrative Update
BOARD MEETINGS CALENDAR REVIEW
GOOD OF THE ORDER
ADJOURN



Accessible Meeting/Alternate Format Notification

This meeting location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format or other accommodations are available upon advance request. Please contact the Executive Assistant no later than 24 hours in advance of the meeting at sheilar@bendparksandrec.org or 541-706-6151. Providing at least 2 business days' notice prior to the meeting will help ensure availability.

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 21, 2023
SUBJECT:	ORPA Awards
STAFF RESOURCE:	Julie Brown, Communication and Community Relations Manager
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	For informational purposes only
STRATEGIC PLAN:	
Pillar:	Operations and Management
Outcome:	A workforce that is heard, informed, involved and valued
Strategy:	Engage and recognize staff

BACKGROUND

At the recent Oregon Recreation and Parks Association (ORPA) conference in Portland, the Bend Park and Recreation District team received five awards. Conference attendees include statewide parks and recreation professionals, and the conference provides an opportunity for staff to collaborate, learn and recognize great work in the industry.

Don Horton, executive director, was honored with the David E. Clark Professional Honor Award, the highest recognition ORPA can bestow. The award is presented to an ORPA member park and recreation professional who has demonstrated leadership, inspiration to others, and has made noteworthy and special contributions over a period of time to the recreation and park profession.

BPRD and Upper Deschutes Watershed Council shared the Environmental Leadership Award. This award recognizes a park and recreation professional or agency and its partner who has made an outstanding effort during the last five years to sustain and improve the environment and/or reduce the environmental impact made by the agency.

Kim Johnson, community engagement supervisor, was recognized with the ORPA Spotlight Award. This award is meant for those individuals who work tirelessly to make a difference in people's lives, without being in the spotlight, without significant acknowledgement, but with steadfast grace and passion. This award is for an unsung hero in parks and recreation.

Ben Lewellen, facility maintenance supervisor, received the Outstanding Maintenance & Asset Management Award for an agency or team for its exceptional management, maintenance/enhancement, and programming of an existing park, trail, natural area, recreation, and/or aquatic facility over time.

ORPA also honors sections. Ann Story, swim program supervisor, was honored for Excellence in Programming by the ORPA Aquatics Section.

The award videos will be shown during the meeting.

BUDGETARY IMPACT

None

ATTACHMENT

None



Board of Directors

October 17, 2023

District Office Building | 799 SW Columbia | Bend, Oregon



The Board met in Executive Session prior to the regular meeting pursuant to ORS 192.660(2)(e) for the purpose of discussing real property transactions. This session was closed to all members of the public except for representatives of the news media.

A video of the regular board meeting can be viewed on the website:

<https://www.bendparksandrec.org/about/board-meeting-videos/>

BOARD PRESENT

- Nathan Hovekamp
- Donna Owens
- Deb Schoen
- Jodie Barram

BOARD ABSENT

- Zavier Borja

STAFF PRESENT

- Michelle Healy, Deputy Executive Director
- Julie Brown, Manager of Communications and Community Relations
- Kristin Donald, Administrative Services Director
- Matt Mercer, Director of Recreation
- Brian Hudspeth, Development Manager
- Henry Stroud, Planner
- Rachel Colton, planner

VISITORS

Dan Downing: Mr. Downing said he walks to Larkspur Park frequently, he said has noticed that the large turf area in the park is rarely used. He suggested placing the art center in the space instead of adjacent to it to save the trees.

John Cozier: Mr. Cozier said he supports the South UGB Bridge. He said he does more urban hikes and enjoys walking around town. He said with the bridge it would provide more foot access to enjoy the forest space.

Jack Schniepp: Mr. Schniepp said he lives in SW Bend and is in favor of the South UGB Bridge. He said he and his family were excited to see that it passed in the bond and disappointed that it hasn't happened. He said they would like to have access for hiking and picnicking. He added the bridge would allow access to the trails without a long drive.

CONSENT AGENDA

1. Minutes: 10/03/2023

Director Schoen made a motion to approve the consent agenda. Director Barram seconded. The motion was approved unanimously, 4-0.

BUSINESS SESSION

1. 105 NE Franklin Ave. MUPTE – *Rachel Colton, Michelle Healy, Chris Jones, and Caroline Baggot*

Ms. Healy introduced the Franklin Ave. project and the presenters from Project[^]. She said the City of Bend supports this project and reminded the board of the goal the city has for using MUPTE. She said the district is already foregoing the taxes in the area of this project. If approved by the rest of the agencies, the developer will receive about \$4 million in exemptions over 10 years, but will still pay taxes on the land. The district SDC fees collected will be about \$1 million and she said staff recommends approving this application.

Ms. Baggott, development manager of the project, said the project is on Franklin Ave. in the old Les Schwab tire store. She described the buildings that are currently on the property and said that it is located in the Core Area in the tax increment financing (TIF) district and there is no direct loss of tax revenue to the park district. She showed a drawing of the plan, and explained the buildings as energy efficient with 199 apartments, retail and public plaza. She said the development will add pedestrian access to Franklin Ave, the open space will have landscaping with native and pollinator plantings, fire pits, space for music and farmers market with public access.

Ms. Baggott reviewed the financing of the project, she explained the construction numbers and the review of the proforma by a third party provided by the city and reported the project was deemed to not be viable without the MUPTE exemption.

Ms. McConnell explained the reasons for the needed housing and why the tax exemption is necessary to help keep the rents lower to make the project pencil. She said without the exemption, the rents would have to go up to make it work. Director Hovekamp asked if there were assurances that the rent would be kept lower and the tax exemption passed on to the renters. Ms. McConnell said there are tradeoffs sometimes for the public benefits like sustainability and public access over affordability.

Ms. McConnell said they are working on a process to make the MUPTE approvals more streamlined.

Director Hovekamp asked for clarification on the impact to the district. Ms. Healy explained that the district would not lose any additional money on this approval, but the overall TiF area would, making it more difficult for the city to complete projects in the area on the list. Director Barram said this is a project that meets this program well and affordability was not one of the exemptions chosen, but the ones chosen are district values.

The board spoke about their support of the project, Director Hovekamp shared some of his reservations because it is not affordable housing. He said he does not support diverting funds from the district to subsidize builders.

Director Owens made a motion to support a ten-year tax abatement for a 199-unit residential development at 105 NE Franklin Avenue as part of the City of Bend's MUPTE program. Director Schoen seconded. The motion was approved, 3-1, Director Hovekamp opposed.

2. Approve Updated Land Acquisition Policy – *Henry Stroud*

Mr. Stroud gave an overview of the Land Acquisition Policy, he said it is a set of guidelines for acquisition that was adopted in 2011 and updated in 2019 and is a CAPRA requirement. He explained the types of land acquisition:

- Fee simple ownership – control all rights of the ownership
- Easement – for access, ingress/egress

- Lease – temporary use that the district pays for
- License – similar to easements, but revocable

Mr. Stroud highlighted some of the changes to the policy:

- Trail acquisitions without board approval –acquired through land use processes or if it falls within the established purchasing limits of the executive director.
- Due diligence – environmental site assessment and title review are required for all properties obtained by deed, but not required for properties obtained by easement, lease or license.
- Third party agent – district has the right to use a third-party agent to identify properties and/or facilitate complex property transactions and all transactions require approval per the policy.
- Gifts of real estate – the board must approve all gifts of land.

Director Schoen made a motion to adopt the new Land Acquisition Policy. Director Owens seconded. The motion was approved unanimously, 4-0.

3. Approve land acquisition – *Michelle Healy*

Ms. Healy said she is seeking board approval to close on the Coulter property that has been discussed in executive session. She said this parkland will help meet district goals of providing parks within a half mile of every home. She explained the location and the homes that surround it. She said the property is one parcel, but is divided by a road. She said the district would sell off one acre that is divided from the larger piece. A purchase and sale agreement was entered into in August at \$4 million. The district has done due diligence on the property. She explained the CIP has the funding in the next five years for this purchase, but not as much in the budget for this year. She believes that the district will save in other areas to make up for the difference in the budget and the purchase price. When the property is sold, there will be proceeds from that as well, but may not be this fiscal year.

Director Hovekamp asked about comparable appraisals in the area. Ms. Healy said that there were comparables in the area that justify the price. She said there is less land that drives up the cost and the zoning too.

Director Owens made a motion to: (1) authorize the district to purchase the Property for an amount not to exceed \$4,000,000, plus all related closing, legal, and due diligence costs, and otherwise on the terms and conditions set forth in the PSA; (2) authorize the Executive Director to execute and deliver such instruments and documents as are necessary to effect the transactions contemplated by the PSA; and (3) find that the 1.1-acre portion of the property west of Coulter Lane is not needed for public use and that the public interest may be furthered by sale of that 1.1-acre portion of the Property. Director Schoen seconded. The motion was approved unanimously, 4-0.

EXECUTIVE DIRECTOR’S REPORT

Michelle Healy gave the executive director’s report, she said she attended the NRPA Conference in Dallas and said that Jenny McGee and Kathya Avila-Choquez did a wonderful job presenting at the conference. She told the board the City of Bend is doing a stormwater project down by the Drake Park bridge near Harmon Park, they are working on city property, but thought the board should know in case they get any questions about it.

BOARD MEETINGS CALENDAR REVIEW

GOOD OF THE ORDER

- Director Owens commented on the Bulletin article by Julie Brown and the Park Stewards for getting the word out on the vandalism, improper use of park restrooms and why some facilities may be closed. She

also thanked Sheila Reed for her response to the dog off leash email and Directors Hovekamp's and Barram's responses as well.

Director Hovekamp said that he may support increasing the Park Stewards department due to the vandalism and off-leash dog problems when the budget comes back around. Ms. Healy reminded the board that they approved a full-time steward last year.

- Director Schoen said she enjoyed the NRPA Conference, she said the theme of the conference was "Where Community Grows" she said she reflected on how aligned the theme was with district values. She shared information on the opening session speakers and the emphasis on women in leadership. She also commented on staff presentations at the conference and said the room gasped when they shared how much the district spends on scholarships. She thanked the district for allowing her to attend.
- Director Barram mentioned that she participated at the Community Celebration at Juniper Park and spoke with many patrons of the parks about the Canopy Trail, open space, accessible playgrounds, she said she enjoyed being able to answer questions. She said she appreciates that this district listens and responds to the community.
- Director Hovekamp asked for an update on trails and trail gaps from staff, and invited the board to think of topics they are interested in hearing.

ADJOURN 7:22 pm



Prepared by,

Sheila Reed
Assistant to the Executive Director

Nathan Hovekamp, Chair

Jodie Barram, Vice-Chair

Donna Owens

Zavier Borja

Deb Schoen

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 21, 2023
SUBJECT:	Codify Amended Personnel Policies
STAFF RESOURCE:	Theresa Albert, Human Resources Manager
GUEST PRESENTER:	None
PREVIOUS BOARD ACTION:	June 3, 2008 – Amended policy to allow the Executive Director to approve or amend board policies
ACTION PROPOSED:	Codify Personnel Policies
STRATEGIC PLAN:	
Pillar:	Employees and workforce culture
Outcome:	A workforce that is heard, informed, involved and valued

BACKGROUND

On June 3, 2008, the Board of Directors adopted the administrative policy Employee Manual. This policy allows the Executive Director to temporarily approve additions or amendments to Board policies. Once a year all new and amended Board policies are to be brought before the Board for final approval.

Over the last year, the Executive Director has amended Board approved policies. A committee was convened that included two board members, Deb Schoen and Donna Owen, the Executive Director, Deputy Executive Director, and Human Resources Manager to review the amended policies. The committee agreed with the Executive Director's actions. The amendments included changes for compliance with legislative changes, employment law, housekeeping, and changes in practices to improve business practices.

The attached exhibits provide the details on all changes. Exhibit A: Summary of Policy Amendments provides a summary of the changes made to each personnel policy. Exhibit B: Amended Personnel Policies provides all changed personnel policies in track changes.

BUDGETARY IMPACT

The amendment of the personnel policies has no significant budget impact.

STAFF RECOMMENDATION

Staff recommends the Board codify the amended personnel policies:

MOTION

I make a motion to codify the amended policies as presented in Exhibit B – Amended Personnel Policies.

