AGENDA
ARCADIA CITY COUNCIL
CITY COUNCIL CHAMBERS
23 NORTH POLK AVENUE, ARCADIA FL

TUESDAY, MARCH 4, 2014
6:00 PM

CALL TO ORDER, INVOCATION, PLEDGE AND ROLL CALL

PRESENTATION

1. Retirement of Larry Bullion (29 ½ years)
2. Plaque of Appreciation to Steve Underwood, Bobby Skinner and Jeff Collins for City Hall Renovations

CONSENT AGENDA

3. City Council Minutes for February 18, 2014 (City Clerk)

DISCUSSION ITEMS

4. Change Order for Water Treatment Plant Construction - Hazen & Sawyer (A.J. Berndt – Utilities)
5. Verbatim Account of Item No. 13 of October 15, 2013 City Council Minutes
6. Personnel Policy Manual Update (Thomas Slaughter - Interim City Administrator)
7. Staffing Levels (Thomas Slaughter - Interim City Administrator)

COMMENTS FROM DEPARTMENTS

8. City Marshall
9. Attorney
10. City Administrator

PUBLIC **(Please limit presentation to five minutes)**

MAYOR AND COUNCIL REPORTS

ADJORN

NOTE: Any party desiring a verbatim record of the proceedings of this hearing for the purpose of appeal is advised to make private arrangements therefore.

PLEASE TURN OFF OR SILENCE ALL CELL PHONES

PRESENTATION #1

PRESENTATION #2

AGENDA No. 3

CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: March 4, 2014

DEPARTMENT: Administration
SUBJECT: Minutes from February 18, 2014

RECOMMENDED MOTION: Council Approval

SUMMARY:

FISCAL IMPACT: _____ ( ) Capital Budget
( ) Operating
( ) Other

ATTACHMENTS: () Ordinance ( ) Resolution ( ) Budget (x) Other

Department Head: Date:

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Tom Slaughter Date:

COUNCIL ACTION: ( ) Approved as Recommended ( ) Disapproved
( ) Tabled Indefinitely ( ) Tabled to Date Certain _____ ( ) Approved with Modifications

AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, FEBRUARY 18, 2014
6:00 P.M.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & ROLL CALL

The Mayor called the meeting to order at approximately 6:00 p.m. with the following members and staff present:

Arcadia City Council

Mayor Alice Frierson
Deputy Mayor Joseph E. Fink
Councilmember Robert R. Allen
Councilmember Keith Keene
Councilmember Robert W. Heine

Arcadia City Staff

Interim City Administrator Tom Slaughter
City Clerk Penny Delaney
City Marshall Matt A. Anderson
City Attorney Thomas J. Wohl
Finance Director Beth Carsten
Code Enforcement Officer Carl McQuay

Councilmember Heine gave the invocation, which was followed by the Pledge of Allegiance and roll call.

PRESENTATION

Mike Moon, Special Consultant with Hanson Professional Services updated the Council, through a power point, on the three projects Hanson is working on behalf of the City at the Arcadia Municipal Airport. The first project was the airfield lighting project. He stated the taxiway lighting and runway lighting is completed. Also directional signage and precision approach path indicators have been installed. The electrical vault is the last piece of the project. It has been constructed and is waiting for delivery. He further stated this project will complete on budget approximately two months ahead of schedule. The second project was the pavement rejuvenation and marking which will extend the life of a runway or taxiway by about seven to ten years. A major runway/taxiway ramp rehabilitation would have been between $3,000,000.00 and $4,000,000.00. The project was completed for approximately $146,000.00, so over the next seven years as you're getting the useful life out of it, the $3,000,000.00 and $4,000,000.00 worth of grant money can be used for other projects at the airport. This project also included runway, taxiway and ramp striping. The final project is the airport master plan which is just now in phase one. Phase one includes the airport requirements and inventory of existing facilities and airport activities and a forecast of aviation demand. They are preparing to present those items to the airport advisory board at their March 20th meeting. If they are adopted by the airport advisory board, then the forecast will then go to the FAA. He advised they will have two additional meetings with the airport advisory board in addition to the meeting on March 20th. He stated he

plans for one of those to be a joint meeting with City Council. Then they will have the final meeting with the airport advisory board and once adopted by them, the final plan will come back to City Council for adoption and recommendation to forward to FAA for comment and approval. He stated he anticipates having the joint meeting with City Council and AAB sometime in late June or early July. He further stated the final adoption hearing will probably toward the end of the year, late November, early December. He stated this is a two year project from FAA, so the second year of funding will not be available until September so that's why the timeframe has been stretched out.

Gary Frierson, Chairman of the Airport Advisory Committee gave a brief overview of the minimum standards and guidelines and the meetings and comments that led up to the final document. He stated the committee would like to get Council's approval, not adoption, then forward it to FAA for their comments. If it comes back from FAA with no comments or recommendations, he would bring it back to Council for adoption. The Interim City Administrator asked if the Council wanted to handle it as a regular agenda item or as a workshop first. Councilmember Keene felt it could be handled as a regular agenda item. Mayor Frierson opened it up to the public for comment. Deputy Mayor Fink moved for Mr. Frierson to go back with the changes to his group and then report back to Council at our next meeting. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Beth Carsten, Finance Director, gave a brief overview of the City's budget. She pointed out that the figures are preliminary. Regarding revenues, she stated that based on what was budgeted, the City has taken in 31.8%. Regarding expenses, she stated that to date the City has expended 18%. She advised these are first quarter and should be around 25%. However, the City has actually taken in 39.2% of the revenues and expended 27.2%. It was agreed upon by Council to have the Finance Director present the budget to the Council at the second regular meeting each month. Councilmember Keene stated that he liked the format and is looking forward to seeing the updated numbers. Ms. Carsten stated there are some unknowns regarding health insurance. Councilmember Keene asked that those areas be included in the report as well. Mayor Frierson asked what areas she was concerned about. Ms. Carsten advised that she was concerned about health insurance and workman's comp. She also stated that there are a few areas regarding equipment repairs with overages, but nothing is out of control at this point, some were budgeted. Mayor Frierson pointed out budget areas that are of great concern.

CONSENT AGENDA

Mayor Frierson stated the City Council would address the consent agenda at that time. Deputy Mayor Fink made a motion to approve the consent agenda (Items 3-5) and move Item 6 to discussion. Councilman Keene seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Discussion Item 6 – Request for Special Event Permit – Jehovah's Witness Literature Distribution Table

Deputy Mayor Fink asked where the group was planning to set up. Carl McQuay advised that it was to be at the Tree of Knowledge and that they are looking at the second Saturday of every month which is the only open Saturday as the other are already taken by other groups. Mr. Maybell of the Jehovah's Witness group advised that they will only have a small table and two individuals with literature. No one will be approached. The City Attorney advised that there will be no reason for a permit, no need for additional insurance, no need to block streets. It was agreed to allow an area for the group to set up. Mr. McQuay will meet with Mr. Maybell regarding a location. Deputy Mayor Fink made a motion to not approve the special events permit but instruct staff to deal with the gentlemen and his organization to set up in a manner that does not impede traffic flow or occupancy of the property. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Discussion Item 7 – Release of Lien on 301 S. Dade Avenue

Mr. McQuay advised the City had a lien on property located at 301 S. Dade. Last year, it was bought on the courthouse steps by a company and then resold to a gentleman. He came in and paid the lien. He didn't ask for any reductions, but paid the total amount. Councilmember Keene made a motion to approve the Release of Lien. Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Discussion Item 8 – City Council Minutes for September 3, 2013, September 17, 2013, October 1, 2013, October 15, 2013 and November 29, 2013

The City Clerk advised that upon reviewing previous minutes, it came to her attention that minutes for September 3, 2013, September 17, 2013, October 1, 2013, October 15, 2013 and November 29, 2013 had either been approved and not signed (that City Recorded is now no longer employed by the City) or they were never approved. She asked for approval of the minutes so the website and records book could be brought up to date.

Lew Ambler with DeSoto Insurance addressed the Council. He asked for clarification regarding what was voted on in the October 15, 2013 meeting. In that meeting, he advised that there was a fairly lengthy discussion regarding the alternatives of the insurance program and what they provided. The Council voted to make changes that were substantial. The minutes presented only state that Mr. Ambler was at the meeting and the potential changes and savings that the City could implement were reviewed. He stated he would like clarification on that for his protection and for the City's protection. Deputy Mayor Fink asked the City Clerk if there were copies of the dvds of that particular meeting. The City Clerk advised she had not had an opportunity to go through all of the dvds/cds, only the records book, but that she would look into it. Mayor Frierson instructed the City Clerk to check on it and get in touch with Mr. Ambler. The Interim City Administrator suggested, if the cds can be located, to provide a verbatim of the specific action for Mr. Ambler. Deputy Manor Fink moved that the Council approve the minutes for September 3, 2013, September 17, 2013, October 1, 2013 and November 19, 2013, holding in

abeyance minutes from October 15, 2013. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Discussion Item 9 – Change Order for Water Treatment Plant Construction

A.J. Berndt of the Utilities Department stated this is a loan given by the FDEP that will have no impact upon the City. It's money that is being given to the City with the loan that we already have to keep refurbishing the wells, the SCETA system and also for technical support to complete the water treatment plant. He advised the City has six wells and they're down to four wells. Two need to be re-lined and new motors need to be put on them. The casing is completely gone. They're 60 year old wells. Councilmember Heine made a motion to approve and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Discussion Item 10 – Lease Agreements with Standard/Extended Warranties re Sanitation Trucks

Steve Underwood of the Sanitation Department advised that on February 4, 2014, Council instructed the Sanitation Department to come back before them with extended warranties on a proposed lease of two sanitation trucks. He advised that all of the options to be addressed will be to purchase the trucks outright. Mr. John Mintz of JLM Equipment advised that it could best be described as option one will give you a three year lease with a standard warranty, option two will give you a five year lease with a standard warranty and option three will give you a five year lease with the extended warranty which will give you the coverage for the entire length of the five year lease.

Mayor Frierson advised that there is another company who would like to come and address the council. Deputy Mayor Fink stated that since Mr. Mintz has the state contract, it could change the entire scheme of things by putting it off for Council to go through a bidding process which they don't have to do. The City Attorney advised that was correct. Mayor Frierson stated that she felt Council needed to recognize that the City has budget problems and is on the Tallahassee watch list and this Council needs to learn to say no. She advised that didn't mean that Council couldn't look at it at a later date when they have a better handle on the budget. She stated that the Council has given out $50,000.00 in raises that was not in the budget, a vacuum truck was purchased that was not in the budget, and Council has already committed future budgets to a quarter of a million dollars and this annual payment is $76,000.00 if Council goes with the extended warranty. She stated there has to be some responsibility with this Council and they're not giving it.

Councilmember Keene stated that the City has to decide whether they're in the garbage pick-up business or not. He stated he agrees with Mayor Frierson, but stated there are other ways to pick up garbage than the City buying trucks. It can be contracted out, but in meetings in the past, no one wanted to do that. Mayor Frierson advised that upon reviewing the budget, the budget audit was only $55,000.00. She further advised this audit is costing the City over

$85,000.00; that's a $35,000.00 deficit right there. She stated insurance is going through the roof and we have no place to get this money from.

Deputy Mayor Fink advised that if we give the contract to Womack, then it will be for the next five years because that's state statute. Steve Underwood stated the first year would be paid for and the second year and a half will entail the $110,000.00 this year that has already been budgeted for. So it will cover two and a half years between the trade-in and what's already been budgeted for. Mayor Frierson opened the discussion to the public. Janie Watson stated that she agrees with Mayor Frierson. She doesn't feel Council is addressing the issue. The money is not there.

Deputy Mayor Fink made a motion to go with the rental agreement for option three. Councilmember Heine seconded the motion. No discussion followed and it was approved, 4-0. Mayor Frierson cast the dissenting vote.

Discussion Item 11 – Police Department Impound Ordinance (First Reading)

Lieutenant Kevin Joens of the Arcadia Police Department addressed Council regarding an impound ordinance to generate revenue for the police department for training and equipment that was cut from last year's budget. He stated that basically when they arrest someone for a criminal charge and their vehicle is towed, their vehicle will go to the police impound yard and the individual will have to pay the impound fee. The City Attorney advised that the owner of the vehicle is entitled to due process, so there is a right to a preliminary hearing and a final hearing. Those hearings are conducted by a Special Master so this may result in additional work for the Special Master. The City Attorney stated that he had spoken with him and he stated that it would be lumped in with the same time that he may be coming down for a code enforcement hearing. Councilmember Heine made a motion to read the ordinance by title only. Councilmember Keene seconded the motion. The City Clerk read title only of said ordinance.

Discussion Item 12 – Personnel Policy Manual Update

The Interim City Administrator directed Council to the agenda packet, section twelve which was a short memorandum that was to be used as a guide by staff to make changes to the personnel policy manual that will be brought to Council. He addressed the issue of vacation/sick leave buy back. Councilmember Keene stated that what had been laid out by the Interim City Administrator is palatable to him and he felt it is what should be done for all staff, including the due process staff. He felt that as the Council gets through the personnel policy changes, he felt they would get there. Councilmember Keene made a motion that to proceed and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5-0, approved. Councilmember Keene asked the Interim City Administrator if he was just looking for clarification on the discussed changes to the personnel policy and he will be coming back to Council with those changes. The Interim City Administrator asked if Council wanted to see it first as a workshop or just as an agenda item. He reminded Council that it will be in a legislative format so it should made it easier to see where the changes from the latest document to the proposed document that would be brought forward for consideration.

COMMENTS FROM DEPARTMENTS

1. CITY MARSHALL

Lieutenant Gary Evans informed Council that there had been a Spanish/Mexican event week before last and everything was organized with the exception of a couple of cars that were broken into. At all times the noise level was kept below the ordinance level. He advised that approximately 7,000 people attended the event.

