



ABERDEEN CITY COUNCIL

November 9, 2016

COUNCIL MEETING AGENDA

7:15 PM – 3rd Floor, City Hall

COMMITTEE OF THE WHOLE

- A. Guest Speakers
- B. Additions to Agenda
- C. Department Heads
 - 1. Mike Folkers, 2017 Recommended Budget
 - 2. Presentation of Spooktacular Costume Contest Winners
- D. Mayor's Report
 - 1. Retirement plaque & recognition of Officer Ron Morella by Mayor Larson
- E. Non-Standing Committee Reports

COUNCIL MEETING

- I. ROLL CALL
- II. FLAG SALUTE
- III. APPROVAL OF MINUTES
- IV. ADDITIONS / DELETIONS
- V. PUBLIC COMMENT Re: Agenda Items (Please limit your comments to 3 minutes)
- VI. FINANCE COMMITTEE
 - A. Committee Chair Report
 - B. Approval of expenditures
 - 1. Recommend approval of expenditures and payroll.
 - C. Public Hearings
 - 1. This is the date set for the public hearing on the 2017 budget.
 - D. Reports & Communications
 - 1. Report from Finance & Lodging Tax Advisory Committee recommending that the City Council accept the recommendations of the Lodging Tax Advisory Committee and authorize the Mayor to enter into individual contracts with the approved organizations for the disbursement of the 2017 Lodging Tax Funds.
 - E. Resolutions
 - 1. Resolution making a declaration of substantial need for purposes of setting the limit factor for the property tax levy for 2017.

F. Ordinances

1. Third reading of Bill No. 16-11 providing for the levy in 2016 upon all taxable property within the City of Aberdeen for all municipal purposes authorized by law and fixing the amount thereof.
2. First reading of Bill No. 16-13 adopting the 2017 Annual Budget for the City of Aberdeen, Grays Harbor County, Washington.

VII. PUBLIC WORKS

A. Committee Chair Report

B. Reports & Communication

1. Report from Public Works and Community Development authorizing the approval of the contract with Ecological Land Services for the completion of the wetland delineation for the Bishop Athletic Complex.

A. Ordinances

1. Third reading of Bill No. 16-12 relating to reduced utility rates for low-income senior citizens and amending Sections 13.64.020 and 13.64.030 of the AMC.

VIII. PUBLIC SAFETY

A. Committee Chair Report

B. Reports & Communications

IX. SPECIAL AGENDA ITEMS

A. Reports & Communication

B. Proclamation

C. Resolutions

1. Resolution authorizing the Mayor and Finance Director to execute a labor contract with IAFF Local 2639 for the years 2017-2019.
2. Resolution authorizing the establishment of the Health Reimbursement Arrangement Voluntary Employee Beneficiary Association ("HRA VEBA") Plans.

D. Appointments

X. CITY COUNCIL COMMENT PERIOD

XI. PUBLIC COMMENT PERIOD (Please limit your comments to 3 minutes)

XII. EXECUTIVE SESSION

The City of Aberdeen does not discriminate against or exclude anyone from participation in public meetings. Requests for assistance should be made by contacting the Finance Department at 360-537-3236, 48 hours in advance of the meeting. Thank you.

MAYOR: Hon. Erik Larson

THE MEMBERS OF
YOUR COMMITTEE ON: Finance

TO WHOM WAS REFERRED: Lodging Tax Advisory Committee

RE: 2017 Lodging Tax Funding Requests

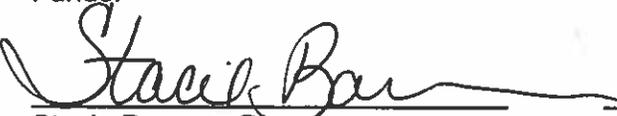
REPORT AND RECOMMEND AS FOLLOWS:

The Lodging Tax Advisory Committee met on Thursday, October 20, 2016 to discuss lodging tax applications for the 2017 year. A copy of the minutes from that meeting are attached to this committee report.

After deliberation the Committee was unanimous in their approval to recommend to City Council, funding for the following applicants: Greater Grays Harbor (VIC) \$20,000; GH Craft/Kurt Cobain Days \$5,000; Art Walk \$5,000; Our Aberdeen Art Promotion Committee, \$7,500; GH Historical Seaport \$5,000; Founder's Day Parade/Event Gurus \$5,500; Aberdeen Downtown and Parking Imp. Dist \$2,500; City Beautification Program \$10,000; Robert Ford Project \$0; and the Midnight Cruizers Car Show, \$3,000. These requests total \$63,500.

2017 funding requests came in higher than the City had budgeted for. Recommending funding for the lodging tax was a very difficult process for the committee again this year. I have attached a spreadsheet for the 2017 year. This is for your perusal and to help with calculations.

Therefore, it is recommended that the City Council accept the recommendations of the Lodging Tax Advisory Committee and authorize the Mayor to enter into individual contracts with the above organizations for the disbursement of the 2017 Lodging Tax Funds.