ATTACHMENT

Exhibit A – Summary of policy amendments

Exhibit B – Amended personnel policies: Compensation Practices, Overtime, Family and Medical Leave, Hardship Leave Donations, Vacation, Personal Leave, Holidays, Sick Leave, and Wellness Program

EXHIBIT A

Compensation Practices – 1) Removed the holiday compensation language as it exists in the Holiday policy and 2) added language to provide a timeframe limit for retro equity adjustments.

Overtime – Reduced the accrual cap for comp time from 80 hours to 40 hours and added clarifying language that once the employee accrues 40 hours comp time that all additional overtime hours will be paid. With the reduction of maximum accrual, eliminated the requirement for supervisors to work with employees to reduce their comp time balance.

Family Medical Leave – Based on recent legislation to mirror language between Oregon Family Leave Act (OFLA) and the new employment law of Paid Leave Oregon (PLO), language was amended to reflect the mandated changes and, for consistency, made corresponding changes to Federal Family and Medical Leave Act (FMLA) language.

Hardship Leave Donations – Amended eligibility language: With the implementation of PLO, employees' need to request co-workers donate vacation leave to convert to sick leave will primarily only occur in the event of 1) PLO is denied and 2) when PLO wage replacement leaves a gap and the employee's leave balance is insufficient to cover the gap. Additionally, as PLO covers not only medical reasons but also for safe leave, e.g., domestic abuse, the policy was amended to add safe leave as a qualifying event.

Vacation Leave – 1) Added language in the event a full-time employee has more than five days of leave without pay, the employee's leave accrual will be prorated; 2) added clarifying accrual language in the event an employee moves from part-time to full-time; 3) standardized the language in the event an employee chooses to supplement while receiving workers' compensation time loss benefits; 3) add language for supplementing PLO; and 4) added clarifying language in addressing the frontloaded 40 hours of vacation leave for full time employees in the event an employee terminates prior to start of accruing vacation leave.

Personal Leave – 1) To bring benefited part-time employees in alignment with full-time employees, amended the date when new benefited part-time employees receive their personal day to immediately upon hire; 2) added PLO supplemental language; and 3) added workers' compensation loss benefits supplemental language.

Holidays – 1) The district recognizes employees give up family time and celebrating a holiday when working on the holiday and with employees not volunteering to work a holiday, an incentive for employees to work a holiday was developed. With the approval of the Benefits Committee, when an employee works on an observed and/or actual holiday, the hours worked will be compensated at time and a half rate. This language applies to benefited and non-benefited employees; 2) If a full-time employee works on an observed holiday, the holiday will be scheduled and taken within the same pay period; hours not taken will be forfeited; 3) added consistent language in the event the observed holiday is on the employee's day off, to take holiday hours within the same pay period as the holiday; and 4) with the implementation of the district's Human Resources Management System, the procedures regarding timesheets was eliminated.

Sick Leave – 1) Added language in the event a full-time employee has more than five days of leave without pay, the employee’s leave accrual will be prorated; 2) amended family member definition based on legislative changes and consistent with PLO; 3) clarified the medical certification language; and 4) added PLO supplemental language.

Wellness Program – 1) clarified eligible family members; 2) to accurately reflect the intent of the benefit, renamed the Recreation Facilities Pass benefit to Employee Wellness Pass; and adjusted eligibility criteria for the Family Wellness Pass and family program discount.



Chapter 4 – Compensation
Section 21 – Compensation Practices
Approved By: Don Horton, Executive Director
Approved Date: 12/4/13

Codified Date: 10/21/14, 11/17/15, 11/1/16, 11/7/17, 11/6/18, 12/1/20, 11/2/21
11/15/22

Amended By: Don Horton, Executive Director
Amendment Date: 9/2/15, 12/17/15, 8/9/16, 9/27/16, 4/12/17, 6/21/17,
1/18/18, 4/26/19, 6/19/20, 8/21/21, 7/22/22

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COMPENSATION PRACTICES

General Information

This policy establishes standards for the equitable and consistent administration of pay.

Pay Administration

1) Initial Hire

Wages offered to initial hires to the District should be commensurate with the candidate's qualifications. Hiring supervisors shall use the district's Wage Rate Guidelines to determine the offered wage.

Exceptions: Request for salary exception to assign a higher rate than specified by the district's Wage Rate Guidelines must be made in writing from the Department Director and submitted to the Human Resources Manager. Human Resources' review will be based on the candidate's qualifications and impacts to pay equity. Human Resources will forward the exception request to the Executive Director with a recommendation for approval or denial.

2) Reemployment

When an employee is re-hired after leaving the district, the hiring supervisor shall apply the district's Wage Rate Guidelines to determine the re-hire rate.

a) Establishes the merit increase date as follows:

- (i) If reemployed at a higher rate in the same classification, the anniversary/merit increase date will be adjusted to one year.
- (ii) If reemployed at the same rate in the same classification within one year of separation, the anniversary/merit increase date will be established based on a total of 12 months worked from the last merit increase the employee received.
- (iii) If reemployed at the same rate in the same classification with one to three years of separation, the anniversary/merit increase shall be established as one year from the beginning of the first full pay period the employee works.
- (iv) If reemployed in a different classification, the employee will serve an orientation period. The anniversary/merit increase date will be established one year from the beginning of the orientation period.

3) Annual or Biannual Merit Increase

The district merit pay system allows for the progression of an employee's pay from the established minimum to the maximum of a salary range based on successful job performance.

Merit increases are based upon an employee's individual performance. The prime objective is to match an employee's compensation to his/her performance.

Based on the district's financial condition and the current economic environment, a proposed merit increase rate is submitted annually to the Benefits Committee for consideration and recommendations. Once the Budget Committee approves the budget, which includes the merit increase rate, it is forwarded to the Board of Directors for adoption.

Annual or biannual merit increases in years approved by the board shall be scheduled as follows:

- a) Following initial employment, reclassification or promotion, full-time employees who successfully perform their job receive annual merit increases after working 12 full pay periods, which then establishes the anniversary date for future annual evaluations and merit increases.
- b) Following initial employment, reclassification or promotion, part-time and regular part-time employees who successfully perform their job receive an annual merit increase after working 12 full pay periods provided the employee worked at least 120 hours during the evaluation period (12 full pay periods). If an employee does not work 120 hours in the evaluation period, the employee will receive the performance evaluation and corresponding increase on the employee's following anniversary date (after working a total of two years regardless of the number of hours worked).

Denial of Merit Increase

The regularly scheduled merit increase may be withheld for deficient performance. In order to deny a merit increase, the employee must have received timely notice of performance deficiency and had an opportunity to correct the problem prior to the merit increase eligibility date.

Employees receiving formal disciplinary action during the evaluation period shall be denied a merit increase. Exceptions are to be approved by the Executive Director.

4) Promotion

Upon promotion, the district's Wage Rate Guidelines and internal equity will be applied. If the wage calculator results in a promotion rate of less than 5%, the promotion rate will be 5% above the employee's base wage. Department directors may request an exception for a greater increase due to recruitment or retention challenges, exceptional qualifications of the promoted employee, or other appropriate circumstances. Exception requests must be in writing and approved by the Executive Director.

5) Transfer

A lateral transfer occurs when an employee applies for and accepts a job in which the new job classification has the same salary range.

In most situations, an employee's wage rate stays the same upon transfer.

6) Demotion (voluntary or involuntary)

Upon demotion, the district's Wage Rate Guidelines and internal equity will determine the appropriate rate of pay.

Merit increase eligibility date shall remain the same as the previous position held.

7) Orientation Period Removal

In the event an employee does not successfully complete the orientation period and returns to the former classification, the employee shall be restored to the wage in the salary range the employee would have reached taking into account annual merit increases had the employee not left the previous classification. The employee's former merit increase eligibility date shall be restored.

8) Position Classification Changes

Through a position evaluation process, an employee and position may be reclassified. If reclassification results in the position to be placed in a higher salary range, the position will be placed in the new pay range. If the position has an incumbent, the employee's pay shall be adjusted using the district's Wage Rate Guidelines and internal equity or a 5% increase, whichever is greater. **Exceptions for salary placement are to be approved by the Executive Director.**

If the re-evaluation results in the position being placed in a lower salary range, the position will be placed in the new pay range. If the position has an incumbent, the district's Wage Rate Guidelines and internal equity will determine appropriate rate of pay. **Exceptions for salary placement are to be approved by the Executive Director.**

If the reclassification is to a classification at the same salary range, in most situations, there is no impact on the employee's salary.

9) Pay Range Adjustments

The results of a compensation study may result in adjusting the pay range of a classification(s). In the event the pay range for a classification is adjusted to a higher pay range, the implementation may be least cost. Affected employees are may be retained at the existing wage with no increase unless the employee's current wage rate is below the entry rate of the new pay range. In this case, the employee's wage rate will be at the entry rate of the new pay range. Pay range adjustments do not result in the employee serving a new orientation period.

10) Cost of Living Adjustment (COLA)

The district may grant a COLA in any given year that is determined appropriate

based on the financial condition of the district. The COLA will be based on the published consumer price index for the U.S. City Average, West Region, West-Size Class B/C for January immediately prior to the fiscal year.

When a COLA is granted, the COLA shall first be applied to the salary schedule. After the COLA has been applied to the salary schedule, individual wages will then be increased.

The salary schedule and wages will be adjusted in the July paycheck, unless otherwise stipulated.

11) General Wage Adjustment

Human Resources conducts district-wide compensation/classification plan studies and, based on requests, individual classification or family classification studies. Implementation of the studies shall be in a manner to continue pay equity. If the study results in employees' current wage rates falling short of pay equity, the employee's wages will be adjusted according to the district's pay equity plan. If the study results in employees' current wage rates being more than the maximum of the pay range or exceeds internal equity, the employees' wages shall be frozen until the pay range "catches up" with the employees' rate or internal equity is achieved based on the district's plan. District-wide studies may result in unique circumstances in which Human Resources may recommend exceptions to the Executive Director.

12) Lump Sum Payments

a) The district may give a lump sum payment to an employee at the time of hiring, promotion, or lateral transfer in difficult recruitment situations. Department directors must obtain approval of a lump sum payment from the Executive Director through a written request.

Normally, lump sum payments are appropriate for management level or specialized positions where recruitment difficulties are:

- (i) Due to a significantly below-market salary range for a specific classification, where changing the salary range on a timely basis is difficult; or
- (ii) Due to a position in a generic classification being extremely sensitive to market pay fluctuations; or
- (iii) Due to the nature of the assignment (e.g., added expectations and workload for a short to medium period) that makes the position especially unattractive to potential candidates.

b) Exceptional Performance bonus may be granted to employees who exceed performance expectations. The one-time bonus payment is part of the annual performance evaluation process. The performance evaluation must clearly demonstrate the specific competencies, goals, and job expectations that have been consistently performed in an outstanding manner. Pre-approval by the Executive Director is required using the Exceptional Performance Bonus Request form.

13) Work Out-of-Class (WOC)

Work out of classification is defined as a temporary assignment of an employee to perform essentially all the duties, authority and responsibilities of a position classified at a higher salary range.

- a) Rate of Pay
 - (i) The WOC rate of pay for temporary duties at a higher classification is either five (5) percent of the employee's base rate of pay; or the entry rate of the higher WOC pay range, whichever is greater. Exceptions are to be approved by the Executive Director.
 - (ii) An employee performing a work-out-of-class assignment, who is eligible for overtime in the regular position, continues to be eligible for overtime while performing the work-out-of-class assignment.
- b) Criteria:
 - (i) An employee assigned to perform duties at a higher-level classification for more than 14 consecutive calendar days.
 - (ii) An employee must meet the minimum qualifications of the higher-level position in order to receive WOC compensation. Employees who do not meet the minimum qualifications may be assigned the work as a professional development opportunity. A Human Resources representative must affirm that assigned duties are of a higher classification prior to authorizing WOC pay.
 - (iii) Standards for WOC duration are 12 months or less. If a WOC assignment exceeds this standard, written documentation must be submitted.