2. CODE ENFORCMENT OFFICER

Code Enforcement Officer Carl McQuay stated that Mr. Gaines of Stonegate Apartments is having meters placed in. Mr. Gaines tried to say that he had an agreement with the City exempting him from permits which was not true. He is required to pull permits for each individual meter that is placed in the apartment complex. He has an outstanding bill with the City. He has been informed that once the meters are placed in, the water will not be reactivated until the past due amount is paid. Mr. McQuay advised that tomorrow he will go out and perform a cease and desist. Mayor Frierson asked if he has a permit at all. Mr. McQuay advised he has no permit whatsoever. The Interim City Administrator advised that Mr. Gaines is on City water. He advised there is another issue outstanding that has to do with unpermitted work and hooking onto a private well and violating certain state standards. The Mayor asked if he was keeping the water bill current on the current charges and this is just past due charges. The Finance Director advised that he had a bill of $4800.00 due today and it is now past due and there will be a new bill next week which will place it at around $9.000.00. He has the nine days that were allotted for upgrades and he's been told he has until the 26th and if not paid, the City will cut it off with no notification to the tenants. The Finance Director advised that there is another account that he owes $18,000.00 on.

3. CITY ATTORNEY

NONE

4. INTERIM CITY ADMINISTRATOR

NONE

PUBLIC

NONE

MAYOR AND COUNCIL MATTERS

Councilmember Heine addressed the issue of check warrants being provided in the councilmember's packets. He felt it was time consuming and a waste of paper. Mayor Frierson pointed out that the paper is expensive. She also stated that she felt the Finance Director could

cover it with her monthly report to the Council. Councilmember Keene stated that he didn't need a copy printed out for him as long as nothing has changed before he comes to the meeting. He felt that it should be his decision to print out what he wants to print out at his expense, but he felt it should be available to at least look at it on the website. Mayor Frierson stated that if a councilmember wants a copy of it, they will ask for it, but to not include it in the printed packets.

Deputy Mayor Fink advised that he had spoken with someone who is with the Arts and Humanities Council and they were wondering if Council would be willing to allow them to grace the City's walls with some of their art as they do in other public buildings. All council members were in agreement.

Regarding agenda item eight, Deputy Mayor Fink stated there had to be some type of thing where if she were ever to come back to the City and ask for a reference, he asked if the Interim City Administrator had written the thing regarding there not being a reference because no one else needs that kind of trouble with minutes. He stated that he hated to think the Council would pass that along to someone else and he hoped it would be reviewed and if Council were asked a question, it would be not hired under any circumstance. Mayor Frierson stated that she didn't want to be that harsh. She further stated they are gone, let it be. Councilmember Keene stated that it brings up a good point as to what should the Council's position be for giving references.

Mayor Frierson asked John Super if he had any more information for Council regarding the search. Mr. Super stated that the committee has five applicants at this point. The next meeting is scheduled for March 3, 2014. He stated on another matter, they had over 45 cars at the last car show with people attending from Naples, Bradenton and Port Charlotte.

ADJOURN

Having no further business at this time, the meeting was adjourned at 8:20 P.M.

ADOPTED THIS ___ DAY OF _____, 2014

By:

_____
Alice Frierson, Mayor

ATTEST:

_____
Penny Delaney, City Clerk

AGENDA No. 4

CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: March 04, 2014

DEPARTMENT: Water
SUBJECT: Change Order No. 4 to Cardinal Contractors for WTP

RECOMMENDED MOTION:
Approve

SUMMARY: This Change Order will include rehabilitation of existing wells, improvements to the WTP for monitoring ammonia and regulating pressure in the plant by adding an electronically actuated valve and improvements to the new SCADA system to assure continuous monitoring and notification should a failure occur.
Additional funding from FDEP has been requested and it is anticipated that these improvements will be approved through loan forgiveness; therefore no increase in the current repayment is anticipated.

FISCAL IMPACT: none

( ) Capital Budget
( ) Operating
( ) Other

ATTACHMENTS: () Ordinance ( ) Resolution ( ) Budget (x) Other

Department Head: A.J. Berndt Date: 02-27-14

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Tom Slaughter Date:

COUNCIL ACTION: ( ) Approved as Recommended ( ) Disapproved
( ) Tabled Indefinitely ( ) Tabled to Date Certain _____ ( ) Approved with Modifications

SECTION 00635 - CHANGE ORDER

(Instructions on reverse side) No. 4

PROJECT: WATER TREATMENT PLANT IMPROVEMENTS
DATE OF ISSUANCE: _____

OWNER: CITY OF ARCADIA
(Name, Address) P.O. DRAWER 351
ARCADIA, FLORIDA 34265

CONTRACTOR: Cardinal Contractors

OWNER's Project No. DW14010

ENGINEER: Julie Karleskint, PE
Hazen and Sawyer, P.C.
2201 Cantu Ct. Suite109
Sarasota, FL 34232

CONTRACT FOR: City of Arcadia

ENGINEER's Project No. 41070-011

You are directed to make the following changes in the Contract Documents.

Description: See Attached

Purpose of Change Order: Rehabilitation of Wells 1, 2, 3, 4 and 5 to assure continuous water supply for Arcadia WTP, modifications to new Ion Exchange WTP and additional SCADA and instrumentation improvements. This Change Order is subject to FDEP funding approval.

Attachments: (List documents supporting change)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price $ 5,964,300	Original Contract Time 425 days or date
Previous Change Orders No. 1 to No. 3 $ 1,023,343	Net change from previous Change Orders 185 Days
Contract Price prior to this Change Order $ 6,986,643	Contract Time Prior to this Change Order 610 days or date
Net Increase (decrease) of this Change Order $ 700,000	Net Increase (decrease) of this Change Order 300 Days
Contract Price with all approved Change Orders $ 7,686.643	Contract Time with all approved Change Orders 910 days or date

RECOMMENDED: by _____ Engineer

APPROVED: by _____ Owner

APPROVED: by _____ Contractor

CHANGE ORDER NO. 4

City of Arcadia Water Treatment Plant Improvements and New Water Supply Well

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The additional work is associated with Change Order 4 shall be performed in compliance with all regulatory requirements and permits obtained by local agencies, FDEP and SWFWMD for the rehabilitation of Well Nos. 1, 2, 3, 4 and 5 obtained by the Contractor, Sub-contractor and City or it's engineer. Cost of work for all items under this Change Order will be paid on a lump sum basis with an allowance established for work items that are not fully addressed at this time. All allowance items must obtain prior approval by the Engineer with detailed invoices submitted by the Contractor that includes cost for permits, materials, subcontractors, and percent markup on subcontractors and for overhead, profit, taxes and insurance, as applicable. If all the allowance is not approved by the City and Engineer, a deductive change order will be provided to the city. All other work is being performed on a lump sum basis and back-up supporting these cost have been provided by the contractor. These cost also include overhead associated with extending the contract period an additional three hundred days which shall include bonds, insurance, overhead and associated time required by project manager for project oversight during active construction.

Cost of work for any item in this Change Order shall not exceed the noted limit without prior written approval of the Owner and Engineer. Amount left over from allowance or any item that is not completed as described below shall be deducted from the contract in the final contract adjustment prior to final payment. This Change Order is also subject to FDEP acceptance and funding approval for the proposed amount of $700,000.00.

1. Rehabilitation of Water Supply Wells with associated pumps and other items deemed necessary by Engineer. This is may include the following:
    a. Mobilization
    b. Pre rehab video video log
    c. Removal of existing pump and riser
    d. New Submersible pumps (25 HP, 230 volts, 3 phase motor)
    e. Schedule 40 Steel Liner
    f. Cement Baskets at bottom of liner
    g. Grout
    h. Test pumping
    i. Installation of well head
    j. Well development
    k. Flow, caliper and gamma loggings
    l. Acidizing well
    m. Post Rehab video log
    n. STEP Testing
    o. Turbidity, sand and silt testing
    p. Pump Installation
    q. Disinfection
    r. Pump Testing
    s. Site Restoration
    t. Demobilization
2. Modifications to Well No. 3 to bring well above grade including new pad, valves, piping, fencing, bollards, culvert pipe and site restoration.
3. Other items deemed necessary by ENGINEER.

4. This item will include modifications to the WTP to improve monitoring and performance and is anticipated to include the following:
   a. Modifications to the existing ChemScan unit that will provide monitoring and alarms for ammonia in the raw water entering the treatment plant. This shall include necessary software and hardware upgrades to the Chemscan unit, programming changes to the plant SCADA system to include influent ammonia, addition of 4-20mA signal from ChemScan unit to PLC and necessary piping and fittings for new raw water sample point to ChemScan unit.
   b. Furnish and install a new 12" modulating butterfly valve including all excavation, dewatering, installation, backfill, compaction and associated electrical and programming necessary to provide functional electronically actuated valve for controlling back pressure on the ion exchange system.
   c. Other items as needed based on prior approval from City and Engineer.

5. This item will include improvements to the SCADA system to assure continuous monitoring and notification of the treatment process while it is in operation. It is anticipated to include the following:

   a. Obtaining two independent static IP addresses for the water plant, addition of a firewall / VPN device with a new modem to the internet cable connection, and a backup WIN911 license to the system to provide maximum protection from hacking for all critical control devices for the water plant. The WIN911 software will automatically switch to dial-out access over the protected internet connection allowing uninterrupted service for remote alarm notification.
   b. Provide a backup communication link for the remote tank through the wastewater plant along with providing backup capability to monitor the water plant remotely from the wastewater plant. To add these features, it is proposed to obtain two independent static IP addresses for the wastewater plant, add a firewall / VPN device with a new modem to the internet cable connection, add a dedicated work station for the water plant at the wastewater plant, and add fiber optic converters at each end of a new fiber optic link between the wastewater plant and the remote tank site. One static IP address will be connected to the existing office computers at the wastewater plant to allow normal internet access and protection. The other static IP address will be connected to the firewall device which would be connected to the new work station and the fiber link to the remote tank site. Programming at the water plant's main PLC will automatically switch to the fiber link if radio communications is lost.
   c. Other items as needed based on prior approval from City and Engineer.

AGENDA No. 5

CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: March 4, 2014

DEPARTMENT: Administration
SUBJECT: Minutes from October 15, 2013

RECOMMENDED MOTION: Council Approval

SUMMARY: At February 18, 2014 City Council meeting, Council instructed City Clerk to prepare a verbatim account of Item 13 of the minutes from October 15, 2013.

FISCAL IMPACT: _____ ( ) Capital Budget
( ) Operating
( ) Other

ATTACHMENTS: () Ordinance ( ) Resolution ( ) Budget (x) Other

Department Head: Date:

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Tom Slaughter Date:

COUNCIL ACTION: ( ) Approved as Recommended ( ) Disapproved
( ) Tabled Indefinitely ( ) Tabled to Date Certain _____ ( ) Approved with Modifications

MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, OCTOBER 15, 2013
6:00 PM

The following minutes reflect action items of the City Council of the City of Arcadia. For a verbatim copy of the minutes you may contact City Administration to obtain a copy of the recorded meeting.

CALL TO ORDER, INVOCATION PLEDGE OF ALLEGIANCE & ROLL CALL

The meeting was called to order at approximately 6:00 p.m.

Former Mayor and Dr. Sharon Goodman gave the invocation which was followed by the Pledge of Allegiance.

Arcadia City Council

Mayor Alice Frierson
Deputy Mayor Joseph E. Fink
Councilman Robert R. Allen
Councilman Keith Keene – Absent
Councilman Robert Heine

Arcadia City Staff

City Clerk Gia Lancaster
City Attorney Thomas J. Wohl
Marshal Matt Anderson
HR Manager Sandy Vitella

PRESENTATION: Valic Defined Contribution Presentation

Ms. Amy Sorrells explained the availability of the Valic Defined Contribution plan offered to City employees.

CONSENT AGENDA

1. September 3, 2013 City Council Minutes
2. September 17, 2013 City Council Meeting Minutes
3. Check Warrant Reports: 09-27-13, 09-30-13, 10-01-13, 10-07-13, 10-08-13
4. Request for Special Event Permit and Street Closure, Christmas Parade, Chamber of Commerce
5. Request for Special Event Permit at McSwain Park, Democratic Party (11-8-13)
6. Request for Special Event Permit at McSwain Park, Family Fun Fair (11-02-13)
7. Amendment to Specific Authorization 26, General Consulting Services, Hazen and Sawyer
8. Amendment to Specific Authorization 16, General Consulting Services, Hazen and Sawyer

A motion was made by Deputy Mayor Fink and seconded by Councilman Heine to remove the following items from the agenda: Airport Loan with Seacoast National Bank and the Perpetual Easement, FDOT. The motion carried 5-0.

A motion was made by Deputy Mayor Fink and seconded by Councilman Heine to approve Consent Agenda items 1 through 7 as presented. The motion carried 5-0.

DISCUSSION ITEMS

9. Actuarial Reports for both Pensions (Administrator)

There were no questions regarding Mrs. Jankosky's memorandum regarding the actuarial reports for both pensions.

10. Perpetual Easement, Donation Letter, Hazardous Waste Affidavit and Closing Statement, FDOT Project No. 193902, SR 70 Parcel No. 805 (Administrator)

This item was withdrawn from the agenda for further review by the City Attorney.

11. Florida League of Cities' Resolutions (Deputy Mayor Fink)

Deputy Mayor Fink suggested that the Resolution concerning Congress preserving the current tax-exempt status of municipal bonds be adopted by the City Council. Attorney Wohl stated that a Resolution could be brought to the next Council for adoption.

A motion was made by Deputy Mayor Fink and seconded by Councilman Heine to direct staff to draft a Resolution urging the Obama Administration and Congress to preserve the current tax-exempt status of Municipal Bonds and reject any proposal that would reduce or eliminate the federal tax exemption status of interest earned from tax-exempt municipal bonds. The motion carried 5-0.

12. REDI Municipalities Law Enforcement Services Special Assessment (Administrator)

Attorney Wohl explained the REDI Municipalities Law Enforcement Services Special Assessment which was initiated from cities in Broward County to approach their legislative delegates about a special act of legislation that would help provide economically disadvantaged cities with the ability to implement a Law Enforcement Services Special Assessment. Mrs. Jankosky and Councilman Keene attended the DeSoto County Legislative Delegation and planted the seed with Senator Bill Galvano and Representative Ben Albritton. Marshal Anderson stated that he attended as well and stated that once he had explained the City's difficulties they appeared to be

receptive. Deputy Mayor Fink added this is the first step in a long standing process. The Council concurred to move forward on this item.

13. Changes to Insurance Limits (Lew Ambler/DeSoto Insurance)

Mr. Lew Ambler, DeSoto Insurance, reviewed the potential changes and savings the City could implement to reduce insurance premiums. Attorney Wohl explained the City's sovereign immunity.