Stacie Barnum, Director
Parks & Recreation

Finance Chair

Committee member

Reported: November 9, 2016

Committee member

Adopted: November 9, 2016

Committee member



**LODGING TAX ADVISORY COMMITTEE
OCTOBER 20, 2016 MEETING MINUTES**

BOARD MEMBERS PRESENT:

| | |
|-----------------------|--------------------------------------|
| Denny Lawrence, Chair | Aberdeen City Council /Finance Chair |
| Dru Garson | Greater Grays Harbor |
| Sylvia Dickerson | Our Aberdeen |

BOARD MEMBERS ABSENT:

| | |
|---------------|--------------------------------|
| Jasiur Duwail | Best Western Plus |
| Cindy Lonn | A Harborview Bed and Breakfast |

VISITORS PRESENT:

| | |
|-------------------------------|--|
| Mike Dickerson | Our Aberdeen |
| Bill & Carol Jenkins | Midnight Cruizers |
| Troy Richart, Edward Stanaway | ARM-Creative Arts Foundation |
| Janet Bess, Karen Rowe | Founders Day |
| Ilan Kariv, Bob Torgerson | APBID |
| Kathi Prieto, Tawni Andrews | Art Walk |
| Robert Ford | Robert Ford, III, Architect |
| Dee Anne Shaw, Pete Schave | City Council Members |
| Stacie Barnum | Secretary to the Lodging Tax Advisory Committee, City Beautification |

- Chair Denny Lawrence called the meeting to order at 6:30 p.m.
- Chairman Lawrence welcomed everyone in attendance and asked that everyone present introduce themselves. Chairman Lawrence asked those present to give a brief presentation on their requests.
- Staff rep, Stacie Barnum, handed out an email from Cindy Lonn with her input on allocations.

There were various discussions by the group regarding the events and projects proposed by, Greater Grays Harbor, Our Aberdeen Arts Promotion, Founders Day, Midnight Cruizers Car Show, GH CRAFT, APBID, Robert Ford, and the City of Aberdeen. Sylvia Dickerson reminded applicants they need to provide a 25% match and a copy of their budget. A few groups are using in-kind labor as their match. Robert Ford -Garson was concerned that the City and Park Board would not support the project.

There was committee discussion, questions and deliberations. There was discussion on the new policy, to reimburse for staff costs out of grant awards. The Committee recommended the following amounts for the 2017 funds: Greater Grays Harbor Inc. \$20,000; ADPBID \$2,500; Robert Ford \$0; Our Aberdeen Art Promotion \$7,500; Founders Day Parade \$5,500, Creative Art Foundation/Cobain Days, \$5,000; Midnight Cruizers Car Show \$3,000; GH Seaport \$5,000; ART Walk \$5,000; and the City of Aberdeen Beautification, \$10,000. The total recommended for funding was \$63,500.

Staff reported that the Committee's recommendations will be presented to the Aberdeen City Council at the November 9, 2016 Council Meeting.

Meeting was adjourned.



LTAC WORKSHEET 2017 LODGING TAX REPORT

| USE OF FUNDS | 2017 LODGING TAX COMMITTEE RECOMMENDATIONS | 2017 LODGING TAX FUNDING REQUESTS | Estimated Staff Costs | 2016 AWARDS |
|---|--|-----------------------------------|-----------------------|-----------------|
| Estimated Beginning Fund Balance | \$81,000 | \$0 | | \$0 |
| 2017 Budgeted Revenue | \$65,500 | \$65,500 | | \$0 |
| 2017 Year to Date Revenue | \$0 | \$0 | | \$0 |
| Amount Budgeted for Community Projects | \$65,500 | \$65,500 | | \$60,000 |
| COMMUNITY REQUESTS | | | | |
| Greater Grays Harbor-Visitor Info. Center | \$20,000 | \$20,000 | | \$20,000 |
| Our Aberdeen-Art Projects | \$7,500 | \$10,000 | | \$7,000 |
| Event Guru's-Founders Day Parade | \$5,500 | \$8,000 | \$2,300 | \$4,000 |
| GH CRAFT-Kurt Cobain Days | \$5,000 | \$6,000 | \$440 | \$5,000 |
| Midnight Cruizers-Car Show | \$3,000 | \$3,000 | \$600 | \$3,000 |
| ARM- Art Walk | \$5,000 | \$8,000 | \$430 | NEW |
| GH Historical Seaport | \$5,000 | \$10,000 | | NEW |
| Aberdeen Downtown Parking & Business Imp Dist | \$2,500 | \$5,000 | | NEW |
| Robert Ford, ship replica for Zelasko | \$0 | \$5,500 | | NEW |
| Sub-Total | \$53,500 | \$75,500 | \$3,770 | \$39,000 |
| CITY REQUESTS | | | | |
| City/ABC-Flower Baskets | \$10,000 | \$19,000 | | \$10,000 |
| Total Project's | | | | |
| | \$63,500 | \$94,500 | | \$49,000 |
| Difference | | | | |
| Ending Fund Balance | | -\$29,000 | | \$11,000 |

RESOLUTION No. 2016 - _____

A RESOLUTION MAKING A DECLARATION OF SUBSTANTIAL NEED FOR PURPOSES OF SETTING THE LIMIT FACTOR FOR THE PROPERTY TAX LEVY FOR 2017.

WHEREAS, the limit factor for annual property tax levies under RCW 84.55.010 is the lesser of 101% or 100% plus inflation of the highest levy of the most recent three years;

WHEREAS, inflation for tax purposes is a .953% so the limit factor for 2016 is less than 1%, meaning the taxes levied in the city of Aberdeen in 2016 for collection in 2017 will decrease except for amounts resulting from new construction, improvements to property, and any increase in the value of state-assessed utility property;

WHEREAS, the cost of goods and services purchased by the city have risen at a higher rate than the "implicit price deflator for personal consumption" used to set the limit factor;

WHEREAS, general fund revenues for the city of Aberdeen decreased by one percent in 2016 and are anticipated to increase just over one percent in 2017;

WHEREAS, reductions through attrition, labor concessions, program cuts, and deferred maintenance are not sufficient to preserve essential services and programs;

WHEREAS, RCW 84.55.0101 provides for use of a limit factor of 101% with a finding of substantial need by a majority plus one councilmembers; **NOW, THEREFORE**,

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ABERDEEN: a finding is made of substantial need under RCW 84.55.0101 and a limit factor of 101 percent is authorized for the city of Aberdeen property tax levy for 2017.