14) Holiday Compensation

~~Compensation for a holiday is based on an eight (8) hour day. When employees work on a holiday, employees shall be compensated as follows:~~

- ~~a) Full-time non-exempt employees required to work on an observed holiday will be paid for hours worked. In addition, the employee will also receive one of two options: 1) the employee will be paid for the 8 hours of holiday in addition to being paid for the hours worked, or 2) the employee will take an alternate date off with pay by December 20. If the employee does not take the alternate day off by December 20, the employee forfeits the holiday. The employee may request the option he/she prefers; however, based on business needs, the supervisor is responsible for making the final decision prior to the observed holiday.~~
- ~~b) Full-time exempt employees that work on a holiday shall not record hours worked as holiday leave. Holiday hours that are not taken on the holiday will be scheduled and taken by December 20. If the employee does not take the alternate date off by December 20, the employee forfeits the holiday.~~

~~c)a) Regular part-time employees required to work on an observed holiday will be paid for hours worked and receive holiday pay on a pro-rata basis. For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 or 57.69% of the eight hour maximum accrual rate.~~

~~15)~~14) **Return from Layoff**

When an employee returns from layoff to the classification held prior to the layoff, the employee returns to the same wage paid at the time of layoff. Upon return from layoff to a different classification, the district's Wage Range Guidelines and internal equity will determine appropriate rate of pay.

~~16)~~15) **Equity Adjustment**

An equity adjustment is a wage adjustment to correct a salary disparity. Human Resources will determine the need for an equity adjustment and write a request for Executive Director approval that includes the issue, affected employee(s), recommended adjustment, and effective date. **Retroactive effective dates may go back five (5) years or the date of the most recent pay study whichever is most recent.** Upon approval, a personnel action will be processed for the adjustment.

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~~17)~~16) **Facility Closure and Emergency Cancellation**

In the event of a facility closure or emergency cancellation of programs, compensation shall be as follows:

Exempt full-time employees – A partial or full closure will not impact an employee's monthly compensation; however, the expectation is that work responsibilities will be taken care of at an alternative time, day, or location. In the event of a prolonged closure, employees may be required to take paid leave.

Non-exempt full-time employees – During a partial or full-closure, employees are paid for the hours worked; for any missed time, employees will be required to either 1) make up the missed time within the same pay period (supervisor must approve) or 2) use up to five shifts of district-paid special Emergency Closure Leave (full or partial shifts) available from December 21 through the following December 20, or 3) use accrued vacation or comp time. If option 1 is agreed upon and the employee is unable to make up the time within the same work week, the supervisor shall adjust hours so that the make-up hours do not result in an employee's compensation exceeding what would have been paid. (This may result in an employee working less than an 8-hour shift to adjust for overtime incurred during the week that they are making up a shift. For example, an 8-hour shift made up in a subsequent week would result in an employee working 5.33 hours at 1.5 overtime pay to equal 8 hours of missed pay). If option 2 is used, supervisors must review and approve time and ensure employee does not exceed five full or partial shifts in the year.

Note: Full-time employees must use applicable leave balances before leave without pay may be authorized (see Leave Without Pay policy).

Part-time and seasonal employees – Employees are paid for the hours worked; for any missed time, employees will be required to either 1) if business needs allow, employees may be scheduled for make-up hours for the missed time, or 2) use up to five shifts of district-paid special Emergency Closure Leave (full or partial shifts) from December 21 through the following December 20, or 3) use accrued vacation leave if available. If option 2 is used, supervisors must review and approve time and ensure employee does not exceed five full or partial shifts in the year.

Show-up pay – In the event an employee reports to work as scheduled and the decision has been made for a closure or cancellation, the employee shall be paid not less than one (1) hour. Minors are to be paid not less than one-half their scheduled shift.

Exceptions – In the event of a business closure, the Human Resources Manager may request exceptions to appropriate policies to avoid employees' loss of benefits for the Executive Director's approval.

Travel

Time an employee spends in travel as part of their principal activity must be counted as hours worked. Employees required to report to a meeting place to receive instruction, perform other work, or pick up materials is part of the day's work and must be counted as hours worked.

Work performed while traveling is counted as hours worked. Travel during an overnight stay away from home is work when it cuts across the employee's workday. The time spent traveling on both regular scheduled days and working hours, and on corresponding hours on non-working days is counted as hours worked.

Pay Differentials

1. Bilingual Skills

This differential applies to employees who must use bilingual skills to perform assigned duties. "Bilingual skills" means translation to and from English, interpretation of another language or the use of sign language. When the district identifies a need for a bilingual position, the position description for the position requiring bilingual skills must be updated to reflect the translation duties. Candidates and/or employees to be placed in positions that require bilingual skills will be evaluated through a language testing process where the test score of 9 or higher demonstrating language proficiency is required for the bilingual differential.

The differential is five (5) percent of base pay.

2. Lead Work

This differential applies to all employees assigned to perform "lead work" duties for 14 or more consecutive calendar days if:

- a) The class specifications for the employee's position do not include lead work duties; and
- b) The employee's position is not management/supervisory.

Employees assigned lead work duties typically perform a broader scope of work and are assigned additional responsibilities. The supervisor documents the lead work assignment through a Personnel Action form. Lead work occurs when the supervisor assigns an employee all of the following duties:

- a) Prioritize and assign tasks to efficiently complete work;
- b) Give direction to workers concerning work procedures and performance standards;
- c) Review the accuracy, quality and quantity of work; and
- d) Provide informal feedback of employee performance to the supervisor.

The differential is five (5) percent of base salary for the full period of the assignment.

Lead work differential does not apply to developmental assignments mutually agreed to by management and the employee.

3. **On-Call Duty**

On-call differential applies to all Federal Labor Standards Act (FLSA) non-exempt employees. An employee is eligible for the on-call duty differential when a supervisor requires the employee to be available for work outside of the employee's scheduled shift. Employees may use the on-call time effectively for their own use. The district does not count on-call time as time worked in the computation of overtime hours worked.

On-call shall be one hour's pay at the regular straight time rate.

4. **Standby Duty**

Standby duty differential applies when a supervisor requires FLSA non-exempt employees to be available for work outside normal working hours, and subject to restrictions consistent with the FLSA, that prevent the employee from using the time while on standby duty effectively for the employee's own purposes. Compensation for standby duty is paid at the employee's straight time rate of pay. Overtime hours on standby are paid at the appropriate overtime pay rate.

5. **Work Schedule**

Work schedule differential applies to employees assigned to non-traditional work schedules. Employees shall receive the shift differential for shifts where the majority of hours are worked between 10:00pm and 5:00am. Overtime is computed by adding shift differential to the employee's base rate during the pay period when an employee works overtime. Work schedule differential is not paid when an employee requests an alternate work schedule to make up hours not worked during the established workweek.

The differential is five (5) percent of each shift that meet the shift differential definition.

Resource

Wage Rate Guidelines

Leave Without Pay policy, Chapter 5, Section 8

Forms

Exceptional Performance Bonus Request



OVERTIME

General Information

It is the policy of the district that overtime work is to be discouraged. However, in the case of emergency, or whenever the public necessity requires, managers may require employees in their division to perform overtime work.

Definition

Overtime - defined as time worked in excess of 40 hours per work week. The work week is from 12:01 a.m. Monday and ends at midnight Sunday.

Compensatory Time - defined as time off in lieu of monetary overtime compensation.

Eligibility for Overtime

Eligibility for payment of overtime is determined using the criteria set out in the Federal Fair Labor Standards Act (FLSA) and state wage and hour law. Normally, this determination is made when job classifications are developed and reviewed again when the classification is updated. The designation of overtime is coded on each classification specification.

All positions designated as “non-exempt” under the FLSA are eligible for overtime.

Exempt employees work a professional workweek on a salaried basis and shall not be eligible for overtime.

Assignment of Overtime

All employees are subject to working overtime unless an employee can show that to do so would create an unusual burden. In that instance, the employee would not be required to work the overtime unless the employee’s absence would cause the district to be unable to meet its responsibilities.

Authorization to Work Overtime

Supervisors are responsible for ensuring that all overtime worked is authorized. If any employee works overtime without authorization from the supervisor, the

district is still required to make payment for that overtime per FLSA rules. Depending upon the circumstances, employees who work overtime without authorization may be subject to corrective action.

Payment of Overtime

1. Full-time non-exempt employees – with supervisory approval, employees have the option to request between the overtime paid in cash or in the form of compensatory (“comp”) time. Comp time will be calculated at the rate of 1.5 hours for each overtime hour worked.
2. Part-time, seasonal and temporary non-exempt employees – overtime will be paid in cash at one and one-half times the regular rate of pay.

Use and Accrual of Comp Time

Comp time shall be used by the employee in the same manner as vacation time.

[A department may establish its own accrual cap and use by timeframe for comp time. Comp time is capped at 40 hours. If an employee exceeds 40 hours, the excess hours will be paid out as overtime.](#)

~~A department may establish its own accrual cap and use by timeframe for comp time. If an employee’s accrued comp time reaches forty (40) hours, the employee must meet with his/her supervisor to discuss the reason for the excessive comp time, how to avoid excessive comp time in the future, and to schedule use of comp time. In the event an employee’s accrued comp time exceeds eighty (80) hours, the employee will be required to use comp time before using any vacation leave, until the comp time is reduced to less than eighty (80) hours.~~

Calculation of Overtime

FLSA Non-Exempt Employees – Paid sick leave, vacation leave, compensatory time off, and other paid leave shall not be counted as time worked for the purposes of overtime calculations.

Termination of Employment

In the event of termination of employment, all unused comp time hours shall be paid to the employee in the final paycheck.

References

Fair Labor Standards Act
Oregon Bureau of Labor and Industries



FAMILY AND MEDICAL LEAVE

Purpose

The purpose of the federal and state leave laws is to protect an employee's job for up to twelve (12) weeks or 480 hours in a 12-month period if the employee is off work for a qualifying event in accordance with the leave law.

General Information

The following information is provided to familiarize employees with both the federal and Oregon laws. Supervisors will need to obtain information from their employees; however, all determinations of whether an employee's leave qualifies under the law will be made by Human Resources. All questions regarding eligibility, and determinations of whether leave is covered by the federal or state law, should be referred to Human Resources.

An employee does not have to expressly request leave under the Federal Family Medical Leave Act (FMLA) or the Oregon Family Leave Act (OFLA). It is the supervisor's responsibility to obtain enough information so a determination can be made regarding: 1) whether the leave qualifies, 2) designating the leave as such, and 3) notifying the employee of his/her rights under the law.

In some instances, an employee may have accrued leave to cover time off. However, the employee may also be covered by the federal or state leave laws. When that is the case, the leave laws that apply are exhausted simultaneously with accrued leave the employee may have.

Both the federal and state laws may cover the same types of leave. When both laws cover leave, leave rights will be exhausted concurrently.

Leave may be taken on a continuous basis, or if medically necessary, on an intermittent or reduced schedule basis.

FMLA requires the employer to maintain health benefits, even if the employee is on leave without pay, until his/her FMLA leave entitlement is exhausted. If the District fails to continue insurance coverage, the District can be assessed a daily penalty for failure to continue the insurance coverage. The District has no obligation to maintain health benefits under OFLA.

While on family and medical leave, all eligible leave (paid or unpaid) is counted against an employee's annual entitlement. In the event the leave is due to a

condition that falls under workers' compensation, the leave shall be applied to the employee's FMLA entitlement but not OFLA.

Whenever feasible, FMLA and/or OFLA determinations need to be made prior to or at the start of the leave.

Reason for Leave

1. Federal Family and Medical Leave Act (FMLA)

Entitles eligible employees to take up to 12 weeks of unpaid, job protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. [Leaves qualifying under FMLA and also qualifies under Paid Leave Oregon and/or OFLA must be taken concurrently and not in addition to, Paid Leave Oregon and/or OFLA. Employees cannot exhaust unpaid FMLA and then qualify for another 12 weeks of Paid Leave Oregon.](#)

Eligibility: An employee must have been employed for 12 months and worked (not counting leave time) at least 1,250 hours in the preceding 12 months leading up to the leave. The 12 months of employment does not need to be consecutive.

Family Member Definition: Spouse, child, parent or In Loco Parentis.