14. Range Riders (Administrator)

COMMENTS FROM DEPARTMENTS

15. City Marshal

16. Attorney
    a. Code Enforcement Ordinance – Registration of Real Property in Foreclosure
    b. Code Enforcement Ordinance – Housing Code / Property Maintenance Standards
    c. Code Enforcement Ordinance – Sleeping in Public Places

17. City Administrator

PUBLIC **(PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)**

MAYOR AND COUNCIL MATTERS

ADJOURN

There being no further business the meeting adjourned at ___ p.m.

APPROVED THIS ___ DAY OF _____, 2013.

By:

_____
Alice Frierson, Mayor

ATTEST:

_____
Gia S. Lancaster, CMC
City Clerk

AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, OCTOBER 15, 2013
6:00 P.M.

The following minutes are a verbatim account of Agenda Item 13 heard before the Arcadia City Council on Tuesday, October 15, 2013.

13. Changes to Insurance Limits (Lew Ambler/DeSoto Insurance)

Mr. Ambler: Good evening. I'm Lewis Ambler, 243 N. Brevard, Arcadia, Florida. The City's property and casualty insurance renewed on October 1st. In a lead up to that, Judi and I discussed a number of different options to maybe save the City some money and there was no much combination of what was going on with your issues that you had to deal with with the budget and the group insurance that became a part of that, we felt like that it was just something that could be postponed and we can do it now and there's no penalty for doing it now. You can get the savings. That's why I'm here now after the fact sort of. Which page do yall have first? Is that the one that looks like this? Okay, this page outlines the current coverages and limits that the City currently has and lists one or two options to change the coverage to save money. The first line is automobile insurance. If you get a City car that was in a wreck and hit something and we have a liability claim. First of all, the City has protection of sovereign immunity and I'll let Mr. Wohl explain that if you want to.

Mr. Wohl: Right, essentially your capped sovereign immunity caps your liability at 2 and 3, and then in the event there is liability exposure exceeding that amount, essentially a claimant would have to pursue a claims bill to Tallahassee to recover any more than that. Meaning Tallahassee, the legislation, a law would have to be passed essentially waiving the City's sovereign immunity as to that particular instance. So you have that protection there. Again, that doesn't mean there's no guaranteed max cap limit.

Mr. Ambler: These limits seem high if you look at them. You currently have $2,000,000.00 for all real liability insurance and you say why do I have to have that, we have sovereign immunity. Well, it might be a case where the City was clearly at fault, negligent, and the claim was sustained for more and the company might pay it anyway because it was obvious. It might be a case where they went and got a claims bill and the money was there to pay the claims bill. If somebody goes to the legislature and gets a claims bill against the City, the City's got to pay it. It doesn't come out of state money. It comes out of City money. You've got to have some way to pay it. The current limits are $2,000,000.00, lowering them to a million, saving about $3200.00. General liability insurance, the biggest example of that, somebody tripping on the sidewalk and that does happen. We do have claims like that, not substantial claims, but we do have claims. Going from $2,000,000.00 to $1,000,000.00 there would save about $2100.00. The public officials and employment practices liability policy is currently at

$6,000,000.00. There's two different options quoted there, one of which would save about $48,000,000.00, going to three, and going to seven would save about $8,000.00. The employment practices liability is not covered under sovereign immunity. Those claims are filed under the EEOC law and they're federal action and they're outside sovereign immunity. Currently there are four claims active in that coverage. Law enforcement liability, the current is $6,000,000.00 and the option of three would save about $3,000,000.00. I don't know how you want to do this, Sandy, I don't know, do you want to discuss each one of these, or do you want. I don't really have a presentation on them, just going down what they have in front of them.

Ms. Vitella: Well, I think it's up to Council.

Mr. Ambler: Yeah, it's up to Council to make these decisions.

Mr. Wohl: Just for the sake of reference, who can you recall, what maybe some of the higher claims you've seen, and maybe the frequency.

Mr. Ambler: We have not seen a claim outside of the sovereign immunity limits. We haven't had a claim of over, upon any of these policies, excluding the public officials and employment practices liability and the law enforcement liability, we have not had a claim in general liability or auto liability exceeding $50,000.00.

Mr. Wohl: You're not saying that's not going to happen.

Mr. Ambler: I'm not saying it's not going to happen tonight and that's why I'm not in a position to tell you to do this and I don't think T.J. will either. That's got to be yall's decision. Those aggregated together, if you took the most aggressive stance at that would save about $16,000.00 by lowering it. $16,000.00, roughly if you added 32, 21, 79 and 3. I don't have a magic wand to save $25,000.00 in any one place. It's going to have to be little pieces to do that. The current property deductable and this is on everything except wind. This is fire, vandalism, explosion, and a car running into a building or something like that. You have a $2500.00 deductable. Now, if you went, it lists there what the savings would be if you went up to a $25,000.00 deductable, you'd save $6,000.00 a year. You've had one claim since Charley that's been over $2500.00 on property. So you certainly might want to consider taking a higher deductable on that.

Mayor Frierson: Who put the values of the property, does the insurance company do that?

Mr. Ambler: Remember we went through the appraisal process, you and I and Judi and I think Gia, sat and we went through that and that's where the values were established. The values are established on a replacement cost basis. I know you can say, well, we wouldn't replace that building, but the value is still there. You have to, you can't pick and choose which buildings you want replacement cost. To keep the blanket coverage, which is very important, blanket coverage says that we've got $200,000.00 on this building and it is destroyed, and it costs $400,000.00 to replace it, we're not governed by the $200,000.00 in insurance, we're governed by the one point,

$117,000.000.00 building coverage we have total for the City. So it's a very important thing to keep and to keep that blanket coverage, you have to have replacement cost on everything.

Mayor Frierson: What is the increase for the year on the premiums?

Mr. Ambler: The rate itself only went up about less than one percent, the rate. The increase went up, after we got through, we were able to save, there were quite a few things that we had on the list that had never been taken off. When we got through that, it was about ten or fifteen thousand, I think, for the property.

Mayor Frierson: That's just for the property?

Mr. Ambler: Yeah.

Mayor Frierson: Comments from the council? Insurance is something that you don't want unless you need it.

Councilmember Heine: That's right.

Mr. Amble: Oh, I know.

Deputy Mayor Fink: Absolutely.

Mayor Frierson: And when you need it, aren't you glad you have it? I mean everybody who went through Charley said a prayer, thank goodness for the insurance.

Councilmember Heine: With the price of everything now, even though we're up about sixteen thousand dollars from where we were last year?

Mr. Ambler: Approximately . . .

Councilmember Heine: That would give us the blanket coverage?

Mr. Ambler: That's the blanket coverage.

Councilmember Heine: I really and truly believe we better go with the blanket coverage.

Mr. Ambler: You already have that. I'm just trying to bring you some ways to lower that increase, is what I'm trying to do. That's what Judi wanted me to do.

Councilmember Heine: But is that the way to go? I mean (inaudible), but tomorrow a disaster happens and we . . .

Mr. Ambler: Well, nothing that I've quoted . . . Let's separate the liability from the property. Everything in the property, you have a 3% wind and hail deductable, subject to a

minimum of $15,000.00. That's what you have for wind. You can't get a $2500.00 deductable for wind. Nobody sells it in Florida. We can raise that, but I don't think you want to raise that. I think $15,000.00 is the most you want to take on on a wind lost, if we have another Charley. You have to say, we could probably stand a $10,000.00, if a building burned down, we could probably stand a $10,000.00 loss. That's the way I think I would look at it and that would save some money. From the liability standpoint, because of sovereign immunity, you've got some built in protection and you might think it would be a reasonable assumption that you could lower some of these amounts since you don't have bad claims experience.

Mr. Wohl: What Lew, what we're talking about sovereign immunity, and you said you can't ever recall an auto or general with more than 50 and your current limit is $2,000,000.00 and what he's doing is, you could lower it to $1,000,000.00 and save yourself $3300.00 on auto and a little over $2,000.00 doing the same thing on general liability.

Mayor Frierson: That would bring it down to about (inaudible) . . .

Mr. Wohl: The same issues, essentially Lew's giving you options to save money by reducing your policy limits.

Mayor Frierson: We need some Council input on this.

Deputy Mayor Fink: Madam Mayor, I think that the property insurance is something that we should think about raising the deductable and the auto liability as well to lowering the limit to $1,000,000.00.

Mayor Frierson: Okay we lower the auto liability to $1,000,000.00 and the property, what are you talking about?

Deputy Mayor Fink: I'm leaning more towards the $25,000.00.

Mayor Frierson: The $25,000.00?

Deputy Mayor Fink: Yep. I believe that's reasonable. I would like to keep law enforcement and the political, the public official's liability fairly high just in case. You never know.

Mayor Frierson: Have we ever had a claim on that, Lew?

Mr. Ambler: Oh yes.

Mayor Frierson: Oh we have?

Mr. Ambler: Oh yes.

Mayor Frierson: A sizable one?

Mr. Ambler: They're going to be sizable.

Mayor Frierson: Shame on them.

Mr. Ambler: Well, I don't really want to talk about individual claims. This isn't the place for that, but, because I believe that's the one thing that's exempt from the Sunshine Law.

Deputy Mayor Fink: Yeah. I think we need to think about not going any lower than $3,000,000.00 on the public officials and the law enforcement, leave it where it is, but that's me.

Mayor Frierson: We're at 6 on law enforcement.

Deputy Mayor Fink: I understand, yeah. I figured we could drop that one down and keep the law enforcement at 6.

Mayor Frierson: Keep the law enforcement at 6?

Deputy Mayor Fink: Yeah.

Mayor Frierson: Does the Marshall want to weigh in on the law enforcement? Put you on the spot here, Marshall.

Marshall Anderson: Unfortunately, like was just said, if you do right, you're going to get sued and if you do wrong, you're going to get sued. So, I think leaving it the same is probably the best bet. I agree.

Deputy Mayor Fink: And I'm not saying it's right or wrong . . .

Marshall Anderson: I'm not saying you are. I agree with what you're saying. I mean, I've been there 25 years and it's an old case, I think I can talk about it. We got sued because we tasered somebody. We did nothing wrong at all. We followed the procedure. We followed state law. We did everything, the guy was resisting, he had a gun, we tased him and the insurance company thought it was best we settle out of court because it was cheaper. Perfect example.

(inaudible)

Deputy Mayor Fink: Considering the condition of the sidewalks in the downtown area, I would suggest for $2100.00, we might want to keep it as it is.

Mayor Frierson: I was thinking the same thing.

Mr. Wohl: For clarification for Lew, for each one that you kind of had a contingence on, maybe make a motion . . . (inaudible).

Deputy Mayor Fink: Madam Mayor, would you like me to make a motion?

Mayor Frierson: Yes

Mr. Ambler: You can make it all one motion, as far as I'm concerned (inaudible)

Deputy Mayor Fink: Madam Mayor, move the auto liability down to $1,000,000.00, general liability to stay at $2,000,000.00, the political liability to go down to $3,000,000.00, law enforcement to stay at $6,000,000.00, and property to go to a $25,000.00 deductable. Did I cover everything?

Mayor Frierson: You covered everything. That saves a little bit.

Deputy Mayor Fink: Considerably.

Mayor Frierson: Well yeah. How about it, Councilman Heine?

Councilmember Heine: That's fine.

Mayor Frierson: That sounds good?

Councilmember Heine: That's fine. Yes.

Mayor Frierson: We need a second.

Councilmember Heine: Second.

Mayor Frierson: Councilman Allen, do you want to weigh in on this?

Councilmember Allen: Do we have a second on it?

Mayor Frierson: Yes.

Councilmember Allen: No.

Mayor Frierson: Any comments from the public on it?

NONE

No discussion followed and it was unanimously, 4-0, approved.

Mr. Ambler: I'll have the administrator sign the forms indicating it. Okay, if I haven't glazed your eyes over enough, we're going to talk about workman's comp now. There are basically four options, five options in workman's comp. One is the fully insured plan with no deductable and that's what you have now. This sheet right here, let's see which one do I want to start with. This sheet right here outlines what the past 4 years would have been under a

$5,000.00, a $10,000.00, a $25,000.00 and a $50,000.00 deductable. There are per claim deductibles. What the cost, the first column on this sheet, the second column on this sheet, is the out of pocket money the City would have paid for claims under $5,000.00 on each one of those years. Then skip over to the $10,000.00, that's what it would have been, $25,000.00 and $50,000.00 is the same. If you go to this sheet right here, it gives you what, and I averaged what the cost was per year under each one of those plans and if you take each one, the deductable plans, and you apply, of course you get a premium credit when you take a deductable in workman's comp. If you apply the premium, factor in that credit, and you add the average cost of those 4 years, it gives what your total cost would be for your workman's comp under each plan. If you go to this sheet, it puts all that together and it takes the cost versus the savings that you get on the premium. Are these in color or black. I'm sorry black's not going to be able, you're not going to be able to see that. Everywhere it's black, the City would have lost money because you would have paid more out as the deductible part of the claim (inaudible).

Mayor Frierson: So you're saying 2011 and 2012, all of that is black.

Mr. Ambler: Yes, under all four options. That was a particularly bad year for claims, very bad for the City. The City had three or four substantial claims that year. Last year was very good. There's been some things done and I think that's going to continue. We've had a lot of good results from loss control. But, I'm not here to tell you to take one of these deductibles. I've seen institutions that had high workman's comp costs that took them and were happy and were glad they did and I've seen them cuss me for even telling them about it, even though I didn't make the decision.

Mayor Frierson: Kind of like being a council person.

Mr. Ambler: Right, but I don't know, last year if you'd had a $5,000.00 deductible, you'd have paid out $2427.00 in claims expense in that deductible. You'd have saved $7900.00 on your premium, so you'd have been $5500.00 better off to do that. Is that going to happen this year? I don't know if Sandy wants to wager on that or not. You don't know because people get hurt doing their job and that's what workman's comp is for. No matter, in the best of circumstances, no matter how careful, no matter how safety conscious you are, there are accidents and unfortunately workman's comp accidents can be very expensive. You don't have to take any action to keep it like it is. I'm just trying to make you aware of what's available in your favor.

