



RESOLUTION 2016-011

ESTABLISHING A PAID TIME OFF CASH OUT POLICY FOR SENIOR LEADERSHIP; AMENDING THE EMPLOYMENT AGREEMENTS FOR THE CITY MANAGER, CITY RECORDER, AND CITY ATTORNEY TO INCORPORATE SAID POLICY

WHEREAS, it appears to the City Council that many other public employers in the region offer a paid time off (PTO) cash out policy for the benefit of certain employees; and

WHEREAS, it appears to the City Council that implementing such a policy for Senior Leadership in the City of Sherwood would therefore aid in recruitment and retention of such employees; and

WHEREAS, it appears to the City Council that implementing such a policy for Senior Leadership in the City of Sherwood would additionally assist such employees in managing their accrued PTO in relation to the applicable PTO maximum accruals; and

WHEREAS, it appears to the City Council that such a policy should also be made applicable to the City Manager, City Recorder, and City Attorney, as part of the City's Senior Leadership team, and that to do so necessitates amending the employment agreements for such employees; and

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

Section 1. The Sherwood City Council hereby authorizes the City Manager to sign and implement the policy attached as Exhibit 1.

Section 2. The Sherwood City Council hereby approves Amendment No. 3 to the employment agreement between the City of Sherwood and Joseph P. Gall as shown in Exhibit 2 and authorizes the Mayor to execute said Amendment on behalf of the City.

Section 3. The Sherwood City Council hereby approves Amendment No. 1 to the employment agreement between the City of Sherwood and Sylvia Murphy as shown in Exhibit 3 and authorizes the Mayor to execute said Amendment on behalf of the City.

Section 4. The Sherwood City Council hereby approves Amendment No. 1 to the employment agreement between the City of Sherwood and Joshua P. Soper as shown in Exhibit 4 and authorizes the Mayor to execute said Amendment on behalf of the City.

Section 5. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 1st day of March, 2016.


Krisanna Clark, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder



CITY OF SHERWOOD ADMINISTRATIVE POLICY

DEPARTMENT: Administration

POLICY STATEMENT: PTO Cash Out Policy – Senior Leadership

ORIGINATION DATE: 3/1/16

REVISION DATES: N/A

Upon written request by a member of the Senior Leadership team and written approval by the City Manager, an employee shall be allowed to convert a block of up to eighty (80) hours of accrued PTO time into cash at the employee's then-current rate of pay once per fiscal year.

For the purposes of this policy, the Senior Leadership team includes the following positions:

- Assistant City Manager, Police Chief, Public Works Director, Community Services Director, IT Director, Community Development Director, and Finance Director

In order to be eligible for this policy, the employee must have already taken at least eighty (80) hours of PTO within the past 12 month period. Employees will be required to maintain a minimum of eighty (80) hours of accrued PTO in order to be eligible for cash out under this policy.

Joseph Gall, City Manager

EXHIBIT 2
Amendment No. 3
Employment Agreement between Joseph P. Gall and the City of Sherwood, Oregon

This Amendment No. 3 to the Employment Agreement between Joseph P. Gall and the City of Sherwood, Oregon dated June 30, 2014 and previously amended via Amendment No. 1 on June 2, 2015 and Amendment No. 2 on November 17, 2015 ("Agreement"), is made and entered into by Joseph P. Gall and the City of Sherwood, Oregon on the date last set forth below.

The parties hereby agree to amend Section III(C) of the Agreement to replace the text of said section in its entirety to read as follows:

Paid Time Off (PTO). EMPLOYEE shall be entitled to the same PTO benefits as the CITY's other exempt employees. EMPLOYEE shall also be entitled to utilize the PTO Cash Out Policy for Senior Leadership, provided, however, that requests under said policy must be approved in writing by City Council.

All other terms and conditions of the Agreement shall remain in full force and effect.

City of Sherwood

Joseph P. Gall

Krisanna Clark, Mayor

Joseph P. Gall

Date

Date

**EXHIBIT 3
Amendment No. 1**

Employment Agreement between Sylvia Murphy and the City of Sherwood, Oregon

This Amendment No. 1 to the Employment Agreement between Sylvia Murphy and the City of Sherwood, Oregon dated March 4, 2014 ("Agreement"), is made and entered into by Sylvia Murphy and the City of Sherwood, Oregon on the date last set forth below.

The parties hereby agree to amend Section 4(b) of the Agreement to replace the text of said section in its entirety to read as follows:

EMPLOYEE is eligible to earn and accrue the same paid vacation time as other exempt employees, and shall retain any accrued vacation as of the effective date of this Agreement. EMPLOYEE shall also be entitled to utilize the PTO Cash Out Policy for Senior Leadership, provided, however, that requests under said policy must be approved in writing by City Council.

All other terms and conditions of the Agreement shall remain in full force and effect.

City of Sherwood

Sylvia Murphy

Krisanna Clark, Mayor

Sylvia Murphy

Date

Date

EXHIBIT 4
Amendment No. 1
Employment Agreement between Joshua P. Soper and the City of Sherwood, Oregon

This Amendment No. 1 to the Employment Agreement between Joshua P. Soper and the City of Sherwood, Oregon dated July 28, 2015 (“Agreement”), is made and entered into by Joshua P. Soper and the City of Sherwood, Oregon on the date last set forth below.

The parties hereby agree to amend Section 6(A) of the Agreement to replace the text of said section in its entirety to read as follows:

Upon commencing employment, Employee shall accrue sick leave and paid time off (PTO) leave, as provided or made available to other executive management employees of the City, under the same rules and provisions applicable to other exempt employees of the City. Employee shall also be entitled to utilize the PTO Cash Out Policy for Senior Leadership, provided, however, that requests under said policy must be approved in writing by City Council.

All other terms and conditions of the Agreement shall remain in full force and effect.

City of Sherwood

Joshua P. Soper

Krisanna Clark, Mayor

Joshua P. Soper

Date

Date