[Leave Benefit Year: The one-year benefit period is 52 weeks beginning on the Sunday immediately preceding the date on which family leave commences \(matches Paid Leave Oregon\).](#)

Qualifying Event: Eligible employees have the right to 12 weeks of leave during a [rolling-forward benefit year](#) ~~“rolling” 12-month period~~ for any one or more of the following reasons:

- Employee's own serious health condition that makes the employee unable to perform job functions;
- Birth of a child (including maternity leave and parental leave);
- Parental leave for the adoption of a child under 18 years of age (including foster care placement);
- Pregnancy disability or prenatal care;

- Care of a spouse, child, or parent who has a serious health condition;

FMLA Military Leave:

Military Family Member Definition: Active duty spouse, son, daughter, or parent in any branch of the Armed Forces.

Exigency Leave: Eligible employees have the right to take up to 26 weeks of Exigency Leave. Qualifying exigencies are situations arising from the military deployment of a family member. This may include attending certain military ceremonies and briefings, making alternative child care arrangements, making financial or legal arrangements to address covered service member's absence.

Military Caregiver Leave: Eligible employees have the right to take up to 26 weeks of leave to care for a current service member or veteran, including National Guard and Reserves who is undergoing medical treatment, recuperation, therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness. Eligible veterans must have been discharged under conditions other than dishonorable at any time during the ~~five-year~~five-year period before the first day of leave to care for veteran.

Rest and Recuperation Leave: Eligible employees have the right to take up to 15 days to spend time with a military family member.

2. Oregon Family Leave Act (OFLA)

Entitles eligible employees to take up to 12 weeks of unpaid, job protected leave for specified family and medical reasons. Leaves qualifying under OFLA and also qualifies under Paid Leave Oregon and/or FMLA must be taken concurrently and not in addition to, Paid Leave Oregon and/or FMLA. Employees cannot exhaust unpaid OFLA and then qualify for another 12 weeks of Paid Leave Oregon.

Eligibility: An employee must have been employed for 180 days and have worked (not counting leave time) an average of 25 or more hours per week.

Family Member Definition: Spouse, same-gender domestic partner, child, stepchild, parent, parent-in-law, grandparent, or grandchild, and children or parents of same-gender domestic partners, or ~~In-Loco-Parentis~~ any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

Leave Benefit Year: The one-year benefit period is 52 weeks beginning on the Sunday immediately preceding the date on which family leave commences (matches Paid Leave Oregon).

Qualifying Event: Eligible employees have the right to 12 weeks of leave during a ~~“rolling” 12-month period~~ rolling-forward benefit year for any one or more of the following reasons:

- Employee’s own serious health condition that makes the employee unable to perform job functions;
- Birth of a child (including maternity leave and parental leave);
- Parental leave for the adoption of a child under 18 years of age (including foster care placement);
- Pregnancy disability or prenatal care. In addition, a woman who takes leave for pregnancy-related disability, may take up to an additional 12 weeks for any other purpose covered under OFLA. Both the mother and the father may access parental leave;
- Care of a family member who has a serious health condition;
- Illness or injury of a child which requires home care but is not a serious health condition.

OFLA Bereavement Leave:

Eligible employees are entitled to 2 weeks of leave to attend funerals, make arrangements, or to grieve the death of a family member. Employees may take multiple bereavement leaves during an OFLA year and are not required to take leaves concurrently in the case of multiple deaths. Bereavement leave days are a part of the 12 weeks to which an employee is entitled under OFLA.

OFLA Parental Leave:

Eligible employees are entitled to 12 weeks of unpaid leave to care for a newborn, newly adopted child, or newly placed foster child or other specified family and/or medical reasons.

Eligibility: Employee must be on the job at least 180 days only. Number of hours worked is not factored into eligibility.

Oregon Military Family Leave Act:

Eligibility: Employees who have worked an average of 20 hours per week only. Number of weeks worked is not factored into eligibility.

Military Family Member Definition: Spouse or same-gender domestic partner.

Deployment and Active Duty Leave: Eligible employees are entitled up to 14 days of protected leave for spouses and domestic partners of military service members who have been called to (or notified of an impending call or order to) active duty, or who are on leave from active duty during a period of military conflict.

Qualifying Health Conditions

1. FMLA

- a) Inpatient Care
- b) Continuing treatment due to an incapacity
 - lasting more than three (3) consecutive days and includes two (2) or more treatments by health care provider, or one (1) treatment with a continuing regimen of treatment.
- c) Any period of incapacity due to pregnancy or prenatal care.
- d) Conditions that are chronic.
- e) Multiple treatments.

2. OFLA

- a) An illness, injury, impairment, or physical or mental condition of an employee or family member.
- b) Inpatient care
- c) Conditions that require constant care
 - in a health care facility
 - home health care administered by home health care professional
 - conditions that are chronic
 - conditions that meet federal “continuing treatment” definition

Benefit Status

While an employee is on family medical leave, and where the employee is otherwise qualified, the District will continue benefits, including group medical insurance. The employee will be required to continue paying for his/her portion of insurance premiums during the leave.

The employee will retain credit for seniority, retirement plan, sick leave, and vacation earned prior to leave, except for the amount of sick leave and vacation used during the leave. Sick leave and vacation leave will not accrue during any part of the leave in which the employee is absent without pay.

Use of Paid Leave While on FMLA Leave

An employee must exhaust all his/her sick, vacation and personal leave before being placed on leave without pay. Employees are not required to use their comp time. The use of comp time will not count against an employee's FMLA/OFLA leave entitlement. FMLA/OFLA regulations stipulate that compensatory time is not a form of accrued paid leave that the District can require the employee to use.

Notice Requirements

Employees are required to call in when unable to report to work.

Employees must provide thirty (30) calendar days notice for a planned absence.

In the event of a medical emergency or unforeseeable event, a request for leave must be submitted within two (2) calendar days of the occurrence.

Certification

Anticipated Leave - The employee must provide certification from his/her health care provider to support a family medical leave. Where the need for leave is anticipated, the employee must provide the certification in advance of the leave, when possible (except certification is not required for parental leave although employees may be required to provide documents evidencing birth, adoption or foster placement).

Unanticipated Leave - Where the need for leave is not anticipated, the employee must provide medical certification within 15 days of the District's request for such certification.

Additional Opinions - In some cases, the District may require a second or third opinion, at district expense.

Medical Release - If the family medical leave is for the employee's own serious health condition, the employee is required to furnish a medical release certification from the health care provider before returning to work.

Reimbursement of Medical Certification Costs

Employees must submit bills for medical certification to their insurance. The District is responsible for any out of pocket costs not covered by insurance incurred for required medical certification or recertification. To receive reimbursement, employees must submit an expense form and receipt showing out of pocket costs to their supervisor.

Reinstatement

When an employee returns to work following a family medical leave, he/she will be reinstated to his/her former position. If the position has been eliminated, the employee is entitled to be reinstated to an available equivalent position.

Procedure

Employee

Receive FMLA/OFLA Information Packet from supervisor or Human Resources. Complete Family and Medical Leave form and Health Care Provider Certification form within thirty (30) days in advance of planned absences, or within two (2) business days of unexpected absences and submit to supervisor or Human Resources. Supervisor may complete the Family and Medical Leave form on behalf of employee, should employee become incapacitated.

Provide supervisor with periodic status updates and intent to return to work.

Provide release to work prior to being restored to employment, if required.

Supervisor

Notify Human Resources of employee's leave and request FMLA/OFLA Information Packet. Provide employee with packet.

Review all leave requests for potential FMLA or OFLA eligibility. Question the employee enough to determine if the absence may qualify under one of the leave laws. Do not ask for a diagnosis of the condition.

If employee appears to qualify for FMLA/OFLA, verbally inform the employee, "This absence will be counted towards your FMLA/OFLA entitlement pending approval from Human Resources."

Forward the completed Family and Medical Leave form and medical documentation to Human Resources.

Periodically checks in with employee for status update.

Track employee's FMLA/OFLA leave usage, and verify that it has been recorded correctly on the employee's timesheet. Responsible for sending in corrected timesheets.

Requests release to work prior to return to employment, unless leave is for pregnancy, intermittent leave, or to care for a family member.

Prior to FMLA/OFLA exhaustion (within two weeks prior to exhaustion), coordinate with Human Resources Manager in directing the employee back to work.

Human Resources

Requests medical certification. Reviews for eligibility. Notifies employee of approval or denial of FMLA/OFLA. Provide copies of letter to supervisor and employee medical file.

Ensures employee’s health benefits continue if qualified as FMLA.

Assists supervisor or employee with timesheet coding.

Reviews FMLA/OFLA hours used.

If employee exhausts entitled leave, provides notification to employee, with copies to supervisor and employee medical file.

Sends out COBRA notice.

In cases where employee has exhausted leave and cannot return, strategize with supervisor.

Resources

Family Leave Laws Handbook	Bureau of Labor and Industries
Technical Assistance for Employers	Bureau of Labor and Industries 503-731-4073 or www.boli.state.or.us
Family and Medical Leave Training	Human Resources

References

Federal and State Law	Federal Family & Medical Leave Act Oregon Family Leave Act
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Forms

FMLA/OFLA Packet



HARDSHIP LEAVE DONATIONS

General Information

Hardship Leave Donations may be available to full time and regular part time [benefited](#) employees who need to take leave, due to a serious illness or injury, ~~or~~ the need to care for a family member's serious illness or injury, [or for safe leave](#). Donation requests are based on a matching system of the employee's sick leave balance at the onset of the medical condition [or safe leave](#).

Eligibility Requirements

To be eligible for Hardship Leave Donations:

1. [An employee must have applied and was denied Paid Leave Oregon benefits or employee did not receive full wage replacement.](#)
- ~~1.2.~~ [An employee must certify a medical need for leave \(completed FMLA/OFLA form\) and have exhausted all accrued sick leave. Eligibility will follow the guidelines for FMLA/OFLA.](#)
- ~~2.3.~~ [An employee must receive approval for continued use of leave to extend his/her absence from work.](#)
- ~~3.4.~~ [An employee must exhaust all accrued sick leave and all but 40 hours of accrued vacation leave.](#)
- ~~4.5.~~ [Employees may not be eligible if receiving compensation from another source \(workers' compensation benefits, insurance reimbursement from short- or long-term disability\).](#)

Eligible Employees

1. **Full-time [and regular part-time benefited](#) employees** are eligible for hardship leave donations upon hire.
- ~~2. **Regular part-time employees** are eligible for hardship leave donations upon qualifying for benefits.~~
3. **Part-time, seasonal and temporary employees** are not eligible for hardship leave donations.

Hardship Leave Donations Processing Procedures

1. The requestor must request a specific number of hours needed, based on the health care provider's certification, not to exceed three months (480 hours).
2. Requested hours shall not exceed the number of sick leave hours requestor had at the onset of the medical condition. The combination of requestor's hours and donated hours shall not exceed 480 hours.
3. Human Resources will email hardship donation requests to [dDistrict](#) employees, which will contain requestor's name and number of hours requested.
4. Employees may voluntarily donate accrued vacation leave in increments of one hour or more. Vacation hours will be converted to sick leave hours at the recipient's salary rate. Donations will be anonymous.
5. To donate vacation leave, the Hardship Leave Donation Form must be submitted to Human Resources.
6. Only employees who are eligible to take accrued vacation leave may donate vacation leave.
7. If the employee returns to full duty without exhausting all donated leave, the donated leave shall be refunded back to the donating employee(s) on a proportional basis.

Extension Requirements

Extension requests will be reviewed on a case-by-case basis but not to exceed 480 hours from beginning of original leave request. Extensions are subject to the approval of the department director.

Forms

Request for Hardship Leave Donations
FMLA/OFLA Packet
Hardship Leave Donation



VACATION LEAVE

General Information

Vacation leave is an employee benefit that is granted to full time and regular part time eligible employees. Vacation leave provides pre-approved paid time off away from work.