Deputy Mayor Fink: Madam Mayor, because of the transition, I don't know if we want to change it. The stability factor might be, and I'm not suggesting, but the stability factor might be a play in this and I really don't want to put us in that area where we're going to end up paying rather than dealing with it frankly.

Mayor Frierson: Was the budget budgeted for full coverage?

Mr. Ambler: Yes.

Mayor Frierson: Well, then I would suggest we stay with full coverage and be happy we have it and be happy it's in the budget.

Deputy Mayor Fink: Until we have stability to . . .

Councilmember Heine: Motion to approve it.

Deputy Mayor Fink: Second.

No discussion followed and it was unanimously, 4-0, approved.

Mayor Frierson: One other question on the coverages, do you have any idea what the increase of that is going to be yet because we're going to (inaudible) with that?

Mr. Ambler: What did they come out?

Ms. Vitella: We still haven't gotten the final numbers.

Mr. Ambler: I thought we did last week.

Ms. Vitella: Renee was waiting on that the last I heard.

Mr. Ambler: I'm sorry, I did not bring that. I think they came in very close to what we presented.

Ms. Vitella: Yes, they're close to what you presented, but they're not exactly.

Mr. Ambler: I thought we had because we've got a policy number and cards issued and everything. I'm sorry. I didn't bring that.

Mayor Frierson: Could you e-mail it to us so we'll have some idea what we're looking at?

Mr. Ambler: Yes, I'll have Tommy do that tomorrow.

Mayor Frierson: Okay, that would be great. Thank you sir.

ADOPTED THIS ___ DAY OF FEBRUARY, 2014

By:

_____

Alice Frierson, Mayor

ATTEST:

_____

Penny Delaney, City Clerk

AGENDA No. 6

CITY OF ARCADIA
ADMINISTRATION DEPARTMENT
MEMORANDUM

TO: City Council and City Staff

FROM: Tom Slaughter, AIPC, Interim City Administrator

DATE: March 4, 2014

SUBJECT: Personnel Policy Manual & Organizational and Staff Improvements

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Personnel Policy Manual:

On February 6, 2014, the Arcadia City Council met with the City's senior management team to review the City's Personnel Policy Manual and discuss departmental and divisional staffing levels. Staff has prepared a listing of directed and recommended changes to the policy manual based upon input provided by the City Council. We have provided all changes in a legislative format (~~strike through~~ / underline) to depict proposed revisions. As agreed to by City Council, staff will present proposed changes, now, and in the future, at two public meetings. The first meeting will permit both City Council and city staff (who may be impacted by any such change or expectations from prior agreements) an opportunity to review in full all amendments prior to adoption. Assuming through this public inspection process agreement of proposed changes, City Council will approve by Resolution any such revision.

Upon acceptance by the City Council, the approved Personnel Policy Manual will be distributed to all City staff members for immediate implementation. Management team members will provide overview, training, program development, implementation, monitoring, and performance reporting responsibilities to all direct reports. I am confident that through a consistent and disciplined organizational improvement effort our City workforce will provide upgraded municipal service delivery to our customers, residents, and property owners.

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Prior Staff and Personnel Agreements:

1. Method of approval for future amendments to Personnel Policy Manual;
    a. By Resolution,
    b. Open public or special meeting,
    c. Requires prior public & staff notice,
    d. Placement on "Resolutions" section of Agenda.

2. Reporting and City Council approval of staffing decisions;
    a. Confirmation of director level positions by City Council
        i. City Administrator
        ii. City Clerk
        iii. Finance Director
        iv. City Planner
        v. Public Works Director
        vi. Utility Director
        vii. Golf Course Director

3. City Council review criteria of director–level candidates;
    a. Resume
    b. Application
    c. Certifications and Licenses

4. Listing of City Departments;
    a. Police
    b. Administration
    c. Community Development
    d. City Clerk
    e. Finance
    f. Public Works
    g. Utilities
    h. Golf Course

5. Management team members (Police Department by separate memorandum) and functional assignments;
    a. Director level positions:
        i. City Administrator
        ii. City Clerk
        iii. Finance Director
        iv. Planner
        v. Public Works Director
        vi. Utility Director
        vii. Golf Course Director

b. Management level positions:
    i. Deputy Finance Director
    ii. Capital Projects Manager
    iii. Facilities Manager
    iv. Systems Manager
    v. Parks Manager
    vi. Garage Manager

6. Approved contacts between the City's management team and City Council;
   (The following staff may engage, discuss, and confirm policy related matters with City Council members without prior consent of City Administrator. All other staff are directed to communicate through divisional management and departmental directors. City Council members have reciprocate allowances to seek information of city operations and services from same Director-level staff)
    a. City Administrator – Tom Slaughter
    b. City Clerk – Penny Delaney
    c. Finance Director – Beth Carsten
    d. City Planner – Carl McQuay
    e. Public Works Director – Steve Underwood
    f. Utility Director – AJ Berndt
    g. Golf Course Director – Mike Kotzker

7. Organizational and personal behavior improvement program;
    a. Establish a code of ethics to identify desirable moral quality,
    b. Set behavioral expectations and emotional intelligence enrichment strategies,
    c. Begin customer service and conflict resolution training,
    d. Reform staff's cash handling procedures,
    e. Create a financial fraud reporting program to eliminate corruption,
    f. Develop and maintain core organizational values through City Council and staff sponsored planned goal setting, retreats, and other team building exercises.

8. Educational requirements for all management team members;
    a. Identify minimum education, certification, and license requirements,
    b. Establish goals and strategies,
    c. Identify continuing education opportunities,
    d. Utilize annual evaluation process to identify education and skill attainment.

9. Functional or core skills within key work team areas;
    a. Establish an internal training program by management team for training junior level employees,
    b. Identify and use cooperative tasking and cross-training,
    c. Address service level impacts for planned and unanticipated absences and leaves.

10. Utilize succession planning to address anticipated departure of key staff members;
    a. Identify internal talent and grow from within,
    b. Identify performance goals and rewards/consequences for outcomes.

11. Establish Salary Parity with Competitive Agencies and Businesses;
    a. Consent to begin a Wage and Classification Study for directors, managers, and police command team,
    b. Review implementation costs as part as budget process.

12. Participation in other retirement systems including the Florida State Retirement System;
    a. Consent to examine management team buy in costs for directors, managers and City Council members,
    b. Review participations costs and benefits as part as budget process.

Personnel Policy Manual

CITY OF ARCADIA

Adopted: August 5, 1980
Adopted: September 20, 2011
Revised: July 1, 2013
Revised: September 3, 2013

Revision Draft Prepared on:
March 4, 2014

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PREFACE

The information contained in this manual outlines the personnel policies and procedures for the City of Arcadia government. This information should not be interpreted as all inclusive, as forming a commitment that any individual policy will be absolutely applied in all circumstances, or as an expressed or implied employment contract or agreement.

The City may add, revoke, or modify policies from time to time. The Human Resources Department will make every effort to notify employees of such changes in a timely manner. **However, on occasion it may be necessary to implement and make effective such policy** changes prior to distribution of the revised information.

This manual is the property of the City of Arcadia, and a copy is assigned to each department director and supervisor rather than to the individual occupying the position. Upon separation from the City, the manual should be returned to the department director (or City Manager in the case of a department director) for redistribution to a new employee.

When the pronoun "he" is used throughout this manual its reference is generic and does not imply any sexual bias by the City of Arcadia or any of its employees.

~~This manual has been developed and revised by the Human Resources Department:~~

~~With assistance from: City Administrator and City Attorney~~

~~Any questions regarding the information contained in this manual should be directed to the Human Resources Department.~~

CHAPTER 1 - PURPOSE

The Arcadia City Council believes it to be in the best interest of the public and of most benefit to the employees of the City of Arcadia, herein referred to as the "City" to have established policies.

- That fair and equitable treatment of all employees will be maintained in all areas of personnel matters
- That the administration of city services will be conducted with integrity and concern for the individual employee
- That the public interest will best be served by having a personnel system which recognizes individual worth and applies objective and equitable policies, procedures and practices
- It shall be the policy of the Council to promote present employees within the organization whenever openings occur and there is a qualified employee to advance
- The Council encourages, when feasible, the advancement and training of present employees to prepare for the furtherance of career and personal goals
- The City will comply with the state and federal EEO statues and regulations.

1.10 REVISIONS

Revisions or amendments to these policies may be initiated by the City Council, a City elected official or the City Administrator and will become effective upon adoption by the City Council.

1.15 CHARTER OFFICES

These personnel policies apply to all employees of the City except where pre-empted by Florida Statutes or other state agency regulations. The City Marshal shall be responsible for the implementation, maintenance and legal compliance of the activities of the police department.

1.20 CITY ADMINISTRATOR

The City Administrator, by City Code, is charged with the personnel affairs of the City.

CHAPTER 2 - RECRUITMENT

2.10 EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City to provide equal employment opportunity to all people without regard to race, color, religion, national origin, gender, pregnancy, age, disabilities, or Vietnam Veterans, and to promote the full realization of that policy through a positive, continuing program to be known as the City Affirmative Action Plan. The City is fully committed to assuring equal opportunity and equal consideration to all applicants and employees in personnel matters, including recruitment, selection, hiring, training, layoff or termination. In the implementation of this policy, the City will aggressively seek personnel for all job levels within the organization through upgrading and recruitment from minority group members. No questions in any application form, examination or other proceeding shall educe information not related to the position or as may be required by law for reporting purposes.

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

2.15 POSITION VACANCIES

All position vacancies shall be advertised in such places as the local media on the City's Bulletin Board and City website. The legend "An Equal Opportunity Employer" and "A Drug-Free Work Place" shall appear on all advertisements.

2.20 PROMOTIONS

The City Council believes it to be in the best interest of the City, the public and the career employees to promote present career employees within the organization rather than recruit new employees for higher level positions. This policy shall be observed whenever advancement opportunities occur and there is a qualified employee in the City service. Satisfactory performance evaluations for the two, most recent consecutive years shall be documented in the employees personnel file at the time of promotion or advancement.

2.25 TRANSFERS

The City Council encourages employee transfers for the purpose of increasing job knowledge and skills in preparation for advancement and promotion.

2.30 TRAINING

The City Council encourages the furtherance of employee career goals through continued educational training. Consideration will be extended, when feasible, in duty hours and other position requirements to assist employees in their endeavors.

2.35 PERFORMANCE EVALUATIONS

Performance Evaluations will be done at least once a year. Evaluations will be done ~~January~~ during that time in which personnel budget resources are being considered for the review period of ~~(January thru December)~~ of the previous year; Department Heads shall rate and discuss the overall job performance with each employee. The performance evaluation evaluates quantity of work, quality of work, work habits and relationships with fellow employees and the public. If the employee is a Department Head, his/her supervisory ability is also evaluated.

The employee may submit a written rebuttal statement as part of the evaluation, which shall then become a part of the complete evaluation form; and such statement shall remain in the employee's personnel file according to the State's retention schedule.

2.40 EXAMINATION

All appointment and promotion decisions shall be made by the department head, with the City Administrator's approval, on a job related merit basis. A written evaluation of applicant's knowledge, abilities and skills is to be performed and become part of the applicant's file. One or a combination of any or all of the following evaluation techniques may be used.

- Physical skills tests.
- Written examination of job knowledge.
- Oral interview and evaluation of applicant's abilities.
- Objective evaluation of formal education, vocational training and work experience as related to position requirements.

CHAPTER 3 - CONSIDERATIONS FOR EMPLOYMENT

3.10 AUTHORITY

All non-exempt employees shall be selected by or at the direction of the appropriate Department Head. The City Council, as provided for within the City Charter, and through these personnel provisions shall have review and approval authority for the recruitment, hiring, disciplinary and other personnel actions for certain exempt, director-level positions. The positions of the following exempt classes are herby indentified:

- City Administrator.
- City Clerk.
- Finance Director.
- Public Works Director.
- Utilities Director.
- Golf Course Manager.

The City Council shall appropriate funds for personnel salaries as a part of the annual budgeting process.

3.15 QUALIFICATIONS

- Employees shall be a U.S. citizen or legally authorized to work in the United States.
- Employees must not be less than eighteen years of age.
- Once a conditional job offer has been made, a drug free work place certification is to be completed by each prospective employee. All appointments are made subject to a physician's statement that the applicant is physically able to perform the duties of the position and is drug free. The employee physical examination cost shall be borne by the City.

3.20 STATUTORY REQUIREMENTS

When positions having state or federal mandated requirements of age, personal character, training, certification or other position related restrictions, they will be observed in the employment practices of the City. The City Marshal may impose additional requirements for police officers and civilian police department personnel.

3.25 EMPLOYMENT OF RELATIVES (ANTI-NEPOTISM)

Florida Statutes, Chapter 112.3135(A)(1)(d), severely restricts the employment of relatives (in the same political sub-division) of public officials. "Public Officials" being defined as including any employee with the authority to make recommendations for the appointment, employment, etc. The statute definition of "relative" includes the immediate family as well as more remote kin. Compliance with the statute is mandatory and penalties are provided. The City Council confirms that the City will comply with the statute in its employment practices. There shall be no more than one (1) family member employed within a department, as defined in 112.3134(A)(1)(d) of the Florida Statutes. After the effective date of this section it is the policy

of the City that no two members of the same immediate family are to be employed within the same department. Further, if two employees change their family relationship by marriage, adoption or other means so as to come in conflict with these prohibitions, one of them shall be transferred to a different department if possible or separated from City service.

3.30 PROBATIONARY PERIOD

All employees shall be hired subject to the satisfactory completion of a probationary period. Employment may be terminated during the probationary period without cause and with no appeal rights on the part of the employee, and with no accrued leave benefits payable. The initial probation period shall be three (3) months but may be extended up to a maximum of six (6) months at the discretion of the Department Head based on a written evaluation of performance within the initial three months. Certified Law Enforcement personnel shall serve a probation period as designated by the department head in accordance with Florida Statutes or other state agency regulations.

3.35 PROBATIONARY PERIOD EVALUATION

All probationary employees to budgeted positions will be evaluated at least once prior to the appointee being classified as a budgeted employee. This evaluation shall be performed by the Department Head and/or Human Resource Manager. A standard objective written form shall be used. A satisfactory performance rating is required before budgeted appointment may be approved. A marginal or unsatisfactory performance evaluation during the probationary period shall be cause for a 3 month extension of the probationary period or dismissal at the discretion of the Department Head with the Human Resource Manager's approval.