PASSED and APPROVED on November 9, 2016.

Erik Larson, Mayor

ATTESTED:

Mike Folkers, Finance Director

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE LEVY IN 2016 UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF ABERDEEN FOR 2017 FOR ALL MUNICIPAL PURPOSES AUTHORIZED BY LAW AND FIXING THE AMOUNT THEREOF PURSUANT TO RCW 84.55.120.

WHEREAS, on October 26, 2016, after notice as required by law, the city council held a public hearing on revenue sources for the city's following year's current expense budget, including consideration of possible increases in property tax revenues;

WHEREAS, the city's annual levy amount from 2016 was \$2,868,685;

WHEREAS, the population of the city is more than 10,000;

WHEREAS, the city's assessed valuation for 2017 taxes of all taxable real and personal property for regular levy purposes within the city of Aberdeen is estimated to be \$ 881,455,314 and for special levy purposes \$ 872,407,930; **NOW, THEREFORE**,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN:

1) 1. An increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2017 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be \$28,687 which is a percentage increase of zero (1%) from the previous year. This increase is exclusive of the special levy for collection in 2017 in the amount of \$76,541 for the 2002 Fire/Refunding Bonds previously approved by the citizens of Aberdeen; and additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made. It is understood that these amounts are based on estimated assessed valuations for 2017 tax collections and it is the intent of the City to levy the maximum amount allowed by law.

2. This Ordinance and the levies herein provided for shall be certified by the Finance Director of the City of Aberdeen to the proper officers of Grays Harbor County as provided by law.

PASSED and APPROVED this 9th day of November, 2016.

ATTESTED:

Erik Larson, Mayor

Mike Folkers, Finance Director

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGET FOR THE CITY OF ABERDEEN, GRAYS HARBOR COUNTY, STATE OF WASHINGTON.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN:

SECTION 1. BUDGET ADOPTED. The preliminary budget, incorporated herein by reference, is hereby adopted as the budget of the City of Aberdeen for the year 2017 with the following appropriations:

| <u>Fund #</u> | <u>General Fund</u> | <u>Budget Amount</u> |
|---------------|------------------------------------|----------------------|
| 001 | General Fund | \$ 18,648,700 |
| | Total General Fund | \$ 18,648,700 |
| | <u>Special Revenue Funds</u> | |
| 101 | Library | \$ 95,100 |
| 102 | Parks | 1,034,550 |
| 103 | Street | 1,991,410 |
| 105 | Arterial Street | 1,116,500 |
| 106 | Paths & Trails | 14,500 |
| 107 | Morrison Riverfront Park | 53,100 |
| 120 | Emergency Medical Services | 4,206,440 |
| 121 | Animal control | 137,950 |
| 122 | Parking Enforcement | 86,750 |
| 123 | Canine Fund | 26,000 |
| 125 | Museum | 25,500 |
| 128 | Community Center | 160,300 |
| 132 | Recreational Sports Programs | 300,000 |
| 145 | Drug Task Force | 132,100 |
| | Total Special Revenue Funds | \$ 9,380,200 |

Bill No. 16-13

| Debt Service Funds | | |
|-------------------------------------|---------------------------------|----------------------|
| 206 | 2000 Fire Truck Bond Redemption | 82,210 |
| Total Debt Service Funds | | \$ 82,210 |
| Capital Project Funds | | |
| 301 | Community Devel. Block Grant | \$ 3,162,200 |
| 302 | Urban Devel. Action Grant | 294,630 |
| 303 | Hotel/Motel | 150,500 |
| 305 | Dept. of Justice Grants | 115,270 |
| 318 | Abatement | 304,300 |
| 320 | Public Buildings | 671,000 |
| 350 | Utility Construction | 100,000 |
| 399 | Capital Improvements | 285,000 |
| Total Capital Project Funds | | \$ 5,082,900 |
| Enterprise Funds | | |
| 401 | Garbage Utility | \$ 131,380 |
| 403 | Sewer Utility | 4,498,300 |
| 404 | Water Utility | 3,860,200 |
| 405 | Storm Water Utility | 524,770 |
| 407 | Industrial Water System | 1,285,000 |
| 413 | Sewer Cumulative Reserve | 268,000 |
| Total Enterprise Funds | | \$ 10,567,650 |
| Internal Service Funds | | |
| 501 | Equipment Rental | \$ 367,890 |
| 502 | Equipment Rental Reserve | 1,325,000 |
| Total Internal Service Funds | | \$ 1,979,500 |

Bill No. 16-13

| Fiduciary Funds | | |
|------------------------------|--|----------------------|
| 611 | Fire Pension | \$ 455,000 |
| 612 | Police Pension | 583,350 |
| 629 | Brownfield Development Fund | 49,550 |
| 630 | Transportation Benefit Imprv. District | 1,304,000 |
| Total Fiduciary Funds | | \$ 2,391,900 |
| Grand Total All Funds | | \$ 45,741,160 |

SECTION 2. PUBLICATION BY SUMMARY. The Finance Director is authorized and directed to publish the attached summary in lieu of this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage, signing, and publication.

PASSED and APPROVED this 14th day of December, 2016.

Erik Larson, Mayor

ATTESTED: |

Mike Folkers, Finance Director

ORDINANCE NO.

AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGET FOR THE CITY OF ABERDEEN, GRAYS HARBOR COUNTY, STATE OF WASHINGTON.

The following is a summary of the above ordinance for the purposes of publication. The full text of the ordinance will be mailed upon request.

- Section 1.** Adopts the 2017 preliminary budget by reference as the final budget for 2017 and sets appropriation levels by fund.
- Section 2.** Publication by summary authorized.
- Section 3.** Effective date (immediately upon its passage, signing, and publication).