Requirements

A. Vacation Leave Accrual

1. Exempt Full-Time Employees

Exempt full-time employees shall start accruing vacation leave at the beginning of the first payroll period (21st of the month to the 20th of the following month). Accrual rates are as follows:

Years of Service	Accrual	Vacation Days per Year
After completion of one full payroll period to 1 year	8 hours	12
Upon completion of 1 year	10 hours	15
Upon completion of 5 years	12 hours	18
Upon completion of 10 years	13 1/2 hours	20
Upon completion of 15 years	14 2/3 hours	22
Upon completion of 20 years	16 2/3 hours	25

2. Non-Exempt Full-Time Employees

Non-exempt full-time employees shall start accruing vacation leave at the beginning of the first payroll period (21st of the month to the 20th of the following month). Accrual rates are as follows:

Years of Service	Accrual	Vacation Days per Year
After completion of one full payroll period to 1 year	6 2/3 hours	10
Upon completion of 1 year	8 hours	12
Upon completion of 5 years	10 hours	15
Upon completion of 10 years	12 hours	18
Upon completion of 17 years	12 2/3 hours	19
Upon completion of 18 years	13 1/3 hours	20
Upon completion of 19 years	14 hours	21
Upon completion of 20 years	14 2/3 hours	22
Upon completion of 21 years	15 1/3 hours	23
Upon completion of 22 years	16 hours	24

Full-time employees on leave without pay will accrue vacation leave on a pro rata basis, providing the employee works 85 hours or more during the month. For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 hours or 57.69% of his/her monthly accrual rate. If an employee works less than 85 hours in the month, the employee will not accrue vacation leave.

3. Regular Part-Time Employees

Regular part-time employees in budgeted benefited positions will begin to accrue vacation leave after working one full pay period (21st of the month to the 20th of the following month). ~~will begin to accrue vacation leave upon the successful completion of working an average of 85 hours per month for six consecutive months with no fewer than 60 hours in any month.~~ Vacation accrual will be accrued on a pro rata basis on ~~for~~ actual hours worked ~~and leave with pay~~ up to a maximum of eight (8) hours per month, ~~provided the hours are a minimum of 85 hours or more.~~

Employees moved from out of a benefited position and into a non-benefited position will no longer be eligible to accrue vacation leave effective with the date of the change.

~~Employees dropping below 85 hours shall not accrue vacation leave. If an employee drops below 85 hours for three non-consecutive months or for two consecutive months in a 12-month period, the employee no longer qualifies for~~

~~earning vacation leave accruals. An employee may requalify for vacation leave after working at least 85 hours each month for three consecutive months.~~

4. Part-Time, Seasonal and Temporary Employees

Part-time, seasonal, and temporary employees shall not earn vacation leave.

B. Accumulation of Vacation Leave

1. **Full-time employees** may accrue a maximum of 240 hours of vacation.
2. **Regular part-time employees** may accrue a maximum of 120 hours of vacation.

Accruals in excess of these limits will be forfeited.

C. Continuous Service

Continuous service shall be service unbroken by separation from the District. Time spent by an employee on military reserve (National Guard, Army Reserve, etc.) leave, vacation leave, sick leave, state or federal family medical leave (with or without pay), or other authorized leave with pay is considered continuous service. Time spent on other types of authorized leave without pay will not count as continuous service. Employees returning from such unpaid leave or who were laid off, shall be entitled to credit for service prior to the leave.

D. Vacation Payment

Employees who have accrued 240 hours of vacation may request payment for up to 120 hours of vacation in which it has been determined by the department director that granting leave is not appropriate and has been determined by the Executive Director to be financially feasible. A Vacation Payment form must be submitted to the department director and approved by the Executive Director.

Employees who have worked for the District for 20 years or more may have the option of receiving payment for five (5) days of accrued vacation each fiscal year in which it has been determined by the Executive Director to be financially feasible.

Regular part-time employees are not eligible for vacation payment.

E. Scheduling Vacation Leave

Subject to operating requirements, vacation leave may be utilized with prior approval of the supervisor, except as provided by the Family and Medical Leave Act.

There will be times when no more than one person from one department/division may be on vacation at the same time. Because of this policy, it is suggested by the District that vacation leave requests be made in writing far enough in advance to avoid denial of time off.

F. Changing Vacation Leave to Sick Leave

In the event of a serious health issue during vacation, an employee's vacation leave may be changed to earned sick leave. The request must be submitted to the employee's department director for approval.

G. Timesheet

Vacation hours recorded on the timesheet must reflect the hours that are normally scheduled.

H. Coordination with Workers' Compensation Loss Benefits

No employee shall be required to utilize vacation leave while receiving time loss benefits.

I. Termination of Employment

When an employee terminates from the District, all unused vacation hours shall be paid in the final paycheck.

Forms

Request for Vacation Payment



Chapter 5 – Employee Leave
Section 2 – Personal Leave
Approved by: Board of Directors
Date Approved: February 6, 2007
Codified: 8/4/2009, 11/1/16, 11/7/17, 11/19/19, 12/1/20, 11/15/22
Amended By: Don Horton, Executive Director
Amendment Date: 6/19/09, 8/9/16, 3/3/17, 6/21/17, 4/30/19, 6/19/20,
12/21/21, 11/28/22, 12/14/22
Page 1 of 2

PERSONAL LEAVE

General Information

Personal leave is a benefit that is granted to eligible employees to provide approved paid time away from work for employee determined reasons.

A personal day with pay is provided to employees with pay each calendar year (December 21 through December 20), not cumulative from year to year or compensable in any form other than leave, shall be granted to eligible employees. If an employee does not use the personal leave by December 20, the personal leave will be forfeited.

Personal leave must be scheduled in advance in the same manner vacation leave is approved.

Eligible Employees

Full-time Employees

Full-time employees in budgeted benefitted positions will accrue eight (8) hours immediately upon hire and on December 21 each year.

Benefited Regular Part-time Employees

Regular part-time employees in budgeted benefitted positions [are eligible for the Personal Leave immediately upon hire. Part-time employees](#) will receive personal leave hours based on each year's projected average weekly hours to be worked ~~immediately upon hire and on December 21 each year~~. The projected annual weekly hours will be reviewed by supervisors each year and/or when an employee accepts another position.

Employees' projected annual average weekly hours and corresponding personal leave hours is as follows:

20 - 25 average weekly hours	5 hours of paid personal leave
26 - 31 average weekly hours	6 hours of paid personal leave
32+ average weekly hours	7 hours of paid personal leave

Employees moved from a budgeted benefitted position to a non-benefitted position shall no longer qualify for the personal leave benefit effective with the date of change.

Non-benefited Part-time, Seasonal and Temporary Employees

Non-benefited part-time, seasonal, and temporary employees are not eligible for personal leave.

Paid Leave Oregon Insurance

An employee may choose to use Personal Leave to make up the difference between the Paid Leave Oregon (PLO) insurance for leave qualifying under PLO and the employee's regular salary rate. To determine the number of Personal Leave hours required to supplement PLO, employees are to submit the benefit notice from Oregon Employment Department.

Coordination with Workers' Compensation Loss Benefits

An employee may choose to use Personal Leave to make up the difference between the Workers' Compensation for lost time and the employee's regular salary rate.

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Termination of Employment

When an employee separates employment from the District, an employee is not compensated for unused personal leave.



HOLIDAYS

General Information

Holiday pay is a benefit that is granted to eligible employees to provide time off with pay to observe the recognized official holidays.

Official Holidays

The following holidays shall be designated as official holidays for all full-time and regular part-time employees:

- | | |
|--------------------------------|---|
| 1) New Year's Day | 7) Labor Day |
| 2) Martin Luther King's Day | 8) Veteran's Day |
| 3) President's Day | 9) Thanksgiving |
| 4) Memorial Day | 10) Friday after Thanksgiving |
| 5) Juneteenth Independence Day | 11) Christmas |
| 6) Independence Day | 12) In years when Christmas falls on a Tuesday or Thursday, an additional day will be granted to create a four-day holiday. |

In the event the holiday falls on Saturday, the Friday before the holiday will be observed. If a holiday falls on Sunday, the Monday after the holiday will be observed.

Veterans (as defined by Oregon law) who are scheduled to work on Veteran's Day may submit a request for the day off. Employees must provide to their supervisor a minimum of 21 days' notice of their intent to take the holiday off. Supervisors must approve or deny the request at least 14 days before Veteran's Day. In the event the request is denied as a result of significant economic or operational disruption, or create an undue hardship, the employee shall select an alternate date to take off within one year of the Veteran's Day that must be mutually agreed upon with the supervisor.

Eligible Employees

1. **Full-time employees** in budgeted benefitted positions are eligible for the official holidays immediately upon hire. Full time employees receive eight hours of paid holiday leave per holiday.

- 2. Benefited regular part-time employees** in budgeted benefited positions are eligible for the official holidays immediately upon hire. Part-time employees will receive holiday hours based on each year's projected average weekly hours to be worked. The projected annual weekly hours will be reviewed by supervisors each year and/or when an employee accepts another position.

Employees' projected annual average weekly hours and corresponding holiday hours is as follows:

20 - 25 average weekly hours	5 hours of paid holiday leave per holiday
26 - 31 average weekly hours	6 hours of paid holiday leave per holiday
32+ average weekly hours	7 hours of paid holiday leave per holiday

Employees moved from a budgeted benefited position to a non-benefited position shall no longer qualify for the holiday benefit effective with the date of change.

- 3. Non-benefited part-time, temporary and seasonal employees** shall not be eligible for holiday compensation.

Compensation

Compensation for a holiday is based on an eight (8) hour shift.

Full-time employees will be granted eight (8) hours of time off with pay for each official holiday and will be compensated at straight-time only (see Overtime policy). Holiday hours in any given week shall not put an employee into overtime status. If an employee is on leave without pay, regular part-time language shall be applied.

Full-time non-exempt employees working an alternative work schedule, e.g., 4-10's, shall use other applicable leave balances to ensure the full work week equals 40 hours before leave without pay can be authorized (see Leave Without Pay policy).

Benefited Regular part-time employees will be granted time off with pay on a pro-rated basis for each official holiday. If the employee is required to work on the holiday, the employee shall receive pay for the actual hours worked and the pro-rated holiday accrual.

Pay Status Test

Employees must be in a paid status at least ½ of the last workday before the holiday and ½ of the first workday after the holiday to receive holiday pay.

Work on a Holiday

Full-time non-exempt employees required to work on an observed and/or actual holiday will be paid time and a half for hours worked. In addition, the employee will also ~~receive~~ be paid for the 8 hours of holiday. ~~one of two options: 1) employees will be paid for the 8 hours of holiday in addition to being paid for hours worked at their straight time rate, or 2) employees will take an alternate day off with pay by December 20. If employees do not take the alternate day off by December 20, employees forfeit the holiday. Employees may request the option they prefer; however, the supervisor is responsible for making the final decision based upon business need. The decision must be made before the day is worked in order for employees to record their time properly. If the employees and supervisors mutually agree upon an alternate day off, employees cannot change their selection to pay at a later date.~~

For full-time exempt employees that work on an observed holiday, the hours worked shall not be recorded as holiday leave. Holiday hours that are not taken on the holiday will be scheduled and taken ~~by December 20. If employees do not take the alternate date off by December 20, the employees forfeit the holiday~~ within the same pay period. Hours not taken within the same pay period will be forfeited.

Regular benefited part-time employees required to work on an observed and/or actual ~~the~~ holiday shall be paid time and a half for hours worked and receive annual average holiday hours. ~~pay for the actual hours worked and the prorated holiday accrual.~~

Non-benefited part-time/seasonal employees shall be paid time and a half for hours worked on an observed and/or actual holiday.

Observed Holiday on Employee's Day Off

When a holiday falls on a full-time employee's regular day off, another day off shall be arranged by the supervisor on a date convenient to the employee and the district. If the employee does not take the alternate date off ~~by December 20~~ within the same pay period, the employee forfeits the holiday.

Exceptions

Human Resources may submit written exception requests to the Executive Director for approval.

Procedures

Non-exempt full-time employee: Submits request to supervisor whether the worked holiday will be paid or to take an alternate day off

Supervisor/Manager: Based on business need, approves or declines request; communicates decision to employee.