3.40 VETERAN'S PREFERENCE

Veterans, spouses of totally and permanently disabled veterans, and spouses of Missing in Action persons shall receive preference in employment and, in retention should a layoff occur. This preference is in compliance with "Veteran's Preference in Appointment and Retention in Employment" rule, Chapter 22VP-1 of the Florida Administrative Code.

CHAPTER 4 - TYPES OF POSITIONS

4.10 PROBATIONARY
All new employees are appointed on a probationary basis and may be separated from service without cause at any time during the probationary period.

4.15 BUDGETED
Employees who have satisfactorily completed the probation period shall accrue leave benefits from the original employment date.

4.20 TEMPORARY-SEASONAL
Employees may be hired to meet a temporary need with approval of the City Administrator. City Council approval shall be necessary if funding amendments are required. Temporary/seasonal employees shall be for a maximum of six (6) calendar months. Temporary/seasonal employees shall not accrue paid leave benefits, paid holidays, rights of re-employment or any other protections. They are eligible to compete for vacant, budgeted positions in the City service, and if hired into a budgeted position will accrue benefits from the date of hire into that budgeted position. The Probationary period shall start from the date transferred to the budgeted position.

4.25 EMERGENCY
Department Heads, with the approval of the City Administrator, may recruit and employ personnel to meet immediate needs involving public safety or welfare, such as disasters. Such appointments are temporary in nature and will be utilized until such time as normal operations are resumed. No benefits of any sort are attached to the positions. The City Council will be informed for the need and the appointments at the earliest opportunity and approve the actions taken. Routine employment procedures shall be waived for emergencies.

4.30 VOLUNTEERS
Voluntary personnel are directly appointed and serve at the direction of the Department Head. No career protection or benefits are attached to these positions, however; the volunteers are expected to observe the conduct and ethics requirements of these Personnel Policies, and to comply with departmental rules, procedures and policies.

4.35 FEDERAL-FUNDED POSITIONS
Federal funded positions are not designated as having budgeted status. These positions are subject to the Probationary Period as described above. These employees may compete for budgeted positions in the City service.

4.40 EXCLUSIONS
Elected officials, members of appointive boards, professional consultants and contractors are not classified as employees of the City. Federal and State statutes and regulations mandate

certain restrictions of conduct, ethics, political activity and financial disclosure of elected and appointed officials.

4.45 EXEMPT EMPLOYEES

Exempt employees are those executive, professional, managerial, or administrative employees within the organization who are exempt from wage and hour law requirements and are not paid overtime or compensatory time for hours worked over forty (40) hours in a seven (7) day period.

4.50 NON-EXEMPT EMPLOYEES

Non-exempt employees are support personnel who are eligible for overtime and compensatory time payment at the rate of one and one-half times the regular hourly rate for actual work required beyond forty (40) hours in a seven (7) day work week.

4.55 OUT-OF-TITLE

It shall be the policy of the City to compensate employees who take on the majority of the responsibilities of a higher level position for an interim or temporary period in a full or part-time capacity.

- When an employee is required to assume the majority of the responsibilities for a higher classification or pay grade for more than five (5) days, the employee shall receive a 5% pay increase or the comparable pay grade for the job classification they are performing, whichever is higher.
- The Department Head shall notify the Human Resource Manager when an employee has assumed the additional responsibilities for more than five (5) days and the additional compensation shall be determined by the Human Resource Manager/designee.
- All interim or temporary assignments of this nature shall not last more than six (6) months. Interim or temporary assignments extending beyond the six (6) months must be approved by the City Council.
- The supplemental salary increase will be retroactive to when the employee assumed the additional duties and shall cease when the employee no longer provides the majority of the responsibilities of the higher level position in a full or part-time capacity.
- When an employee is required to perform work in a lower classification or pay grade for a period of time, he/she shall receive his/her regular rate of pay for all such lower rate work performed.

CHAPTER 5 - CONDITIONS OF EMPLOYMENT

5.10 WORKWEEK

The standard full time work week for all departments is forty hours.

5.15 DEPARTMENT RULES AND REGULATIONS

Each Department Head in conjunction with the Human Resource Manager will formulate written rules concerning the operation of the department. The following areas may be considered:

- Hours of work, lunch and coffee breaks.
- Working relationships with the public.
- Working relationships with other employees.
- Cash handling, office security, files security.
- Safety rules and accident reporting.
- Trip authorization and sign out policy.
- Absence reporting.
- Leave approval procedures. (sick leave, emergency, etc)
- Personal activities during work time.
- Use of telephone and long distance calls.
- Use of City equipment, vehicles and supplies.
- Written report preparation, departmental forms and procedures.
- Overtime work may be required occasionally in emergency situations.
- Need for on-call rotation
- Exempt or non-exempt status

5.20 OUTSIDE EMPLOYMENT

The work of the City will take precedence over any other occupational interests of employees. During regular hours of work or when on call, such outside employment shall not be detrimental to performance of City's work. No employee shall accept outside employment, either incidental, occasional or otherwise, where City time, equipment or materials is to be used or where such employment or any part thereof is to be performed on City time.

All outside employment for salaries, wages, commissions and all self-employment is subject to the approval of the appropriate Department Head. The employee shall submit the request, in writing, furnishing all pertinent information. The Department Head and City Administrator may approve or disapprove, depending on the expected result in the employee's City position. Permission granted may be withdrawn if it is determined there has been an unfavorable result in the employee's work. Before approval is granted it will be necessary to assure there is no conflict of interest in the outside activity.

5.25 OVERTIME PAY

Overtime work may be required occasionally, and is mandatory when requested. It is the policy of the City that all work in the excess of 40 hours per week for non-exempt employees are compensated at the fringe benefit rate of one and one-half times the regular hourly rate of the employee. Paid leave time is not eligible for classification as overtime worked or accrued during the pay period, i.e., vacation leave, sick leave. This applies to all positions except Department Heads and professional level positions. Professional level positions shall include but not be limited to Administrative Supervisors, Police Department Personnel, Department Heads and other classifications in accordance with CFR §778. Prior approval for overtime work must be given by the Department Head and reported on the weekly time sheet of the employee. Failure to receive approval prior to working overtime will result in disciplinary action up to and including discharge from service. Overtime pay may be paid to exempt employees, at their request, during natural or manmade disasters.

5.30 TRAVEL REIMBURSEMENT

Allowable expenditures, as approved by the City Council, must be consistent with Florida Statutes and reimbursable at the prevailing CONUS rate.

- Employee requests are approved by their Department Head and City Administrator.
- Department Head requests are approved by the City Administrator.

5.35 TIME SHEETS

All non-exempt employees will sign a pay period time card and/or sheet. It is each employee's responsibility to clock in and clock out correctly. If you fail to clock in or clock out correctly, your Department Head must be notified immediately so that the error can be corrected. It is your responsibility to ensure that your time worked record includes all hours that you have worked. Each Department Head will review, certify, sign and be held responsible for turning in a correct time sheet of the department's employees.

Falsifying your own time record or that of another employee is prohibited and is ground for disciplinary action up to and including termination. You may not clock in or out for another employee.

5.40 LEAVE REQUESTS

Leave Request Forms, properly executed for paid and unpaid leave time, must be submitted five working days in advance of the leave date or as otherwise approved by the Department Head. This applies to all employee leave requests except emergency situations.

5.45 SIGNATURE REQUIRED

No employee shall sign another employee's name to any time card, time sheets, leave request or any other personnel action form. Violation of this policy will result in disciplinary action up to and including discharge from service.

5.50 JOB INJURY

It is the policy of the City that immediate medical attention be given to an employee injured while at work. **ALL EMPLOYEE INJURIES,** however small, **MUST** be reported to the department head **AT ONCE.**

5.55 VEHICLE ACCIDENT REPORTS

ALL VEHICULAR ACCIDENTS regardless of resulting injury to employees or other people, and/or damage to public or private property, equipment or vehicles **MUST BE REPORTED IMMEDIATELY**. The Department Head shall investigate or cause to investigate all such occurrences where possible monetary claims may be made against the City, disciplinary action initiated or legal actions instituted. This policy applies equally to those employees who may be involved, witness or has direct knowledge of any such incident. An accident investigation form shall be completed and submitted to the Human Resource Manager.

(Also see Chapters 17 Service Connected Injury & Chapter 24 Safety

5.60 ON-CALL PROCEDURES

Certain departments have a need to maintain an on-call employee to cover after hour repairs and other type emergencies. Department personnel must accept this duty on a rotating basis as a condition of their employment with the following conditions:

- Response time must be within 45 minutes of having received the call
- The employee must punch in and out on their time card
- Employees designated as on-call must refrain from any alcoholic consumption during their on-call rotation
- Employee must remain within cell phone range to accommodate a maximum 45 minute response time.

Each employee designated as the on-call contact will be compensated for one hour of their hourly rate of pay per day (24 hour period) in addition to a rate of one & one-half times his/her normal rate of pay for hours worked in excess of forty hours.

In the event the on-call employee requires additional assistance to repair or contain the problem associated with the call out, his/her Department Head should be contacted.

Any infraction of these regulations shall result in forfeiture of all non-work minimum rates for that week, a written reprimand and three days suspension without pay.

CHAPTER 6 - STANDARDS FOR CONDUCT AND ETHICS

Each employee is a representative of the City and should bear in mind that public taxes help pay their salaries and therefore they are expected to conduct themselves to reflect credit on the City and its work force.

6.10 CONFLICT OF INTEREST

No employee shall have a direct or indirect financial, personal, business or other interest that conflicts or appears to conflict with public duties and responsibilities or engage in a financial, personal, business or other transaction as a result of relying on information obtained through employment. Florida Statutes, Chapter 112.317 and seq. provide penalties for conflict or interest violations.

6.15 CONSERVATION

All employees are expected to be aware of the need to conserve the fuel, equipment, supplies and energy resources of the City. Each department head shall make positive and continuing efforts to contain costs and reduce consumption. It shall be the responsibility of each employee to look for and implement conservation measures/energy savings wherever possible. Possibly the most important change an employee could bring to the workplace is a change of attitude regarding conservation. To reduce energy waste, employees must make energy conservation a priority. Once motivated, the employee should help motivate their fellow workers. Some ways to encourage energy conservation attitudes of others include:

- Set a good example by turning off lights and machinery when not in use
- Use CFL bulbs, natural lighting and desk lighting when possible
- Utilize electronic documents and mail whenever possible to conserve natural resources and printing supplies
- Following suggested heating and cooling practices.
- Display posters or slogans regarding energy conservation around the office or building as a reminder to others.
- Conserve resources by using a tablet for consecutive or daily notes, rather than repeatedly using one-time use "sticky-notes"
- Carpool to work, job sites or lunch. Plan trips to various locations in a systematic order so as not to waste fuel by backtracking
- Conduct energy conservation meetings from time to time so that others can contribute ideas which may help save energy dollars

6.20 GRATUITIES

No employee shall solicit or accept any valuable thing; regardless of its nature, in connection with City employment, from any person, partnership, corporation or their entity, that may tend to influence the employee in the performance of duties.

6.25 PAYMENT FROM OTHER PUBLIC FUNDS

No budgeted employee may receive additional compensation from the City for services rendered to other public or private organizations receiving City connected local, state and/or federal financial support.

6.30 USE OF GOVERNMENT PROPERTY

Employees are not allowed to use City property of any kind for personal use for any reason.

6.35 USE OF TELEPHONES AND LONG DISTANCE CALLS

Telephones shall be used for City business and emergency use only. Long distance calls should only be made by authorized personnel and for a legitimate business purpose.
(Also see Chapter 25 Cellular Telephones and Other Portable Communication Devices)

6.40 ABSENCES FROM WORK / TARDINESS

Any employee who is not at work during the approved hours shall be considered unexcused, unless such absence is approved by the Department Head. Tardiness, which is an unexcused absence from work, shall cause an employee to be penalized in quarter hour (15 minutes) increments for each fraction of such period absent. Repeated tardiness including extended lunch periods and unexcused absences is significant to operational effectiveness and is grounds for disciplinary action against the employee.

6.45 USE OF GOVERNMENT INFORMATION

No employee shall use or allow the use of official information gained through employment, which has not been made available to the general public, for furthering a private interest of any sort.

6.50 EXPECTATION OF PRIVACY

Florida has a very broad public records law, and communications, including anything sent to, from, or stored on the City's computer or server is subject to public disclosure. In addition, working for a public entity provides very little expectation of privacy. Employees should not bring, store, retain, or file personal information in a city office, vehicle or computer. Similarly employees should not send, store, retain, or file City information on a personal (home) computer as this may result in the personal (home) computer becoming subject to public disclosure along with all information contained therein.

6.55 SEXUAL HARASSMENT / DISCRIMINATION / HOSTILE WORK ENVIRONMENT

The City is committed to providing workplaces that are non-discriminatory and afford equal treatment to all. The City will not condone or tolerate illegal discriminatory behavior and specifically prohibits sexual harassment, discrimination, and creation of or participation in a hostile work environment in any form by any member of the City Council, Administration, staff, or employee. This includes sexual harassment and any other type of harassment or discriminatory conduct based on race, color, national origin, religion, gender, marital status, age, citizenship or disability (protected class).

Employees shall not engage in conduct which violates this policy at any time during working hours or on City premises while off duty.

All administrative and Department Head personnel are expected to abide by the City's commitment to equal opportunity and treatment under the law and to ensure that this policy is fully implemented and enforced. Such conduct may result in disciplinary action up to and including termination of employment.

For purposes of this policy, sexual harassment is defined as unwelcome advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or promotion, (2) submission to or rejection of such conduct by an individual is used as a basis for employment or promotion/demotion affecting that individual, or (3) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Further, the City's policy prohibits inappropriate and/or offensive conduct that may not be severe enough to satisfy the legal definition of sexual harassment.

Specifically, no person shall, and no person has the authority to, imply or state, either directly or indirectly , to any individual, that an individual's refusal to submit to sexual advances will adversely affect any term or condition of a person's employment or professional future. Moreover, no Councilmember, administrator, or Department Head employee shall or has the authority to promise or suggest, either directly or indirectly, that a person's submission to sexual advances will result in improvement as a condition of employment or promotion.