PASSED and APPROVED this 14th day of December , 2016.

/s/Bill Simpson, Mayor

/s/Kathryn Skolrood, Finance Director (Attest)

Bill No. 16 - 12

ORDINANCE NO. _____

AN ORDINANCE RELATING TO REDUCED UTILITY RATES FOR LOW-INCOME SENIOR CITIZENS AND AMENDING SECTIONS 13.64.020 AND 13.64.030 OF THE ABERDEEN MUNICIPAL CODE.

WHEREAS, the eligibility standards for the city's low-income senior citizens utility rate discount were adopted by the city in 1998 and are now out of date;

WHEREAS, the city council has determined that the state Department of Social and Health Services "need standards for cash assistance" in WAC 388-478-0015 should replace the "monthly needs standard" in AMC 13.64.020 and 13.64.030; **NOW, THEREFORE**,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN:

SECTION 1. CODE SECTION AMENDED. Ordinance 5741, as amended by Ordinance 6205, codified as AMC 13.64.020, is hereby amended to read as follows:

13.64.020 Eligibility.

A. A utility customer is eligible for the low-income senior citizen's reduced utility rate if the customer meets the following criteria:

1. The utility customer or his or her spouse must be sixty-five (65) years of age or older, as of December 1st of the year in which the application is submitted;

2. The total gross income or anticipated gross income from all sources for all persons residing in the household from December 1 of the preceding year to November 30 of the year the application is submitted, does not exceed the statewide monthly need standards for cash assistance as established by WAC ~~388-250-1250~~ 388-478-0015, as now or hereafter amended.

3. The utility customer has been a utility customer of the city of Aberdeen since January 1 of the applicable year.

4. The utility payments are fully paid up to date;

5. The living unit has an individual utility account with the city.

B. The rate reduction discount shall be applied only to the primary residence occupied by the person who meets the preceding criteria.

SECTION 2. CODE SECTION AMENDED. Ordinance 5741, in part, codified as AMC 13.64.030, is hereby amended to read as follows:

13.64.030 Discounts. Discounts for eligible utility customers shall be made by means of a credit applied to the first billing after December 1 of the year in which the application is submitted. The credit shall be at the following rates:

A. The flat rate fee for water and sewer service for two months if the gross household income is ~~less than~~ fifty (50) percent or less of the applicable amount set forth in Section 13.64.020(A)(2);

B. The flat rate for water and sewer for one month if the gross household income is more than fifty (50) percent ~~or more~~ and does not exceed 100% of the applicable amount set forth in Section 13.64.020(A)(2).

SECTION 3. PUBLICATION BY SUMMARY. The Finance Director is authorized and directed to publish the attached summary in lieu of this ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage, signing, and publication.

PASSED and APPROVED this ____ day of _____, 2016.

Erik Larson, Mayor

ATTEST:

Mike Folkers, Finance Director

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RESOLUTION No. 2016- ____

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO EXECUTE A LABOR CONTRACT WITH IAFF LOCAL 2639 FOR THE YEARS 2017 THROUGH 2019.

WHEREAS, the current labor contract between IAFF Local 2639 and the City will expire on December 31, 2016;

WHEREAS, the union has voted to approve the tentative agreement reached with the Mayor's bargaining team for a new labor contract effective January 1, 2017, through December 31, 2019; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY OF ABERDEEN:

That the Mayor and Finance Director are hereby authorized to execute the attached labor contract with IAFF Local 2639, effective January 1, 2017, through December 31, 2019.

PASSED and APPROVED this ____ day of November, 2016.

Erik Larson, Mayor

ATTESTED:

Mike Folkers, Finance Director

This Tentative Agreement has been reached by the parties at the bargaining table as a package proposal and must be ratified by the union and city council before a final agreement is reached. Should either party fail to accept every aspect of this package proposal in its entirety, the parties reserve their rights to withdraw this package proposal at any time, and hereby reserve the right to revert back to their earlier protected positions regarding all relevant subjects.

The following Tentative Agreement only contains the sections in articles to which changes are being proposed. Any article or section of an article in the current collective bargaining agreement not mentioned is proposed without change as part of the Tentative Agreement.

ARTICLE 10 - SALARIES

Section 1. Effective on January 1, 2017, all of the members of Local 2639's bargaining unit shall receive a one percent (1.0%) across the board wage increase over the salary schedule in effect as of December 31, 2016. Effective January 1, 2018, all of the members of Local 2639's bargaining unit shall receive a one percent (1.0%) across the board wage increase over the salary schedule in effect as of December 31, 2017. Effective January 1, 2019, all of the members of Local 2639's bargaining unit shall receive a two percent (2.0%) across the board wage increase over the salary schedule in effect as of December 31, 2018.

Section 2. Employees working as Paramedics shall be paid 10.0% in addition to their base salary; E.M.T.'s shall be paid 2.0% in addition to their base salary; E.M.T.'s with IV Technician certification shall be paid 4.0% in addition to their base salary. The above premium pay shall be included within base salaries for purposes of calculating retirement and overtime pay. Those employees who have been employed for a minimum of one year, will have the option of obtaining IV Technician level training regardless of the number of current IV Technicians and shall be entitled to receive the IV Technician associated premiums.

Effective January 1, 2017, the premium pay for employees with E.M.T. certification shall be rolled into the base wage (eliminating the "A" range on the 2016 salary schedule and using the 2016 "EMT-B" range as the new base wage). The intent of the change in the salary schedule is to eliminate the separate 2.0% premium pay for E.M.T.'s while at the same time increasing the base wage for all employees by an offsetting 2.0%. Also effective January 1, 2017, the premium pay for E.M.T.'s with IV Technician certification shall be reduced from 4.0% to 2.0% in addition to their new base salary (the "EMT-B" range on the 2016 salary schedule) and employees working as Paramedics shall be paid 10.0% in addition to their new base salary (in effect, a 2.0% increase in the Paramedic premium pay). The above premium pay shall be included within base salaries for purposes of calculating retirement and overtime pay.