~~Non-exempt full-time employee: Completes timesheet/time record~~
~~—If employee will be paid for the 8-hour holiday and paid for the hours on the worked holiday, the timesheet will be completed as follows:~~
~~○ Enter actual hours worked; and~~
~~○ Enter 8 hours under the holiday pay code~~
~~—If employee will take an alternate day off, the day of the holiday will be completed as follows:~~
~~○ Enter actual hours worked under the pay code that the hours were worked.~~
~~Supervisor/Manager: Reviews timesheet/time record for compliance. Approves and submits timesheet/time record to Finance Department.~~

Resource

Overtime policy, Chapter 4, Section 9
Leave Without Pay policy, Chapter 5, Section 8



Chapter 5- Employee Leave
Section 4 – Sick Leave
Approved by: Board of Directors
Date Approved: 2/6/2007

Codified: 10/19/10, 11/19/13, 11/17/15, 11/1/16, 11/7/17, 11/6/18, 11/19/19, 12/1/20
11/15/22

Amended By: Don Horton, Executive Director
Amendment Date: 7/20/10, 11/9/12, 8/25/15, 1/1/16, 8/9/16, 6/21/17, 8/28/18, 12/18/18, 6/19/20,
12/21/21
1 of 3

SICK LEAVE

General Information

This policy is intended to mitigate the spread of disease and to allow employees to care for themselves and family members, making a healthier, more productive workplace and community.

Eligibility, Accrual Rate, and Carry Over

Non-benefited Part-Time and Seasonal Employees

Non-benefited part-time and seasonal employees begin accruing 1 hour for every 30 hours worked immediately upon hire. Employees may carry over up to 40 hours of unused sick leave from one year to the next.

Benefited Regular Part-Time Employees

Regular part-time employees in budgeted benefited positions begin accruing immediately upon hire. Sick leave accrual will be accrued on a prorated basis up to a maximum of eight (8) hours per month. Actual time worked and all leave with pay shall be included in determining the prorated accrual of sick leave each month. For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 hours or 57.69% of the maximum eight-hour accrual rate. There is no limit to the number of unused sick leave hours an employee may accrue.

If an employee is moved from a budgeted benefited position to a non-benefited position, the employee's sick leave accrual rate will be reduced to the non-benefited part-time and seasonal employee rate of 1 hour for every 30 hours worked effective with the date of the change. In the event the employee has more than 40 hours of unused sick leave accrued, the employee will not lose the hours accrued while benefited.

Full-time Employees

Full-time employees begin accruing eight hours of sick leave immediately upon hire and each pay period provided there are no leaves without pay during the pay period. [If an employee has taken more than five \(5\) days of leave without pay in the pay period, sick leave accrual will be prorated.](#) There is no limit to the number of unused sick leave hours that may be accrued.

Recording Sick Leave

Sick leave shall be recorded in the district's electronic time keeping system. Employees may only record sick leave that is in their current sick leave balance (see most recent pay stub). Employees may not borrow sick leave from the current or future months.

Use of Sick Leave

Employees can use earned sick leave for the following reasons:

1. To care for the employee or the employee's family member with a mental or physical illness, injury or health condition, need for medical diagnosis, care, or treatment of a mental or physical illness or health condition, or need for preventive medical care, or to provide a family member's daily care activities.
2. To care for an infant or newly adopted child under 18 years of age, or for a newly placed foster child under 18 years of age, or for an adopted or foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability, completed within 12 months after birth or placement of the child.
3. Absences associated with death of a family member by:
 - a. Attending the funeral or alternative to a funeral of the family member;
 - b. Making arrangements necessitated by the death of the family member; or
 - c. Grieving the death of the family member;
4. For absences related to domestic violence, harassment, sexual assault or stalking;
 - a. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, or stalking;
 - b. To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to or harassment or stalking of the employee or the employee's minor child or dependent;
 - c. To obtain, or to assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, or stalking;
 - d. To obtain services from a victim services provider for the employee or the employee's minor child or dependent;
 - e. To relocate or take steps to secure an existing home to ensure the health and safety of the employee or the employee's minor child or dependent;
5. In the event of a public health emergency including but not limited to:
 - a. Closure of the employee's place of business or the school or place of care of the employee's child, by order of a public official due to a public health emergency;
 - b. A determination by a lawful public health authority or a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others; or
 - c. The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons.

Family Member Definition

Family members for sick leave purposes are defined as spouse, same gender domestic partner as (described in ORS 106.300 to 106.340) and includes in-laws and step: parents, foster parents, grandparents, children, grandchildren, brother, sister, foster children, and any individual with whom an employee has or ~~had an in-loco parentis relationship.~~ any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

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Absence Notification

When employees need to use sick leave and has not given their supervisor prior notice, employees will call their supervisor or other designated staff, prior to the beginning of their scheduled shift, except for circumstances beyond the employee's control such as a traffic accident.

Medical Certification

The district may request certification from the attending physician for the following reasons: ~~to verify the need for leave under the Federal Family Medical Leave Act/Oregon Family Leave Act (FMLA/OFLA) and when:~~

- Verify the need for leave under the Federal Family Medical Leave Act/ Oregon Family Leave Act (FMLA/OFLA).
- An employee takes more than three consecutive workdays of sick time.
- If the supervisor suspects that the employee is abusing sick time or engaging in a pattern of sick leave.
- If the sick time is foreseeable and projected to be more than three consecutive days.
- To determine return to work eligibility and restrictions.

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Paid Leave Oregon Insurance

An employee may choose to use sick leave to make up the difference between the Paid Leave Oregon (PLO) insurance for leave qualifying under PLO and the employee's regular salary rate. To determine the number of sick leave hours required to supplement PLO, employees are to submit the benefit notice from Oregon Employment Department.

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Workers' Compensation

An employee may choose to use sick leave to make up the difference between the Workers' Compensation for lost time and the employee's regular salary rate. An employee who exhausts sick leave may choose to use other accrued leave to equal the difference between Workers' Compensation for lost time and the employee's regular salary rate. Using leave while receiving time loss benefits is not required.

Notification of Sick Leave Balance

The employee's monthly pay stub shall reflect the employee's sick leave accrual, use, and balance.

End of Employment

Sick leave does not have a monetary value at the time of separation. Sick leave balance will not be paid when an employee separates employment from the District.

Restoration of Sick Leave Upon Rehire

Employees who have separated from the district and return within one year shall have unused sick leave credits restored.



WELLNESS PROGRAM

Purpose

To support employee work-life balance and enrich the physical, mental and social well-being of all Bend Park and Recreation District employees. Healthier employees are more productive and effective workers, require less medical care, and are more satisfied with their jobs and their employer.

Background

In working toward a comprehensive wellness program, the District's wellness benefits are supported by a variety of programs and policies. Wellness initiatives and benefits consider work done through the Employee Relations Committee (ERC), the Safety & Ergonomics Programs and the Employee Assistance Program (EAP), as well as the District's insurance provider. The District's Wellness Committee works with the other committees, programs and policies to administer the wellness program.

Wellness Committee

The Wellness Committee's main objectives are to inform employees of the health and wellness benefits offered by the District; and promote a culture of wellness and work-life balance. The Wellness Committee maintains a Charter that provides more detail about the Committee's structure and focus.

Wellness Initiatives and Benefits

Health and wellness benefits available under the wellness program may include, but are not limited to:

- Program discounts and facilities pass – see explanation and eligibility below
- Health screenings – fees may apply to family and will be **advertised** communicated accordingly
- Employee and family social events
- Health campaigns & fitness/health challenges (e.g. Hydration Challenge)
- Wellness focused presentations (e.g. Lunch 'n Learn Presentations)

The District also encourages alternative commute options, healthy food and beverage choices, and promotes the District's mission by providing recreational opportunities.

Recreation Programs & Facilities Benefits Pass

Employees and eligible family members may enroll in recreation programs at the employee program fee. Employees will receive an Employee Wellness Pass **recreation**

~~facilities pass~~ providing access to ~~d~~District recreation facilities for their personal use during their employment with the ~~D~~district. Passes provide full access to all facilities and most drop-in activities at Juniper Swim & Fitness Center, ~~Bend Senior Center~~[Larkspur Community Center](#) and The Pavilion. Drop-in activities will be evaluated on an ongoing basis; if a particular activity is identified as being routinely full it may be excluded, either temporarily or ongoing-, from the drop-in activities available to staff and families ~~through~~with their [Employee Wellness p](#)Pass. ~~The district's Human Resources Management System, Paylocity, The employee website~~ will be used as a tool to communicate this information to staff. Exclusions to the ~~recreation facilities~~[Employee Wellness p](#)Pass include equipment and facility rental fees.

Eligibility

The **Programs & Facilities Pass** benefit is provided to staff and their family as stated below. An eligible family member is defined as [a legally married spouse and children up to age 26 on the same household account or legal dependent children](#)-as defined by the IRS.

Employee Designation	Eligibility			
	Employee Facility Wellness Pass	Employee Program Discount	Family Wellness Pass	Family Program Discount
Full Time Benefited Employees	Upon hire.	Upon hire.	Upon hire.	Upon hire.
Part Time/Seasonal Non-benefited Employees	Upon hire.	Upon hire.	After 6 consecutive months of employment. Upon hire	After 6 consecutive months of at least 50 hours per month. working at least 300 hours.
Returning Seasonal	Upon re-hire.	Upon re-hire.	Upon re-hire.	Upon re-hire working at least 50 hours or more per month. re-hire
Board Members	Upon start of term.	Upon start of term.	Upon start of term.	Upon start of term.
Retired Employees	Upon retirement from the district with 30	NA	Spouse only.	NA

	years of service in a benefited position or at age 58 or older in a benefited position with 15 or more cumulative years of service.			
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Cancellation of Privileges

Recreational privileges are subject to cancellation for reason of improper conduct, or failure to comply with adopted rules. Upon termination of employment or ending of service on the Board, all privileges will discontinue with exception of the retired benefits described above.

References and Related Policies

- Wellness Committee Charter
- Employee Relations Committee (ERC) Policy
- Risk Management and Safety Policies
- Employee Assistance Program (EAP) Policy

BOARD AGENDA COMMUNICATION

AGENDA DATE:	November 21, 2023
SUBJECT:	Little Fawn Park Construction Contract Award
STAFF RESOURCE:	Jason Powell, Construction Manager
PREVIOUS BOARD ACTION:	July 19, 2022, Preferred Concept Plan October 5, 2021, Award Professional Services Contract for Project 155 – Bend Golf Club Site April 5, 2022, Name for Project 155 – Bend Golf Club Park Site Property
ACTION PROPOSED:	Award Construction Contract
STRATEGIC PLAN:	
Pillar:	Operations and Management Practices
Outcome:	A balance between caring for existing infrastructure and new development
Strategy:	Ensure the district is maintaining its adopted level of service targets

BACKGROUND

In 2018, the district purchased 3.39 acres of property located at the intersection of Hawes Lane and Parrell Road to provide a neighborhood park in this underserved section of southeast Bend. The board approved the concept plan for the park development in July 2022.

The site was formerly part of the Bend Golf and Country Club. It is undeveloped with ponderosa and juniper trees and rock outcrops. The north end of the site is flat, and gradually rises in elevation as you move to the south. Construction of Little Fawn Park will include shaded and open lawn, picnic and gathering space, play area, sport court, enhanced native landscaping and topography, small parking area, paved loop path, and a soft surface trail. Improvements will also include construction of the Parrell Road right-of-way adjacent to the property, including an asphalt multi-use path and enhanced pedestrian crossing at Hawes Lane.

In May of 2023, the district bid the project for construction. Two bids were received, and all were over the FY 24-28 CIP budget for construction. Due to the costs, all bids were rejected and the district elected to re-issue the project at a later time in hopes that a better bidding environment could be achieved. Timing of a re-release of bids would also allow for the project to move into the FY25, giving the district an opportunity to add funding to the project in the new CIP if needed.

On September 21, 2023, the district re-advertised the Little Fawn Park Project as a lump sum bid. A mandatory pre-bid meeting was held for all prospective bidders on October 5, 2023. Bids were opened and read on October 26, 2023.

The following three bids were received:

Deschutes Construction Corporation:	Base Bid: \$1,553,120.00
Emery & Sons Construction Group, LLC:	Base Bid: \$1,798,535.00
Mountain Sky, Inc.:	Base Bid: \$1,542,859.00

The lowest bid was Mountain Sky, Inc. in the amount of \$1,542,859.