Other sexually harassing behavior, regardless of how conducted or communicated, even if done in the guise of humor, is also prohibited. Such behavior includes, but is not limited to, verbal abuse of a sexual nature (e.g. cat calls, sexual/sexist jokes, comments regarding a person's attire, body or reputation); offensive touching (e.g. brushing, grabbing, pinching); propositions; sexual flirtations; displaying lewd or graphic material; or displaying or discussing materials pertaining to males or females in a demeaning manner.

Illegal harassment or discriminatory conduct can be any verbal or physical conduct that belittles or otherwise shows hostility or aversion toward an individual or group based upon that individual's or group's race, color, religion, gender, national origin, marital status, age, citizenship or disability, and that for a reasonable person:

- has the effect of creating an intimidating, hostile, or offensive work environment; or
- has the effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's terms and conditions of employment.

Examples of illegal harassment include, but are not limited to, epithets, slurs, jokes, negative stereotyping, or other acts which are threatening, intimidating, or hostile in nature, that relate to a protected class, or any display of written or graphic material such as photographs or

cartoons that belittles or shows hostility or aversion toward an individual or group because of the same.

Due to the severity of illegal discriminatory conduct, and the legal questions which are often involved in investigating such conduct, the procedures in this policy shall be used in investigating and dealing with illegal discrimination complaints. The City's general Complaint Procedure shall not be used to address such complaints.

Any employee who believes that a hostile work environment exists or that discriminatory or sexual harassment has occurred should immediately report the incident to the Human Resource Manager. The City takes all of these matters very seriously and will conduct a prompt investigation of all complaints and take appropriate action based upon that investigation. Any employee found to have engaged in any form of the above will be subject to appropriate disciplinary action, up to and including termination of employment. Absolute confidentiality cannot be guaranteed. However, every effort will be made to handle all complaints and investigations with as much discretion and confidentiality as circumstances permit. The City will not tolerate any retaliation against any employee for making a complaint, bringing inappropriate conduct to the City's attention, or for participating in an investigation of an alleged act of harassment.

The U.S. Equal Employment Opportunity Commission has issued guidelines which treat sexual harassment as illegal sex discrimination under the Civil Rights Act of 1964. The City agrees with the intent of these guidelines because effective relationships among elected officials, the Administrator, Department Head, and subordinate personnel must be based upon mutual respect.

6.56 WORK PLACE VIOLENCE POLICY

The City seeks to provide a work environment free from violence or threats of violence against individuals, groups, or employees, or threats against City property-including domestic violence that may occur on our property. This policy requires that all individuals on City premises or while representing the City conduct themselves in a professional manner consistent with good business practices and in absolute conformity with non-violence principles and standards.

For purposes of this policy, workplace violence is defined as a single behavior or series of behaviors which constitute actual or potential assault, battery, harassment, intimidation, threats or similar actions, attempted destruction, or threats to City or personal property; which occur in a City workplace, while using City resources, at a City work location, or while an individual is engaged in City business.

The City strictly prohibits use of violence or threats of violence in the workplace and views such actions very seriously. The possession of weapons in the workplace, threats, threatening or menacing behavior, stalking, or acts of violence against employees, visitors, guests, or other individuals by anyone on City property will not be tolerated. Violations of this policy will lead to

disciplinary actions up to and including termination of employment and the involvement of appropriate law enforcement authorities as needed.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City premises shall be removed from the property as quickly as safety permits, and may be asked to remain away from City premises pending the outcome of an investigation into the incident. People who commit these acts outside the workplace but which impact the workplace are also violating this policy and will be dealt with appropriately. The City reserves the right to respond to any actual or perceived acts of violence in a manner we see fit according to the particular facts and circumstances.

When threatening behavior is exhibited or acts of violence are committed, the City will initiate an appropriate response. This response may include, but is not limited to, evaluation by City Employee Assistance Professionals and/or external professionals, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person/persons involved.

No existing City policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing.

6.57 REPORTING PROCEDURE

City personnel are responsible for notifying the designated management representative of any threats which they have witnessed, received, or have been told that another person has witnessed or received-including those related to domestic violence. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a City controlled site or is connected to City employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. If the designated representative is not available, personnel should report the threat to their supervisor or another member of the management team.

The City understands the sensitivity of the information requested and has developed confidentiality procedures, which recognize and respect the privacy of the reporting employee(s). Consistent with the values of the City, people should take action in ways that maintain respect and dignity for individuals while acting in an accountable and swift manner to address the situation.

RESTRAINING ORDERS OR DOMESTIC VIOLENCE INJUNCTION

All individuals who apply for and obtain a protective or restraining order which lists City locations as being protected areas, must provide to the designated management representative a copy of the petition and order.

DESIGNATED MANAGEMENT REPRESENTATIVE

Title: ~~Human Resource Manager~~ City Administrator
Department: Administration
Telephone: 863-494-4114
Location: 23 N. Polk Avenue, Arcadia, FL 34266

6.58 DOMESTIC VIOLENCE AND THE WORKPLACE

The City recognizes impact of Domestic violence on the workplace. Domestic violence is defined by the City as abusive behavior occurring between two people in an intimate relationship. It may include physical violence, sexual, emotional, and psychological intimidation, verbal abuse, stalking, and economic control.

The City is committed to heightening awareness of domestic violence and providing guidance for employees and management to address the occurrence of domestic violence and its effects on the workplace.

The City intends to make assistance available to employees involved in domestic violence. This assistance may include: confidential means for coming forward for help, resource and referral information, special considerations at the workplace for employee safety, work schedule adjustments, or leave necessary to obtain medical, counseling, or legal assistance, and workplace relocation (if available). In responding to domestic violence, the City will maintain appropriate confidentiality and respect for the rights of the employee involved.

The City intends to publish, maintain, and post in locations of high visibility, a list of resources for Department Heads and perpetrators of domestic violence.

The City will not deny job benefits or other programs to employees based solely on domestic violence related problems. When employees confide that a job performance or conduct problem is related to domestic violence, in addition to appropriate corrective or disciplinary action consistent with City policy and procedure, a referral for appropriate assistance should be made to the employee.

6.59 LEAVE OPTIONS FOR EMPLOYEES EXPERIENCING THREATS OF VIOLENCE

The City will make every effort to assist an employee experiencing threats of violence. If an employee needs to be absent from work due to threats of violence, the length of the absence will be determined by the individual's situation through collaboration with the employee and the Department Head with notification to the Human Resource Manager.

Employees and Department Heads are encouraged to first explore paid leave options that can be arranged to help the employee cope with the situation without having to take a formal unpaid leave of absence. Depending on circumstances, this may include:

- Arranging flexible work hours so the employee can seek protection, go to court, look for new housing, enter counseling, arrange child care, etc.
- Considering use of sick time, job sharing, compensatory time, paid leave,

informal unpaid leave, etc., particularly if requests are for relatively short periods.

6.60 SUGGESTED PROCEDURES FOR SAFETY AND PROTECTION OF EMPLOYEES EXPERIENCING THREATS OF VIOLENCE

EMPLOYEE

- Encourage the employee to save any threatening e-mail or voice-mail messages. These can potentially be used for future legal action, or can serve as evidence that an existing restraining order was violated.
- The employee should obtain a domestic violence injunction that includes the workplace, and keep a copy on hand at all times. The employee will provide a copy of the injunction to his/her Department Head and the Human Resource Manager.
- The employee should provide a picture of the perpetrator to reception areas and/or security.
- The employee should identify an emergency contact person should the employer be unable to contact the victim.
- If an absence is deemed appropriate, the employee should be clear about the plan to return to work. While absent, the employee should maintain contact with the appropriate Human Resource Manager.

EMPLOYER

- Arrange the victim to have priority parking near the building.
- Have calls screened, transferring harassing calls to security-or have the employee's name removed from automated phone directories.
- Limit information about employees disclosed by phone. Information that would help locate a victim or indicates a time of return should not be provided.
- Relocate the employee's workspace to a more secure area or another site.
- The employer should have trained EAP professionals or external professionals assist the employee with development of a safety plan

Work with local law enforcement personnel, and encourage employees to do so regarding situations outside the workplace.

6.61 PROCEDURE FOR INVESTIGATING AND RESOLVING SUCH CLAIMS

- The City establishes the following procedure for investigating and resolving claims of unlawful harassment, including discrimination, sexual harassment, or other types of claims or problems dealing with improper personal behavior, which either has caused, or in the opinion of management, has the potential of causing disruption or interference with the operation of the City. All employees have been informed as to the City's policy concerning unlawful harassment. All management has been advised concerning improper personal involvement with others and behavior towards others. If the allegation or claim is against the City Administrator, then the investigation will be handled by the City Attorney or his designee.

- Any employee or applicant who believes that he or she is being or has been illegally discriminated or retaliated against or harassed must file a timely written complaint with the Human Resource Manager To the extent the City maintains an official form for the purpose of filing a charge under this section, such form must be used. Departmental directors, managers and supervisors are responsible for bringing any allegations or concerns related to potential cases of illegal discrimination or harassment to the immediate attention of the Human Resource Manager.
- The Human Resource Manager will be responsible for evaluating all complaints under this policy and making the determination on whether or not an internal investigation is warranted. In cases where such an investigation is determined to be warranted, the City Administrator will designate an appropriate person or persons who shall be responsible for conducting a prompt, thorough and objective investigation.
- Employees questioned during the course of an investigation are obligated to cooperate in a full and honest manner. No employee shall face any form of reprisal for making a complaint or for his or her cooperation with an internal investigation. Employees who either refuse to cooperate in an internal investigation, or who intentionally give false information at any point within an investigation, shall be subject to disciplinary action.
- Once an internal investigation has been concluded, the Human Resource Manager will review the investigator's written report with the City Administrator and appropriate senior staff, to include the department director(s) at-interest and a representative of the City Attorney's Office. This panel will determine the remedial action to be taken, if required. A final written report containing final findings and the actions taken will be generated at the conclusion of the investigation and review, with a copy provided to the complainant. Individuals against whom allegations were raised will likewise be entitled to receive a copy of the final report upon request.
- Once an investigation has been concluded, it shall be the responsibility of the department director at-interest to implement the remedial actions which were determined by the review panel to be appropriate. The Human Resource Manager shall be responsible for monitoring the workplace situation, and should be contacted by the complainant or other affected parties if they at any point feel that either retaliation is taking place or the illegal behavior is continuing.
- This internal complaint and investigation process does not preclude an aggrieved employee from filing a complaint with the United States Equal Employment Opportunity Commission and/or the Florida Commission on Human Relations. However, failing to utilize this internal procedure may under the law result in the loss of important legal rights.

6.65 INFORMATION TECHNOLOGY / INTERNET

The purpose of this policy is to define the appropriate use of the City's computer and network resources. It applies to access to the internet, the city network, and the use of City computer resources at any location from any device. The City authorizes the use of computing and network resources by City employees in connection with the transaction of official business and

all use must be consistent with the intent and requirements of all City policies and carried out in an ethical, legal and responsible manner.

The City purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the City does not have the right to reproduce such software for use beyond the licenses purchased by the City. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City prohibits the illegal duplication of software and its related documentation.

The City's Information Technology contractor or staff will arrange for City-wide connections to the internet. He/she/they will maintain and administer the link to the internet and the internet client software. He/she/they will also monitor the connection, traffic levels, illegitimate access attempts and response times to optimize performance and notify management of problems requiring attention.

Use of the Internet from a City computer shall not:

- be used for on-line shopping unless the purchase of which is a legitimate business expense;
- be used to access or participate in social networking including but not limited to Facebook, MySpace, Twitter;
- be used for on-line dating sites including but not limited to eHarmony, Match.Com; or
- be used for on-line auctions such eBay, Craigslist, etc.

Violation of this policy is grounds for disciplinary action up to and including termination.

6.66 SOCIAL MEDIA AND NETWORKING SITES

Social media and networking sites shall be defined by this policy as: various forms of discussion and information sharing technologies including social networks, blogs, video sharing, podcast, wikis, message boards and online forums. Social media applications include, but are not limited to, Google and Yahoo Groups, My Space, Facebook, You Tube, Flickr, Twitter, LinkedIn, and blogging (You Tube may be used for training purposes only).

The City recognizes that its employees may choose to participate in social media and networking sites. To the extent City employees choose to communicate on these sites, such participation shall not occur during a City employees working hours. Unless specifically authorized by the Department Head, City employees are prohibited from using City equipment to access social media and networking sites. City employees using these sites should assume that information posted on these sites will become public information, and therefore should use these sites responsibly. Employees who participate in social media and networking site communications may not attribute any personal statements, opinions or beliefs to the City when engaging in such communication. Employees shall not post any material that would constitute harassment, hate speech, or libel; nor shall Employees use ethic slurs, profanity, and personal insults or engage in conduct on the social media and networking sites that would not

be acceptable in the City's workplace. City employees shall not create a social networking site to conduct City business unless specifically authorized by the City Administrator.

6.70 EMAIL POLICY

Email is the electronic transfer of information, typically in the form of electronic messages, memoranda and attached documents, from a sending party to one or more receiving parties by means of an intermediate telecommunications system. Email is a convenient, preferred form of communication for many reasons, such as it does not disrupt a thought, work product, impending deadline or conversation; further it allows the recipient to read, research and respond at his/her convenience, it does not waste valuable resources on transitory type messages, and yet it provides a documented means of communication.

Email which is created or received by a city employee, councilmember, or members of advisory boards, committees and task forces (hereinafter referred to as "Users") in the transaction of city business is considered a public record and is subject to inspection and/or copying in accordance with *Florida Statutes* Chapter 119 and is subject to applicable state retention laws and regulations, unless expressly exempted by law.