Section 3. Effective January 1, 2017, employees working as paramedics shall receive \$100 for each ACLS, PALS, PEPP, or Critical Care Transport class attended while off-duty where attendance at the class is required to maintain paramedic certification.

Section 4. The Emergency Medical Coordinator (E.M.C.) shall be a paramedic, and may be appointed from any rank, and serves at the discretion of the Fire Chief. The Fire Department Safety Officer ~~and Training Officer positions are~~ will be appointed from the ranks of Captain or Battalion Chief and serves at the discretion of the Fire Chief. The Fire Department Safety Officer must have a minimum of ten years as an Aberdeen Fire Fighter; two of which must have been as a Captain or Battalion Chief. There shall be ~~four~~ three Training Officer positions, ~~One Battalion Chief and three Captains.~~ The Battalion Chief shall serve as the lead Training Officer and those duties shall be part of his/her regular duties as a Battalion Chief. The three captains shall fill roles as established by the Lead Training Officer. Training Officers will be appointed by and serve at the discretion of the Chief. The Chief shall designate one Training Officer to serve as the lead responsible for establishing the roles of the other Training Officers. Appointment and removal, and performance of E.M.C., Fire Department Safety Officer, or Training Officer duties, is not subject to the grievance procedure or Civil Service review. However, the performance of Firefighter/Paramedic duties by the employee serving as E.M.C. on shift or on ambulance transfer, shall be considered separate from E.M.C. duties and remain subject to Civil Service Rules and Regulations. An E.M.C., Fire Department Safety Officer, or Training Officer retains his or her Civil Service classification and shall return to that classification when service as an E.M.C., Fire Department Safety Officer, or Training Officer is terminated.

The employee serving as E.M.C. shall receive \$300.00 a month in addition to the base pay of the employee and in addition to Paramedic premium pay. The employee serving as Emergency Medical Services Quality Assurance Coordinator shall receive \$100.00 a month in addition to the base pay of the employee and in addition to Paramedic premium pay. The three ~~Captains~~ officers serving as Training Officers shall receive \$120.00 a month in addition to the base pay of the employees. The employee serving as Safety Officer shall receive \$300.00 a month in addition to the base pay of the employee. The E.M.C., E.M.S. Coordinator, Safety Officer, or Training Officer premium pay shall be included within base salary for purposes of calculating retirement and overtime pay.

Section 5. Firefighters promoted to the rank of Driver/Engineer shall go to Step 5 of Range 20F. Firefighters and Driver/Engineers promoted to the rank of Captain shall go to Step 5 of Range 22F (a 10 % increase for Driver/Engineers; a 15% increase for Firefighters). Captains promoted to the rank of Battalion Chief shall go to Step 4 of Range 25F (a 10 % increase).

Section 6. Employees working as paramedics may request decertification and a placement at the EMT-IV Tech certification level. If the request is granted, the salary of the employee will not be reduced but the employee will forfeit any future contractual wage increases or promotional differentials until the amount of wage increases forfeited

equals the disparity between paramedic premium pay and EMT-IV Tech premium pay. The employee will then begin receiving future contractual wage increases or promotional differentials. Employees requesting decertification shall submit the request in writing to the Chief no later than October 1 of each year. The Chief shall have the sole discretion to grant or deny decertification requests.

ARTICLE 11 – E.M.T. CERTIFICATION

All employees shall, as a condition of employment, obtain Emergency Medical Technician (E.M.T.) certification within one (1) year of their date of hire, at Employer's expense. Failure to ~~obtain~~ maintain E.M.T. certification within one year from the date of hire shall be considered just cause for termination.

ARTICLE 15 – WORKING OUT OF CLASSIFICATION

An employee working out of classification, when the employee and the Employer have mutually agreed that the individual has assumed the responsibilities of a higher rank for a period of twelve (12) hours or more, shall be paid as follows: Acting Drivers shall be paid at the difference between Range 19-Step 5 (top fire fighter) and Range 20-Step 5 (top driver); Acting Captains shall be paid the difference between Range 20-Step 5 (top driver) and Range 22-Step 5 (top of Captains range), if a firefighter is in the Acting Captain position they shall be paid the difference between Range ~~19-Step 5~~ 18-Step 6 (top fire fighter) and Range 22-Step 5 (top of Captain's range); Acting Battalion Chiefs shall be paid the difference between Range 22-Step 5 (top Captain) and Range 25-Step 4 (next to top of Battalion Chiefs Range). The additional payment shall be actual hours worked in the assigned out of classification position. If the Employer does not recognize the assumption of the higher rank, there shall not be an additional payment.

...

ARTICLE 16 - OVERTIME

Section 1. Overtime shall be paid for any hours worked over the employees regularly scheduled hours. The average annual work week is 49.68 hours. Overtime hours worked shall be paid at the rate of time-and-one-half the employee's regular rate of pay. Overtime pay will not be made for individuals substituting shifts or portions of shifts. Shift substitutions for an entire shift or for a portion of a shift shall be defined as provided under the FLSA; provided that "working out of classification pay" under Article 17 shall be paid to the employee actually working the shift and assuming the duties of a higher position.

Training time which occurs outside of an employee's regularly scheduled shift shall be considered compensable hours worked unless all of the following criteria are met:

- (a) attendance must in fact be voluntary;
- (b) the employee must do no productive work while attending;

(c) the program, lecture or meeting is not directly related to the employee's job.