The results of the second release for bids were not in favor of the district. While the project was valued engineered to some extent, the current bids received are very close to the original bids received in June.

BUDGETARY IMPACT

The fiscal-years (FY) 2024-28 Capital Improvement Plan (CIP) includes \$2,610,559 in system development charges (SDC) for the acquisition, planning, design, construction documents, permitting and construction of the Little Fawn Park. To date, \$906,340.83 has been spent on property acquisition, design services, and related expenses, leaving \$1,704,218.17 available for the remainder of design, permitting and development of the park, including owner miscellaneous and administrative costs. Of the \$1.7 million remaining, the district has committed a budget for design, permitting, site furnishings and shelters of \$289,218.17. Therefore, with the proposed construction contract and contingency amount of \$1,697,145, the district will need an additional budget amount of \$282,145 in funding to complete the project next year.

Due to construction timing, there is sufficient funding allocated to the project to cover the construction work completed this fiscal year, however, additional funding to finish the project will be needed in next year's budget. Staff will include the additional SDC funding in the new FY25-29 CIP (and the subsequent budget) to be discussed during the upcoming Board Workshop in February.

STAFF RECOMMENDATION

Staff recommends that the board award a construction contract to the low bidder, Mountain Sky, Inc., for a total contract amount of \$1,542,859. Staff further recommends the board approve a 10% contingency of \$154,286, for a total construction budget not to exceed \$1,697,145.

MOTION

I move to authorize the executive director to award a construction contract to Mountain Sky, Inc., for construction of the Little Fawn Park Project for a total amount of \$1,542,859, and to approve an additional 10% construction contingency of \$154,286, for a total construction budget not to exceed \$1,697,145.

ATTACHMENT

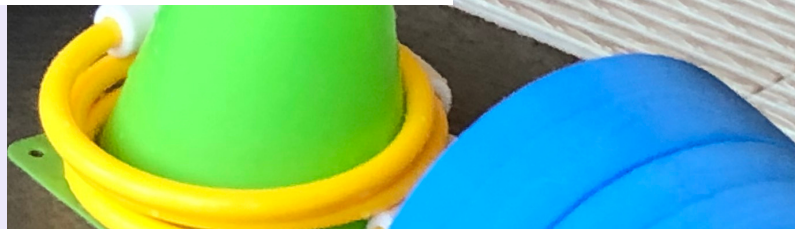
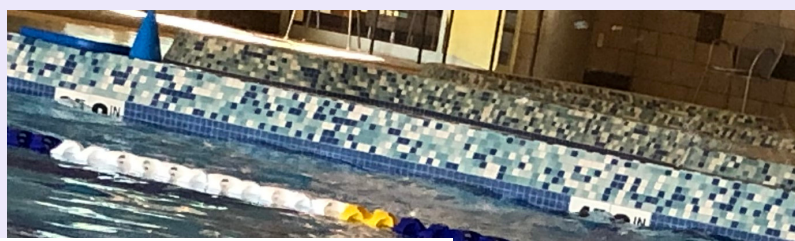
None

FY2023-2024

Quarterly Administrative Update

1st Quarter
July 2023 - September 2023

Prepared For:
BOARD OF DIRECTORS



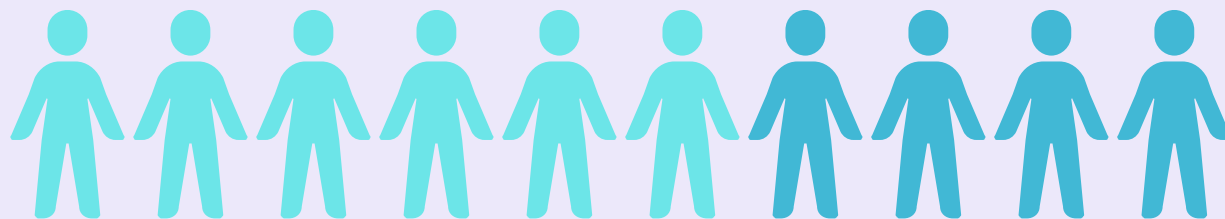
1st Quarter of FY2023-2024

The district is off to a good start in the new budget year, with projects on the horizon. Administrative projects have kicked off with replacing the aging and unsupported phone system, and other new technologies. The district purchased the Rose property at the beginning of July and the majority of the summer season for Recreation and Parks happened during this first quarter of the fiscal year.

This Quarter in the numbers

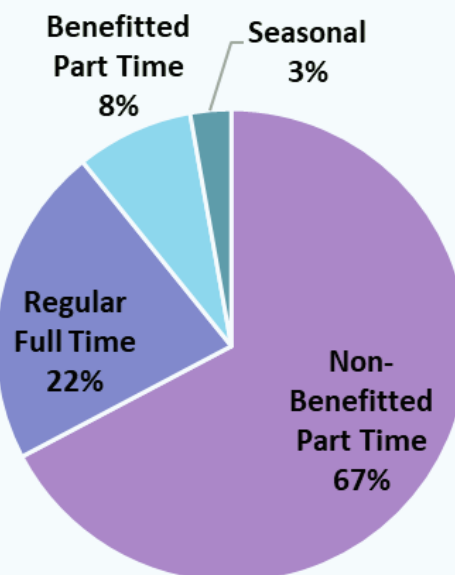
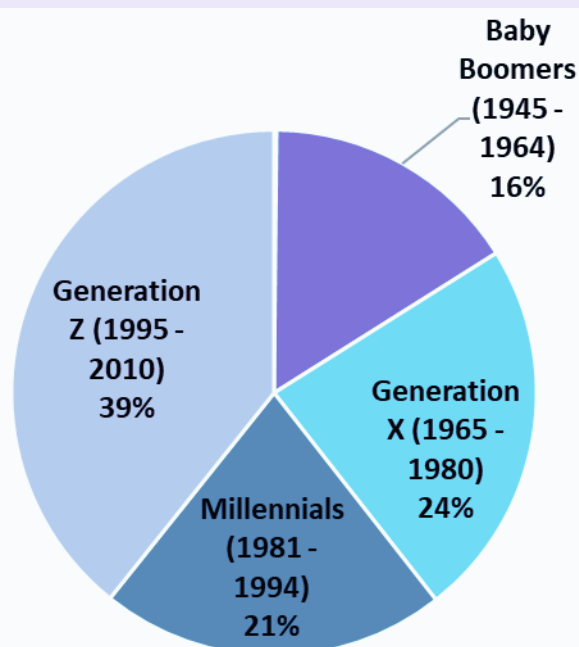
- Expended 27% of budgeted dollars
 - 24% of the personnel budget
 - 25% of Materials and Services
 - 22% of capital
- Received 12% of Estimated Revenues
 - Minimal tax revenue, we receive the majority of our taxes in the second quarter

Staff in the Numbers for the 1st Quarter



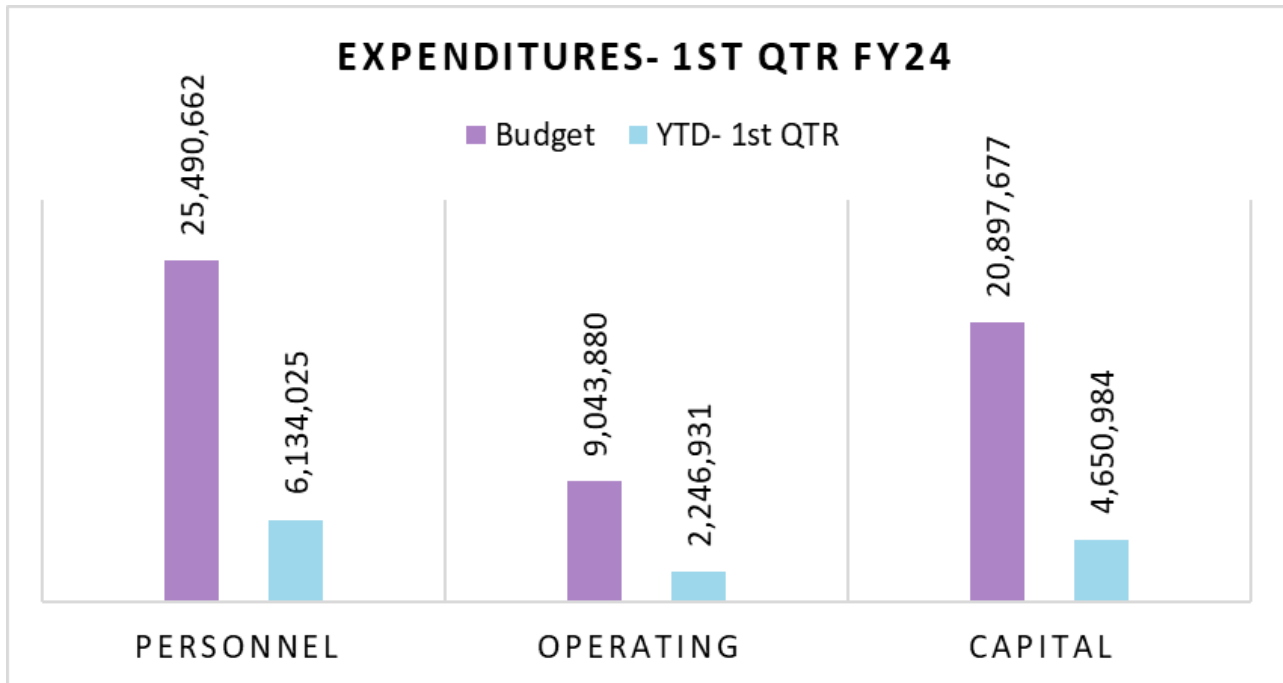
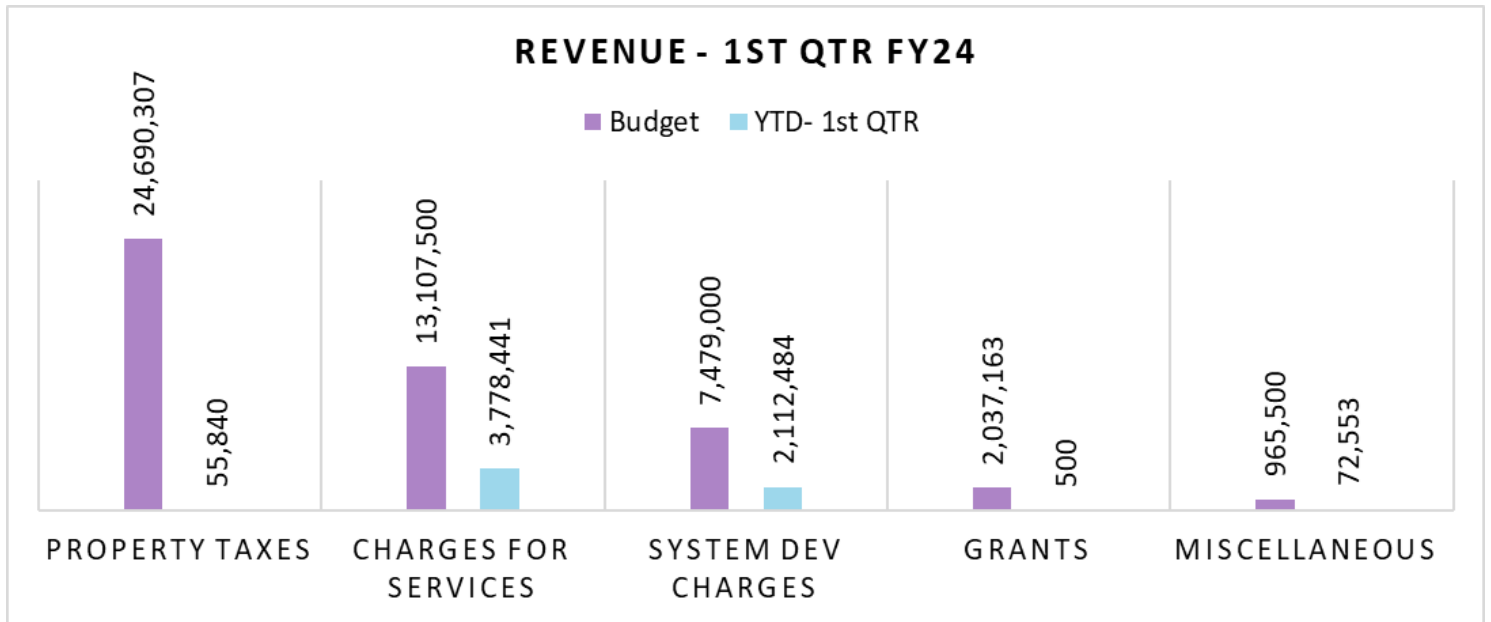
Hired 171 staff
6.7% Growth
Termed 134 staff
22.1% Turnover