Email is for the use of Users in the performance of their respective positions. Therefore users should limit the use of their city email account to the transaction of official business. Specifically, unauthorized purposes include but are not limited to:

- Sending solicitations including but not limited to the sale of goods or services or other commercial activities not in connection with the transaction of official business of the city;
- Sending copies of documents in violation of copyright laws or licensing agreements;
- Sending information or material prohibited or restricted by government security laws or regulations;
- Sending information or material which may reflect unfavorably on the city or adversely affect the city's ability to carry out its mission;
- Sending information or material which may be perceived as representing the city's official position on any matter when the authority to disseminate such information has not been expressly granted;
- Sending confidential or proprietary information or data to persons not authorized to received such information;
- Sending messages or requesting information or material that is fraudulent, harassing, obscene, offensive, discriminatory, lewd, sexually suggestive, sexually explicit, pornographic, intimidating, defamatory, derogatory, violent or which contains profanity or vulgarity, regardless of intent. Among those which are considered offensive are jokes, slurs, epithets, pictures, caricatures, or other material demonstrating animosity, hatred, disdain, or contempt for a person or group because of race, color, age, national origin, gender, religious or political beliefs, marital status, disability, sexual orientation, or any other classification protected by law;
- Sending or requesting information or material that promotes a religious or political view, cause, position, or action; or

- Sending or requesting personal email or activities such as shopping, auctions, gaming, gambling, or automated emails from non-city business entities

As with any business communication, there are guidelines and etiquette which should be employed in all electronic transmissions. First and foremost, please know that email is a public record and a business record subject to *Florida Statutes* and to civil and criminal laws.

Keep in mind the following when sending emails from an office computer (or other city-issued communicative devise):

- Communications are subject to Florida's libel laws and privacy claims;
- Emails can and will be used as evidence in court, can be used to prove intent in a lawsuit and may be used against you in a lawsuit filed in another state;
- Forwarding an email may make a user liable for the content;
- There should be NO expectation of personal privacy protection with emails sent, received, or stored on a city computer;
- Defamatory, hate speech, offensive sexual or racial emails do not receive First Amendment protection and are expressly prohibited from being sent from any City of Arcadia email account or communicative devise;
- Emails which violate the health privacy (HIPAA) of others trigger liability for the City;
- Users may not use a personal email account in connection with the transaction of official City business;
- No exempt or confidential information shall be transmitted by email ;
- Emails are backed up by the city and can be retrieved as evidence should the need arise;
- Any email received in a personal email account which has a connection to the transaction of official city business must be promptly forwarded to the user's city email account;
- When sending an email, users should anticipate a stranger will read it;
- Emails, although not a formal business communication, should utilize proper grammar, spelling and sentence structure as they are representative of the City;
- Email should not be written in all caps, all bold or all underlined as this has been interpreted by the courts as being "reckless use";
- Do not use blind copies or postscripts when sending an email;
- Blogs or issued opinions have the potential for legal action;
- The subject line shall not be a fraudulent inducement to open the email;

The use of email is a privilege, not a right, and as such the privilege may be revoked at any time for any reason. Abuse of the privilege or violation of this policy is cause for disciplinary action up to and including termination for employees.

6.75 CIVIL DISORDERS

No employee shall participate in riot or civil disorder while on duty or while on City-owned property.

6.80 GENERAL CONDUCT

No employee shall engage in criminal, infamous, dishonest, immoral, or other conduct injurious or prejudicial to the City, work force or the general public while on duty or while on City-owned property.

6.85 GAMBLING

No employee shall participate in any gambling activity of any kind while on duty or while on City-owned property.

6.90 DISTRIBUTION OR SOLICITATION

The distribution of literature, products, or other materials, or solicitation of any sort on City property by employees or others requires the advance written approval of the City Council. The solicitation of newspapers, candy, child peddlers/salesmen accepted.

6.95 FINANCIAL DISCLOSURE

According to Florida Statutes, all elected officials and certain appointed personnel are required by law to file financial disclosure. It shall be the individual responsibility of all officials and appointed personnel to be familiar with Florida Statutes and financial disclosure requirements.

6.96 CHILDREN IN THE WORKPLACE

Due to safety concerns, children are not allowed to be in the workplace for extended periods of time. If a child or children come to visit the office where their parent works, the visit time should be scheduled at a time of the day when the office is not busy and should be of a short duration.

CHAPTER 7 - POLITICAL ACTIVITY RESTRICTIONS

7.10 INTENT

The City Council believes it to be in the public interest and of governmental benefit to remove career employees from the arena of partisan political activity of City elections. Florida Statutes, Section 104.31 imposes certain restrictions on the political activities of the state, county and municipal officers and employees. All City employees are permitted to hold membership in and support a political party or maintain neutrality. After work hours, employees may undertake active political roles, attend meeting, support candidates and work in campaigns, with the exceptions noted for City elective office candidacy.

7.15 PROHIBITION

- While on duty City employees shall not be solicited for contributions or any other sort of support or influence for any political party, office or candidate, either from other employees, superiors, elected officials or candidates.
- Partisan political discussions and partisan political activities are prohibited during duty hours.
- No person shall promise attempt, or use political position, influence coercion in an effort to erode the impartial merit nature of the City work force by patronage or favoritism for past or future political influences or services.

7.20 CITY ELECTIVE OFFICE CANDIDACY

A City employee may be a candidate for an elective City office and if elected shall resign in good standing from the City service.

Also see Section 4.40.

7.25 OTHER ELECTIVE OFFICE CANDIDACY

A City employee may be a candidate for and/or elected to public office other than the City, and may continue in City service subject to provisions of the Florida Statutes.

7.30 PENALTIES

Violations of these restrictions shall result in disciplinary action as determined by the City Administrator.

CHAPTER 8 - PERSONNEL MANAGEMENT

8.10 GOAL

The position of the Human Resource Manager and a centralized Personnel Department shall be designated by the City Council to maintain direct communication, supervision and internal control. The responsibility of administration is delegated to the Human Resource Manager. The Human Resource Manager has the responsibility of implementing and maintaining City Council policies concerning personnel administration for the City. Other related additional duties may be assigned by the City Administrator as necessary to maintain good personnel procedures and practices.

8.15 OBJECTIVES

To promote and maintain fair, consistent and progressive employment practices in the career services of the City. To assure compliance with Federal and State statute requirements, regulations and City Council policies as well as City Ordinances.

8.20 HUMAN RESOURCE MANAGER

The position of the Human Resource Manager is authorized to direct or perform all duties related to the Personnel Department and other related work as assigned by the City Administrator. The duties shall include; but shall not be restricted to:

- Establish, maintain and secure all applicant information, employee personnel records, forms, payrolls, and related information, to maintain confidentiality of records and avoid EEO action, employee complaints or other censure, or litigation.
- Apply and monitor compliance with City Council or City Administrator policy decisions to assure uniform personnel practices in the City work force.
- Prepare status reports of compliance, with Equal Employment Opportunity Regulations, and Affirmative Action Plan with related support documentation.
- Investigate and analyze the operational effect of personnel policies and report any recommendations to the City Council or City Administrator.
- Perform research and analysis related to salaries, merit increases, fringe benefits, efficiency and related personnel matters.
- Develop and administer performance evaluation forms and procedures.
- Perform recruiting and screening of applicants.
- Devise training and safety programs.
- Undertake continued training to maintain and increase knowledge and ability.
- Monitor departmental disciplinary actions for fairness, objectivity and consistency.
- Process, investigate and report on employee injuries or accidents. Coordinate with the Human Resource Manager on all insurance reporting and payment related matters.
- Report periodically to the City Administrator on personnel administration.

8.25 PERSONNEL DEPARTMENT

The Personnel Department shall operate under the direction and authority of the Human Resource Manager. The functions should include:

APPLICANTS

- Process vacancy advertisements and coordinate other recruiting methods to secure qualified applicants.
- Screen applications / applicants.
- Verify applicant qualifications.
- Process for medical examination.
- Assure employee selection complies with City Policies and Equal Employment Opportunity regulations.
- Maintain personnel applications in compliance with EEO requirements and Invasion of Privacy statutes with regard to files security and controlled access.
- Maintain application files.

EMPLOYEES

- Maintain individual employee personnel files containing application, medical examination and personnel action forms.
- Maintain files and indexes related to employee insurance and payroll records.
- Review and process personnel action forms for completeness, accuracy, signatures, approvals and compliance with established policy, including hiring, pay changes, promotions, overtime, disciplinary actions, leave requests, leave accrued and taken, etc.
- Process time sheets and related payroll support documentation for accuracy, completeness and policy compliance.
- Monitor Probationary Employee status, advise Department Head, initiate written evaluation process, and follow through for completion and decision.
- Maintain statistical records of consolidated leave taken by category and/or department for future scheduling and accounting.
- Prepare varied personnel action forms for review and approval by the Department Head.

8.30 PERSONNEL COMMITTEE

A Personnel Committee may be constituted from time to time by the City Administrator to review, discuss, provide input and advise on matters relating to the personnel aspects of the City.

CHAPTER 9 - UNLAWFUL ACTS, PROHIBITIONS, AND PENALTIES

9.10 INTENT

Certain specific acts shall be considered unlawful in the administration and operation of the personnel system.

9.15 UNLAWFUL ACTS

Unlawful Acts are:

- No person shall make any false statement, falsify any rating, report or in any manner commit or attempt to commit any fraud preventing the impartial execution of the policies set forth herein.
- No person shall directly, or indirectly, give, render, pay, offer, solicit, or accept any valuable consideration for any appointment, proposed appointment, promotion, or pending position appointment, whether or not the position exists.
- No Personnel Department employee or any other person shall act in such a way to defeat, deceive, or obstruct any person in his right to examination, eligibility, certification, or appointment, nor furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the government's service.

9.20 PENALTIES

The penalties provided for willful violation of any of the provisions of the personnel policies and procedures shall be determined by the Human Resource Manager. They include, but are not limited to:

- Discharge from service and forfeiture of annual and sick leave or other employee benefits.
- Ineligibility for appointment to or employment in a position for a specified period of time.
- Suspension without pay.
- Written reprimand

CHAPTER 10 - EMPLOYMENT PROCEDURES

All persons to be considered for employment with the City shall follow the below prescribed steps:

10.10 SUBMISSION OF EMPLOYMENT APPLICATION AND/OR PERSONAL RESUME

Employment application must be completed **in detail** before further employment consideration procedures will be conducted. Personal resumes should contain a minimum of three (3) references.

10.15 APPLICANT EMPLOYMENT QUALIFICATION

Review of all above stages and determination of applicant qualification for City employment.

10.20 PRE-EMPLOYMENT INTERVIEW

Discussion of applicant's skills, qualifications, work experiences to determine position vacancy qualifications.

10.25 REFERENCE INQUIRY AND PERSONAL HISTORY

Written and/or oral check on applicant references. Also check on personal background for disqualifying factors.

10.30 POSITION VACANCY INTERVIEW

As position vacancies occur, the respective Department Head shall review the applications on file as part of the recruitment process. Applicants shall be interviewed by the Department Head for position hiring determination. The Position Vacancy Interview shall include review of applicant's skills, qualifications, and work experiences; discussion of position vacancy and respective requirements, assignments and job description; explanation of salary and benefit program; overview of personnel rules and regulations and expectations, and review/discussion of other pertinent information as related to the applicant and the employability aspects with the City.

10.35 PHYSICAL EXAMINATION

Persons selected for employment shall be subject to an employment physical and drug screen prior to beginning work with the City.

10.40 PAYROLL PROCESSING

Upon satisfactory completion of the above listed steps, employees are processed for payroll, insurance and related employee benefits prior to first reporting date for work.

10.45 LEAVE REQUEST FORM

A Leave Request Form is required to request use of any type of leave. Annual leave, pre-arranged Sick Leave (e.g. doctor's appointments, dental visits, etc), requests shall be submitted as far in advance as possible. Sick leave for illness or injury will require a completed Leave

Request Form once the employee has returned to work. An appointment card or note on medical facility letterhead will not suffice on its own, but may be attached to the Leave Request Form. In the case of jury duty or military leave, a copy of the jury summons or activation notice must be attached to the Leave Request Form.

CHAPTER 11 - ANNUAL LEAVE

11.10 POLICY

It is the policy of the City to allow full time, budgeted employees vacation leave for personal relaxation and family enjoyment.

11.15 ELIGIBILITY

Employees classified as full-time, budgeted earn scheduled annual leave benefits. Continuous service is calculated from the date of original employment, with leave being accrued from that date. Employees must have completed their six (6) months of service before paid annual leave is permitted. Separation with less than six months (6) of service will results in loss of annual leave benefits or payment.

11.20 ANNUAL LEAVE ACCRUAL

	Scheduled Hours per week	Vacation Hours Earned per month
Continuous Service	40	Hours per Month
Probation	.0463	-0-
6 months through 5 Years	.0463	8 hours
6 through 10 Years	.0578	10 hours
11 Through 20	.0692	12 hours
20 Years +	.0692	12 hours

11.25 SCHEDULING

Each Department Head shall cause to have prepared a department leave schedule for eligible employees of the department. Conflicts in desired dates among the employees shall be decided by the Department Head with due regard to the needs of the City. The Department Head may require any employee to postpone scheduled vacation leave if the work requires it.
Also see Section 5.40

11.30 MAXIMUM ACCUMULATION

Maximum annual leave accumulation shall not exceed 240 hours at the end of each Calendar year. It is the City's intent for all employees to have time off for rest and relaxation.

11.35 PAYMENT FOR UNUSED ANNUAL LEAVE

In the following situations, payment shall be made for all unused annual leave.

- Resignation ~~in good standing from the budgeted positions of the City. This requires a voluntary resignation with a minimum two week written notice of intent to separate~~.
- Termination.
- Layoff--See Section 22.15 for definition.
- Retirement from City service.

- Death payment shall be made to the spouse or family provided the employee was in good standing with the City at the time of his/her death as provided in Florida Statutes, Chapter 222.15.

11.40 CONTINUOUS SERVICE

Continuous service is defined as including those periods when an employee is on authorized paid leave. Employees on authorized unpaid leave (military, maternity or other) are credited for the leave time in determining length of service for advancement to the higher accrual level. Budgeted employees who have been temporarily laid off (less than six months) and return are also credited for the time in determining the length of service for advancement to a higher accrual level.

CHAPTER 12 - SICK LEAVE, NON-JOB RELATED

12.10 POLICY
Paid sick leave is a benefit extended to full time employees having completed their probationary period to provide the security of continued pay within certain limitations. Paid sick leave is provided for a genuine need of the employee and is not an automatic entitlement to days off with pay.

12.15 DEFINITION
Sick Leave is defined as:

- Illness, injury, incapacitation or quarantine of the employee or immediate family.
- Routine medical, dental or optical examinations, tests, screenings, and lab work which cannot be scheduled for the employee any time other than working hours.