The training is directly related to the employee's job if it aids the employee in handling his or her job more effectively, more efficiently or more safely. Enrollment in courses offered by institutions of higher learning which earn credit towards college degrees shall not be considered training directly related to the employee's job.

Section 2. Overtime shall be paid for all emergency overtime and there shall be a two (2) hour minimum at one and a half times the basic rate of pay if there is a recall based upon emergency conditions.

Section 3. The Emergency Medical Coordinator(s) shall perform those duties specified by the Emergency Medical Coordinator job description during his or her regular shift, unless overtime hours for EMC duties are pre-approved by the Chief.

Section 4. Overtime for personnel to accommodate out-of-town transfers shall be paid at the rate of one and three quarters (1.75) of the employee's regular rate of pay. On-duty personnel shall be used for out-of-town Stroke/STEMI transfers as necessary to comply with mandatory emergency medical response standards. MRI/Radiant Care transfers will utilize on-duty personnel if nine or ten personnel are on duty. The Department shall attempt to call in off-duty personnel to perform all other out-of-town transfers and will refuse those requests if off-duty personnel are not available unless on-duty personnel volunteer to accept the transfer. If any out-of-town transfer reduces remaining on duty staff below eight personnel the Department will attempt to call in off-duty personnel to bring the on-duty staffing back up to eight personnel. Overtime pay for off-duty personnel responding to an out-of-town transfer request will be computed in the following manner:

- a. If the start of the transfer is sixty (60) minutes or less from the time of the phone call the overtime pay starts when the employee receives the call;
- b. If the start of the transfer is more than sixty (60) minutes from the time of the phone call the overtime pay starts fifteen (15) minutes prior to the time the patient is to be picked up at the facility for the out-of-town transfer;

Overtime for off-duty personnel called in to accommodate in-town MRI/Radiant Care transfers will be paid at the rate of one and three quarters (1.75) of the employee's regular rate of pay. If more than sixty (60) minutes notice is provided the overtime pay starts thirty (30) minutes prior to the pickup time of the patient. If less than sixty (60) minutes notice is provided the overtime pay starts when the phone call is received by the off-duty employee responding to the call.

Section 5. Overtime shall be offered on a rotational basis and in accordance with this Article. The Chief or his designee will maintain the overtime rotation log. Overtime will be offered to an employee and if the employee works or turns two (2) shifts down, the employee will move to the bottom of the list.

ARTICLE 19 - SICK LEAVE

Section 1. Employees shall earn twelve (12) hours of sick leave for each month of employment, provided that the number of hours an employee may carry over from one calendar year to the next shall be limited to one thousand one hundred fifty-two (1,152).

Section 2. To be compensated for sick leave after the use of two (2) consecutive sick days, the employee shall, upon the request of the Employer, furnish proof of illness which may include a doctor's certificate, and if requested, shall submit to an examination by a City-appointed physician.

Section 3. Upon being hired an employee shall have available to him or her for the first twelve (12) months of employment one hundred forty-four (144) hours of sick leave as a loan to be charged against future accrual of sick leave. Upon termination, if the total sick leave used is greater than the total sick leave accrued, the difference will be deducted from his final paycheck. Unearned used sick leave must be returned to the Employer by deduction from accrued sick leave or by a suspension of sick leave accrual after the first twenty-four (24) months of employment.

Section 4. Members who are physically injured off duty and have used all accrued leave and are physically unable to perform their assigned duties may request a leave of absence without pay. If the Chief finds that the applicant is physically unable to perform his or her assigned duties as a result of such an off-duty injury, the applicant shall be granted an automatic leave of absence without pay for one year dating from the time of the injury or such lesser period of time as the applicant may request or the disability may exist. At the expiration of the one automatic leave of absence, the individual may apply for a discretionary leave of absence under the City's civil service rules (Civil Service Rule 13).

The above notwithstanding, an employee shall be denied a leave of absence or a leave of absence shall terminate if the employee refuses to accept alternate employment with the City and offered by the City during the period of leave when the employee is qualified for the alternate employment and is physically able to perform the job.

No vacation or sick leave benefits or any other fringe benefits shall accrue while an employee is on leave of absence without pay; however, an employee on approved FMLA leave may continue his or her medical insurance coverage by paying the full cost to the City in advance for each month, or portion thereof, for which he or she is absent. An employee not on approved FMLA leave may continue his or her medical insurance through the third party COBRA administrator pursuant to applicable COBRA rules.

Upon return to duty, the employee shall be reinstated in the position held at the time the leave was granted or other equivalent position, and the employee's anniversary date will be adjusted by the length of the leave granted.

Any promotion or hiring occasioned by an employee going on a leave of absence without pay shall be considered temporary for all purposes until the employee on leave returns to work or the leave of absence expires. When an employee on leave returns to work any employee or employees promoted on account of the leave shall return to their former positions and any employee hired on account of the leave shall be terminated.

Section 5. Effective January 1, 2015, Employees who have accumulated one thousand one hundred fifty-two (1,152) hours of sick leave shall continue to accumulate sick leave as provided in Section 1. Any hours of sick leave accrued in excess of 1,152 hours (up to 144) not used during the calendar year in which they were accrued shall be converted to pay at the rate of three (3) hours sick leave to two (2) hours of pay up to a maximum of ninety-six (96) hours of pay. No employee shall be allowed to carry over more than 1,152 hours sick leave from one calendar year to the next.

Section 6. The city may require that any employee requesting leave under the terms of the federal Family and Medical Leave Act of 1993 utilize accrued paid time off (vacation, personal or compensatory time off, and sick leave if a sickness is involved) before any non-paid time off shall be utilized.