Headcount 634
\$5.8 million in Labor Costs and 135.2K in Labor Hours



Our Q1 Financial Highlights

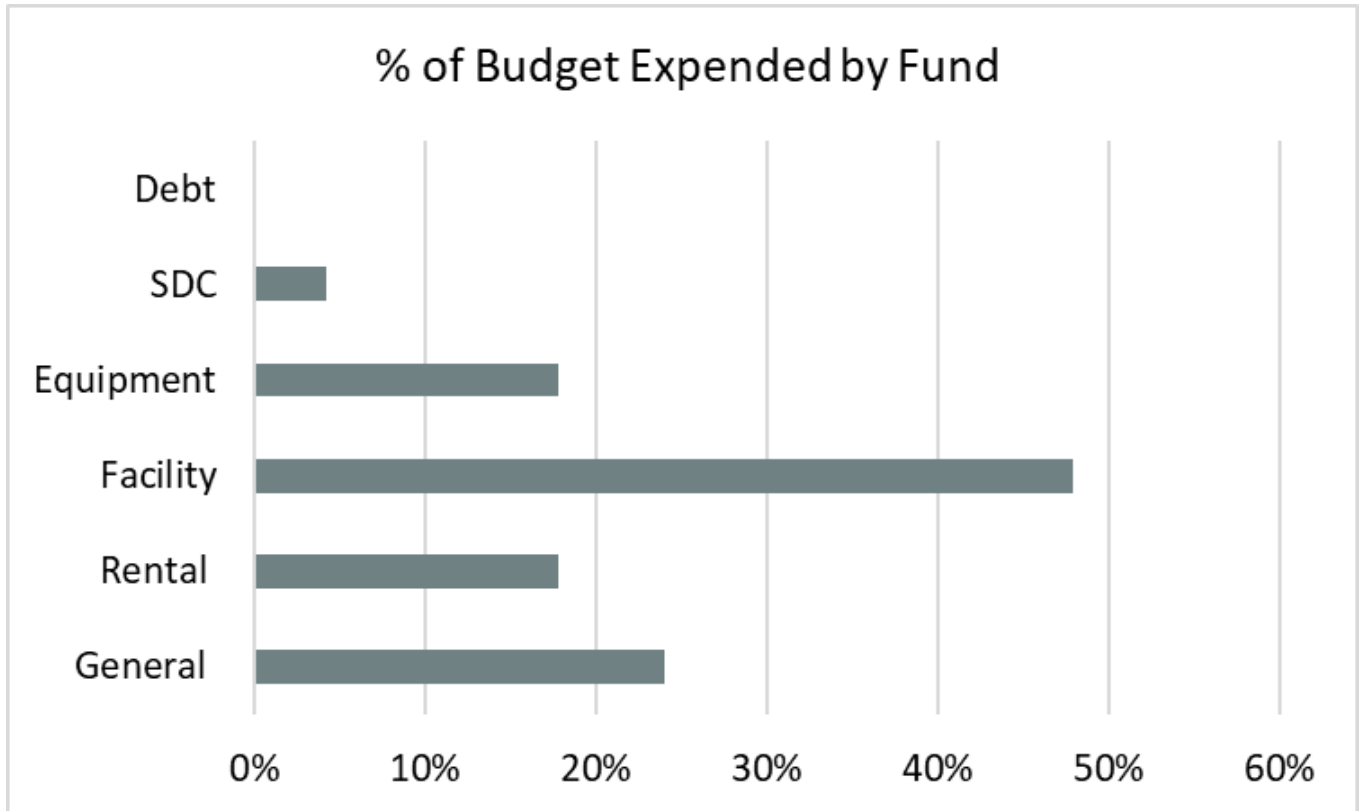
We have normal and expected spending for this point in the year. Revenues are as predicted with property taxes not collected until the 2nd quarter.



** Unaudited information and just a snapshot of the Quarter activity booked 7/1- 9/30 as of 10/17

Q1 Breakdown

All funds



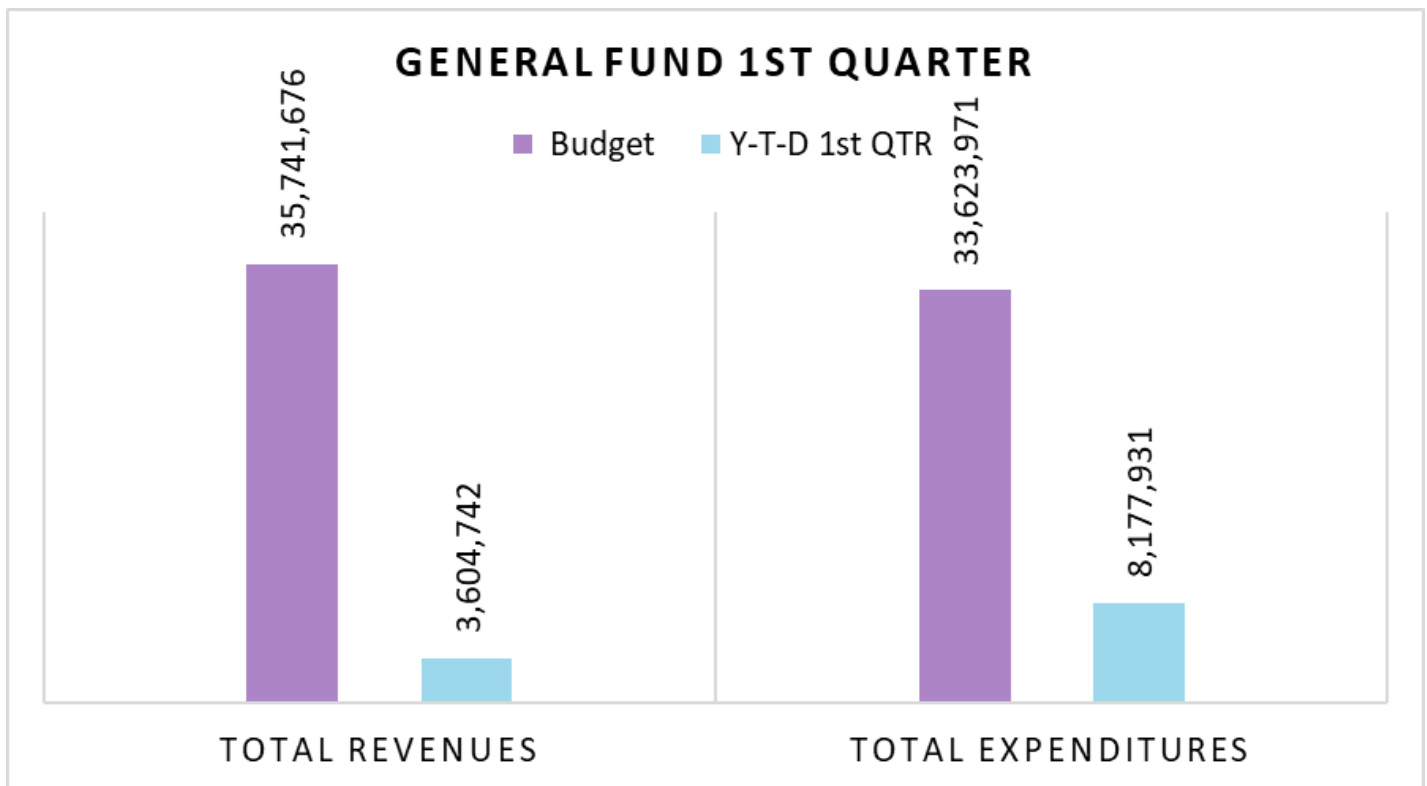
- Debt Service Fund- Will have activity in the 2nd quarter with tax collections and the half-year interest payment
- SDC Fund- Projects planned will ramp up spending in the 3rd quarter
- Equipment Fund- Purchasing of new and replacement equipment has begun
- Facility fund- The purchase of the Rose property occurred in July expending \$3.9million of the \$8.6 million budgeted
- Rental Fund- Expenditures are in line with planned personnel and materials with planned capital beginning in the 3rd quarter
- General fund- Expenditures are in line with planned personnel and materials

Q1 Breakdown

General Fund

Expenditures % of Budget

	Administration	Planning & Development	Communications and Community	Recreation	Parks	Total
Personnel	23%	24%	25%	24%	25%	24%
Operating	11%	6%	13%	29%	29%	24%



•Revenue- Most of the General fund’s revenue is property taxes which are mainly collected in the 2nd quarter and into the 3rd

•Expenditures- 24% expended by the 1st quarter is in line with previous years and planned spending

Helpful Links



- The FY2023-2024 Budget can be found at:
 - <https://www.bendparksandrec.org/about/finance/>

Board Calendar 2023-2024

**This working calendar of goals/projects is intended as a guide for the board and subject to change.*

December 5

WORK SESSION

BUSINESS SESSION

- SDC Exemption for Veteran's Village – *Michelle Healy (10 min)*
- MUPTC Project Review, Jackstraw Mixed-Use Project – *Rachel Colton and Applicant (30 min)*
- Approve consultant contract for Hollinshead Park – *Ian Isaacson (15 min)*

December 19

WORK SESSION

- City of Bend SDC update – *Russ Grayson, COB (30 min)*
- Comprehensive Plan Unmet Needs Methodology & Project Evaluation Criteria – *Sara Anselment (40 min)*

CONSENT AGENDA

- Appoint Budget Committee Members– *Kristin Toney (15 min)*

BUSINESS SESSION

- Accept 2022-23 Annual Comprehensive Financial Report – *Eric Baird and Brenda Bartlett (20 min)*
- Adopt Resolution No. XXX Approving new Local Contracting Rules – *Justin Sweet (15 min)*
- Approve consultant contract for Art Station – *Jason Powell (15 min)*

January 2

WORK SESSION

- Community Needs Survey report – *Sara Anselment and RRC (45 min)*

BUSINESS SESSION

- Approve Exclusion Policy – *Jeff Hagler (30 min)*
- Approve preferred concept for Manzanita Ridge – *Bronwen Mastro (15 min)*

January 16

WORK SESSION

- IPM – *Mike Duarte and Zara Hickman (30 min)*
- Level of Service Update – *Sara Anselment and Henry Stroud (20 min)*
- Trails Update – *Henry Stroud (30 min)*

BUSINESS SESSION

- IGA – COB Gilchrest Bridge
- Approve Lease Amendment for Boys and Girls Club – *Justin Sweet (15 min)*

Comprehensive Park Search Areas, Trails and Crossings
Comprehensive Plan Draft Review– *Sara Anselment*
Comprehensive Plan Adoption – *Sara Anselment*
SDC Project List Update – *Sara Anselment and Michelle Healy*
Approve MUPTe Resolution and IGA – *Michelle Healy and Rachel Colton (20 min)*
SDC Waivers
Design Contract for Art Station
IGA with the City for Mirror Pond Silt Removal – *Don Horton (30 min)*
Park Services Report: Hardsurface Program – *Alan Adams and Jason Monaghan (15 min)*
Update on Bi-lingual Communications – *Julie Brown and Kathya Avila Choquez (20 min)*
Website Update/Data Sharing – *Julie Brown*
IGA with NUID for canal trail – *Henry Stroud*
Approve SE Neighborhood Park Purchase and Sale Agreement – *Henry Stroud (20 min)*
City of Bend Housing Need Overview TBD
Approve consultant contract for WWP – *Ian Isaacson*
Drake Park bank and trail improvement CMGC contract review – *Brian Hudspeth*
DEI Update – *Bronwen Mastro*
Approve easement acquisition NUC Trail
Approve Amendment to IGA with city of Bend for Riverfront Street project – *Henry Stroud (20 min)*
Trails count and River Use report