Section 7. Sick Leave Buy Back. An employee receiving benefits from an off-duty disability insurance plan may, at the employee's request, buy back sick leave used while on such a disability. Sick leave shall be bought back hour for hour, based on the respective employee's rate of pay. Employees will not be able to buy back more sick leave than what was used while on an off-duty disability.

Section 8. Sick Leave Cash-out on Separation from Service. At the time of separation in good standing from 15 or more years of service an eligible employee or, in the case of death, the employee's estate shall be paid twenty-five percent (25.0%) of accumulated sick leave, provided that such payment shall not exceed five thousand dollars (\$5,000.00). The employer, at the employee's discretion, shall purchase an equal dollar amount of additional MERP credits for an employee eligible to receive additional credits. All payments of such accumulated sick leave shall be based upon the salary in effect at the time of separation of employment.

ARTICLE 20 - VACATIONS

Section 1. Employees shall accrue vacation hours beginning on the date of employment and shall become eligible to utilize vacation leave upon completion of twelve full months (one year) of employment. Employees shall not be entitled to use vacation, or cash out unused vacation, until they have completed twelve full months (one year) of employment.

Section 2. Each employee working a 24-hour shift shall accrue vacation as follows:

| Years of Service (Months) | Accrual Rates | | |
|------------------------------|---------------|--------|-------------|
| | Annually | Shifts | Hours/month |
| 1-48 months (1-4 years) | 120 hours | (5) | 10 hours |
| 49-108 months (5-9 years) | 168 hours | (7) | 14 hours |
| 109-168 months (10-14 years) | 192 hours | (8) | 16 hours |
| 169-228 months (15-19 years) | 216 hours | (9) | 18 hours |
| 229-288 months (20-24 years) | 240 hours | (10) | 20 hours |
| 289+ months (25+ years) | 264 hours | (11) | 22 hours |

Section 3. Employees shall be paid for any unused accumulation of vacation when they are permanently separated from employment (resignation, retirement, death, layoff or discharge). Employees who have a negative vacation balance on their separation date will have the negative hours deducted from their final paycheck.

Section 4. Hours of vacation may be accumulated, provided that no employee may accumulate accrued vacation in excess of the number of vacation hours accrued for the prior twenty-four (24) months in the service of the Employer. Twelve (12) months of accumulated vacation shall be scheduled and used each calendar year. Employees hired between September and December that have completed their first full twelve months of service shall not be required to schedule and use a full twelve (12) months of accrued vacation leave until the next calendar year.

Section 5. The scheduling and use of annual vacation hours shall be subject to the approval of the Chief. Exceptions to vacation scheduling may be made by the Chief for individuals returning from disability and also those hired in the latter part of the year. Employees will be allowed to carry over a maximum of twenty-four (24) hours of vacation or holiday from the previous year so long as the schedule has room to accommodate the time off without incurring additional cost to the Employer; scheduling of the 24 hours will be applied after all other paid time off for the shift has been chosen.

ARTICLE 21 - PAID HOLIDAYS

Every employee assigned to work 24 hour shifts shall ~~receive the equivalent number of shifts equal to twelve (12) holidays. Effective on January 1, 2012, every employee assigned to work 24 hour shifts~~ shall receive 120 hours of holiday time off per year (the equivalent of five 24 hour shifts). Employees working day shifts shall receive eleven (11) days off in lieu of holidays.

ARTICLE 22 - BEREAVEMENT LEAVE

In the event of death in the immediate family of a member of the Union, that employee shall be granted two (2) shifts off duty without loss of pay. Immediate family shall be defined to include: ~~Spouse and Children of member, Mother and Father, Brothers and Sisters, and Grandparents of member or member's spouse.~~ the employee's spouse

and children, including stepchildren; mother, father, brothers, and sisters of the employee or spouse; and grandparents and grandchildren of employee or spouse.

Employees who are working eight (8) hour shifts shall be entitled to up to three (3) days off under this article.

ARTICLE 23 - MEDICAL INSURANCE

Section 1. The Employer shall provide family medical and dental insurance for the families of members as of the first of the month following their date of employment by the City as firefighters. The parties shall mutually agree before any change is made in the insurance carrier. It is understood between the parties that the Employer will only provide life insurance, family medical and dental for uniformed employees who are on active duty with the department or on temporary disability in accordance with State statutes. Employees may, at their option, maintain coverage under the insurance plans after retirement, at their own expense to the extent allowed by the plan.

~~The City will provide medical insurance for employees and dependents under parties have mutually agreed to change insurance carriers from the AWC Benefit Trust to the Northwest Fire Fighters Benefit Trust Plan \$1,500 effective January 1, 2015, or the earliest possible date that the parties are able to comply with enrollment and underwriting requirements to complete the transfer. The City will continue to provide medical insurance for employees and dependents under the AWC Benefit Trust Regence Blue Shield Health First plan through December 31, 2014, as provided under the agreement expiring on that date, or until such date as the transfer to the new carrier is completed, with members continuing to Members shall contribute an amount towards the premiums each month that equals one and one-half percent (1.5%) of the monthly base wage for top step firefighters (Range ~~19F, Step 5~~ 18F, Step 6).~~

~~Effective January 1, 2015, or upon completion of the insurance carrier transfer, the Employer shall pay 100% of the premiums for members and their dependents for the Northwest Fire Fighters Benefit Trust Plan \$1,500; except that the members shall contribute an amount towards the premiums for this plan each month that equals one and one half percent (1.5%) of the monthly base wage for top step firefighters (Range ~~19F, Step 5~~).~~

~~Effective upon the transfer of coverage to the NWFFBT \$1,500 Plan, on or after January 1, 2015, the Employer shall make a one time contribution to an HRA, to be selected by the Union, of \$1,000 for each employee enrolled on the new Plan with employee only coverage and \$2,000 for each employee enrolled on the new Plan with one or more dependents also enrolled. The Union shall chose an HRA vendor and notify the City no later than December 1, 2014.~~

~~Effective May 1, 2015, following the transfer to the new benefits Plan, The Employer shall also commence monthly HRA contributions of contribute to the HRA~~

vendor selected by the union \$125 per month for employees with employee only coverage and \$250 per month for employees with dependent coverage.

Section 2. The members of Local 2639 and their dependents will be provided with dental insurance by the City through AWC Benefit Trust WDS Plan F (with Orthodontia Plan V rider) until the effective date of the transfer to the Northwest Fire Fighters Benefit Trust as provided in Section 1. Members of Local 2639's bargaining unit who have one or more dependents who are covered under the AWC Benefit Trust WDS Plan F will pay 5% of the portion of the dependent premiums for that plan and will continue to pay five percent (5.0%) of the dependent portion after the transfer to the NWFFBT Dental Plan (Incentive Plan 7 + \$2,000 Ortho Rider). The City will continue to pay all of the other premiums that are associated with that plan, including 100% of the premiums that are applicable to the bargaining unit members themselves.

ARTICLE 25 - MERP

Section 1. The City hereby agrees to assist the members of Local 2639's bargaining unit to become enrolled, effective on the first day of the month following the execution by both parties of this agreement, in the Medical Reimbursement Plan (MERP) that is made available by the Washington State Council of Fire Fighters. The City also hereby agrees to assist the members of Local 2639's bargaining unit to maintain their enrollment in the MERP thereafter. Payment of the monthly premiums related to the MERP shall be made by the City not to exceed \$75.00 monthly per member. Effective January 1, 2019, the monthly payment made by the City shall be increased to \$100.00 per member. Any premium increases during this contract shall be the responsibility of Local 2639's bargaining unit members, and shall be paid by means of payroll deductions taken by the City from the pay checks of Local 2639's bargaining unit members and then forwarded by the City to the Washington State Council of Firefighters Employee Benefit Trust.

Section 2. IAFF Local 2639 and its members agree to hold the City harmless and indemnify the City from any and all liability, claims, demands, law suits, losses, damage, or injury to persons or property, of whatsoever kind, arising from and in any way related to the implementation and administration of the MERP. The union and employees shall be one hundred percent (100%) liable for any and all liabilities inclusive of any federal, state, or local agency determination regarding any liabilities that arise out of the MERP. The union and employees shall be liable for any and all tax penalties, as well as any other liabilities arising out of the implementation and administration of the MERP.

ARTICLE 26 – DEFERRED COMPENSATION

The Employer agrees to deposit monthly to each employee's deferred compensation account a dollar for dollar match up to ~~twenty five dollars (\$25.00).~~ ~~Effective January 1, 2015, the Employer match will increase to fifty dollars (\$50.00).~~ ~~Effective January 1, 2016, the Employer match will increase to seventy-five dollars~~

(\$75.00). Effective January 1, 2018, the Employer match will increase to one-hundred fifteen dollars (\$115.00).

ARTICLE 29 - EFFECTIVE DATE

The effective date of this Agreement shall be January 1, 2017.

RESOLUTION No. 2016-____

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE HEALTH REIMBURSEMENT ARRANGEMENT/VOLUNTARY EMPLOYEE' BENEFICIARY ASSOCIATION ("HRA VEBA") PLANS.

WHEREAS, the Internal Revenue Code Section 501(c)(9) allows for the creation for a voluntary employees' beneficiary association which is a tax-exempt health and welfare trust; and

WHEREAS, IRS regulations and guidelines allow an employee to offer health reimbursement arrangement (HRA) plans; and

WHEREAS, such HRA plans are available to governmental employers in the Northwest; and

WHEREAS, the Voluntary Employees' Beneficiary Association Trust for Public Employees in the Northwest ("Trust") offers and will administer two HRA VEBA plan (collectively the "Plans") as amended and restated: the Standard HRA Plan, which shall be integrated with the Employer's or another qualified group health plan and which shall accept Employer contributions on behalf of eligible employees who are enrolled in or covered by such qualified group health plan and any other contributions that may be permitted under applicable law from time to time; and the Post-separation HRA Plan, which shall accept contributions on behalf of eligible employees, including eligible employees who are not enrolled in or covered by the Employer's or another qualified group health plan, and which shall provide benefits only after a participant separates from service or retires; and

WHEREAS, The City of Aberdeen ("Employer") has determined that it is in the best interest of the Employer and its employees to establish the Plans, which provide tax-free, defined contribution accounts for employees to reimburse qualified medical, dental, vision and tax qualified long-term care premiums and non-covered healthcare expenses of the employees and their qualified dependents; and

WHEREAS, the Employer desires to establish the Plans for its employees; and

WHEREAS, the Employer desires to use the services of the Trust to administer such Plans; and

WHEREAS, the Plans will be administered in accordance with the Plans documents provided by the Trust on file in the Employer's office; and **NOW THEREFORE**,

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF ABERDEEN:

Section 1. Effective, January 1, 2017, the Employer hereby elects to participate in the Plans and Trust as presently constituted or hereafter amended using the Trust as its plan administrator for the benefit of eligible employees as defined by Employer policies or collective bargaining agreements.

Section 2. The Plans will be funded with Employer contributions in amounts determined from time to time pursuant to Employer policies and collective bargaining agreements.

Section 3. The Finance Director is authorized to execute documents and establish procedures consistent with Plans and Trust provisions and applicable Employer policies and collective bargaining agreements necessary to effect the adoption and administration of the Plans.

PASSED AND APPROVED on _____.

Hon. Erik Larson, Mayor

ATTESTED:

Mike Folkers, Finance Director