12.20 ELIGIBILITY
Budgeted full-time employees shall accrue sick leave on a weekly basis. Probationary employees accrue sick leave from date of employment, but are not eligible to receive paid sick leave until the probationary period is satisfactorily completed. Seasonal, temporary, part-time, or emergency employees are not eligible for paid sick leave.

12.25 BENEFITS
The amount of accrued sick leave is credited to the employee with each payroll. It is accrued at the rate of .0463 for 40 hour personnel.

12.30 RECORDING
Properly completed, signed and approved requests for advance or emergency leave shall be promptly submitted to the Personnel Department where a record will be maintained of individual employees' accrual and usage of sick leave. Sick leave will be charged in one-half hour increments as used and accrued at the end of pay period.

12.35 ACCUMULATION
Each employee may accrue sick leave on an unlimited basis.

12.40 PROOF
If an employee is absent from work on sick leave for three (3) or more consecutive days, the Department Head can require a physician's note be provided upon the employee's return to work. Department Heads who suspect abuse of sick leave or who have employees with a pattern of sick leave requests may require a physicians' excuse for each absence. The requirement for documentation is at the sole discretion of the Department Head

12.45 ABUSE
If abuse is suspected, the Department Head may investigate sick leave requests, disallow payment, and execute disciplinary action up to and including discharge.

12.50 ADVANCES

No employee shall be paid for sick leave time not yet earned. In the event of a prolonged illness or injury, an employee may use annual leave if available; if these options are not available/approved, LWOP must be taken.

12.55 EXCLUSION FOR OUTSIDE EMPLOYMENT

Illness or injury as a result of outside employment or profit making activity are excluded and absence as a result of such activities shall be unpaid personal leave, not paid sick leave.

12.60 PAYMENT OF UNUSED SICK LEAVE

Unused sick leave will be paid out upon ~~a positive~~ separation of service from the city. Accumulated sick leave shall be reimbursed according to the below table.

1 - 5 Years Service	--	20 percent of accrued leave
6 - 10 Years Service	--	22 percent of accrued leave
11 - 25 Years Service	--	25 percent of accrued leave
26 Years Service	--	30 percent of accrued leave

Also see Chapter 22 Separations from Service

12.65 WORKERS' COMPENSATION LEAVE

Worker's Compensation leave is a type of leave from employment which results from an employee's incapacity to work and which has been determined to have resulted from an injury or occupational disease such that the employee is entitled to benefits required by the City's Worker's Compensation coverage.

Employees determined to be covered under Worker's Compensation will not have their accrued sick (or any other time of) leave balance reduced for the time they are unable to work, nor will they accrue any additional time for that period. If an employee misses work time due to an on-the-job illness or injury, the City will place the employee on Family Medical Leave provided they meet those requirements. All FMLA rules will apply to this combination workers compensation/FMLA leave as followed by law.

12.66 SAFETY DAY LEAVE

Encouraging safety at work will directly benefit the City and its bottom line. More safety awareness leads to better practices, which will ultimately reduce lost time for employees, worker's compensation claims and cost of insurance premiums. To draw attention to workplace safety, the City would like to recognize previous accomplishments regarding safety

Employees that have no safety violations or accidents of any kind during the fiscal year will incur four (4) hours extra towards their annual vacation leave by the City. This paid leave will accrue at the beginning of each fiscal year for the previous year.

CHAPTER 13 - OTHER LEAVE (PAID AND UNPAID)

13.10 MILITARY (SERVICE) LEAVE

An employee shall be entitled to a military leave of absence upon presenting proper orders calling him/her to temporary active duty for training purposes with a reserve unit of the United States Army, Navy, Marines, Air Force, Coast Guard or a National Guard Unit for a period not exceeding 120 hours (15 days) per fiscal year with carry-over to subsequent fiscal years for a maximum accrual of 240 hours (30 days). Only budgeted full-time employees are entitled to compensation for such annual military leave.

The employee shall be required to submit a copy of orders or statement from the appropriate military commander as evidence of such duty to the Department Head. The orders or statement must be attached to a Leave Request Form requesting military leave. The request must be submitted at least ten (10) work days in advance of scheduled date of departure for proper approval for military leave of absence.

13.15 INACTIVE DUTY TRAINING

An employee who is a member of an Armed Forces Reserve Unit or the National Guard may be excused from work without pay to attend evening or weekend military training which conflicts with the employee's work schedule, as required. Evidence of membership in the applicable organization shall be provided.

13.20 RECALL TO ACTIVE MILITARY DUTY

A full-time employee who is a member of an Armed Forces Reserve Unit or the National Guard, who is ordered to active duty to fulfill his/her primary or an emergency military obligation, will be granted a military leave of absence without pay.

13.25 REINSTATEMENT FROM MILITARY SERVICE

- Upon separation from active military service, an employee who wishes to return to City employment shall be afforded all rights and timelines in full force and effect of USERRA or similar DoD Directive at the time of eligibility.
- An employee returning to the City employment shall start at the salary he/she would have received, including all adjustments, had he/she remained continuously in the service of the City instead of entering the armed forces.
- If the position vacated by the employee who entered the military service is reclassified or retitled during the period of military service, such employee shall be reinstated in the new or revised position, unless the employee is not capable of satisfactorily performing the duties of the position. If the former position has been abolished or if the employee is incapable of satisfactorily performing the duties, the employee shall be entitled to reinstatement in a position as nearly comparable as possible in salary and duties to the position vacated.

13.30 COURT LEAVE
An employee will receive full pay for appearance at court, except in personal litigation, either for jury duty or as a witness. Any employee so summoned shall report for work when excused by the court after less than a full day's service. A Leave Request Form with proper documentation shall be submitted as soon as notice is received from the court. An employee who is eligible for compensation as a juror by the court shall provide proof of that compensation (or waiver from compensation) to the City or waive all rights to City paid leave for the period of time he/she served as a juror. The City will compensate the employee the difference between his/her regular hourly wage and the juror pay for the time served, provided proof of compensation or waiver is submitted.

13.35 BEREAVEMENT LEAVE
An employee who has a death in the immediate family shall be permitted leave up to three day which shall be charged to sick leave, annual leave, or authorized leave without pay. A Leave Request Form will be completed for use of Leave time. Any additional time off may be authorized for other family members but would be without pay or with the use of sick leave and/or annual leave.

The immediate family is defined as the employee's spouse, parents or grandparents of either, children of either, guardians of either, brothers or sisters of either, or relatives residing in the same household.

13.39 FAMILY AND MEDICAL LEAVE ACT (FMLA) – BASIC FMLA & MILITARY FAMILY LEAVE (MFL-FMLA)
In accordance with the Family and Medical Leave Act of 1993 (FMLA) as amended in 2008 and effective January 16, 2009, it is the policy of the City to provide eligible employees with unpaid leave. There are two types of leave available: 1) the basic 12-week leave entitlement (Basic FMLA Leave) and 2) the military family leave entitlements (Military Family Leave FMLA) as described in this policy. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

13.40 ELIGIBILITY FOR FMLA LEAVE In order to qualify to take basic family/medical leave or military family leave under this policy, and employee must meet all of the following conditions:

- Worked for the City at least 12 months or 52 weeks within the past seven (7) years. The twelve months or 52 weeks needs not have been consecutive.
- Worked at least 1250 hours during the twelve-month period immediately before the date when leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave will not be counted in determining the 1250 hours eligibility test for an employee under FMLA.

13.45 BASIC FAMILY AND MEDICAL LEAVE

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the employee's job.

In the cases where a married couple is employed with the City, the two spouses together may take a combined total of 12 weeks' leave during any 12-month period for reasons of one and three above.

The City will measure the twelve-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave an employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

To apply for a leave of absence you must discuss your leave with your Department Head at least 30 days prior to the first day of leave, unless it is an emergency. You must then complete a Written Request for Family/Medical Leave of Absence form with your Department Head will forward to the Human Resource Manager. A Certification form will be given to you to have completed by the treating physician and faxed/emailed to the Human Resource Manager within 15 days of your application for leave of absence. Failure to follow these steps, unless medically incapable, may lead to delay and/or forfeiture of this benefit. You need to contact the Human Resource Manager if you have any questions about your leave.

Employees returning from an FMLA absence caused by health problems will be required to provide a doctor's certification of their ability to perform their regular work satisfactorily without endangering themselves, other employees, or public in order to return to work.

13.46 MILITARY FAMILY LEAVE (MFL-FMLA)

There are two types of Military Family Leave (MFL-FMLA) available: Qualifying Exigency leave and Leave to Care for a Covered Service Member.

- **Qualifying Exigency Leave:**
  Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include:
    - Short-notice deployment (up to 7 days of leave)

- Attending certain military events
- Arranging for alternative childcare
- Addressing certain financial and legal arrangements
- Attending certain counseling sessions
- Rest and recuperation for the service member (up to 5 days of leave)
- Attending post-deployment reintegration briefings

- **Leave to Care for a Covered Service Member:**
  FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on temporary disability retired list.

  The single 12-month period for leave to care for a covered service member is measured forward from the date an employee's leave to care for the covered service member begins. Once a single 12-month period expires, the employee is eligible for another 26 weeks of military caregiver leave during a subsequent single 12-month period to care for a different covered service member or to care for the same covered service member if he/she incurs a subsequent serious injury or illness (excluding aggravation or complication or an earlier serious injury or illness for which the employee took military caregiver leave.)

  If an employee takes military caregiver leave to care for more than one covered service member or to care for the same covered service member who has incurred a subsequent serious injury or illness, and if the single 12-month periods involved overlap with each other, the employee is limited to taking no more than 26 weeks of leave in each single 12-month period. If an employee does not take all of the 26 weeks of military caregiver leave during the applicable single 12-month period, the balance is forfeited and no carry-over is permitted.

  When both husband and wife work for the City, the aggregate (combined total) amount of leave that can be taken by the husband and wife to care for a covered service member is 26 weeks in a single 12-month period.

During any single 12-month period, the employee's total leave entitlement is limited to a combined total of 26 weeks for all qualifying reasons under FMLA and Military Leave.

13.50 LEAVE WITHOUT PAY (LWOP)

An employee may request leave without pay in advance of the time off if it is necessary for personal reasons to be absent from work and sufficient leave balances are not available. The Department Head, shall at his/her discretion, recommend to the City Administrator leave approval for a maximum of two calendar weeks being permitted per fiscal year.

A leave of absence without pay for longer than two consecutive weeks requires the approval of the Department Head and City Administrator and may be used for temporary mental or physical disability, education, training or other adequate reasons.

13.55 TRAINING LEAVE

Leave with pay may be granted an employee for job related training seminars of short duration. This must have the approval of the Department Head, City Administrator and/or City Council.

CHAPTER 14 – HOLIDAYS

14.10 DESIGNATED DAYS

The following days will be observed as paid holidays by the employees of the City:

New Years Day	January 1st - One day
Martin Luther King Jr. Day	3rd Monday in January
Good Friday	One day (Friday before Easter Sunday)
Memorial Day	Last Monday in May
Independence Day	July 4th - One day
Labor Day	One day
Veteran's Day	November 11th-One day
Thanksgiving Day & day after	Two days
Christmas Holidays	December 24th and 25th
	11 Days Total

Holidays that fall on Saturday will be observed on the preceding Friday. Holidays that fall on Sunday will be observed on the following Monday, unless alternate days are designated.

14.15 ELIGIBILITY (HOLIDAYS)

Those eligible for paid holidays are full-time employees who have that date as a regularly scheduled work day. In order to receive pay for the observed holiday, an employee must have been present and/or on approved paid leave, on the work day before and after the holiday. Those not eligible are emergency employees on leave without pay.

14.20 DURING PAID LEAVE

An employee on paid vacation or sick leave at the date the holiday is observed shall not have that day charged against his accrual leave account.

14.25 ALTERNATIVES

Employees who are eligible for paid holidays and are either required to work due to the essential nature of their position or who have the designated holiday as a normal day off in the Monday through Friday work week shall, at the discretion of the Department Head:

- Receive an alternate day off with pay within the next three calendar months, or
- Be paid the normal day's pay for that holiday in addition to the pay received for the hours worked.

Paid holiday alternatives shall be at the discretion of the respective Department Heads in accordance with annual budget provisions.

CHAPTER 15 - GROUP INSURANCE

15.10 POLICY

The City believes it to be in the interest of all employees to have sufficient coverage in the event of accident, injury or illness. To this end, the City pledges its support of, and participates in, an employee/dependent group insurance program.

15.15 ELIGIBILITY (GROUP INSURANCE)

Employees classified as full-time budgeted are eligible to enroll in the group insurance plan. Part-time, probationary, temporary or seasonal and emergency employees are not eligible for enrollment.

15.20 HEALTH INSURANCE PREMIUM PAYMENT CONTINUATION

City employees who leave the City's employment in good standing and who have 20 years of continuous full-time service may opt to stay on the City group health plan with all premiums paid for by the employee.

- This policy applies to all full-time employees that have been continuously employed with the City as of September 12, 2006 and in the future, unless amended by City Council. Employees who have retired, left services with the City, or are not employed by the City as of the date this policy is approved are not eligible.
- Any employee that leaves the City in any standing less than 20 years of service may opt to convert to COBRA coverage in which the employee pays all costs.
- BULLET - All retirees must convert from the group health insurance to Medicare as soon as they qualify. Group health coverage will not be available to anyone eligible for Medicare Retiree spouses and children may continue to participate in the group plan as well with 100% of the premiums paid by the retiree. The City will pay no part of dependent coverage.
- All previous health insurance premium payment continuation policies (formerly referred to as Sections 14.25 and 15.20 of the city of Arcadia Personnel Manual dated September 11, 200 and September 20, 2011 are hereby revised as follows:
    - All current retirees on the group health insurance plan under 65 must convert to Medicare upon eligibility
    - Group health insurance will not be available to retirees that qualify for Medicare
    - A stipend of $225 will be made once retiree is eligible for Medicare

The City Council reserves the right to revise this policy at any time without notice unless required by law.

15.25 HEALTH/ACCIDENT INSURANCE

Eligible employees are provided coverage in accordance with an established schedule and deductible limits. Premiums for employee coverage are currently paid 95% by the City and 5%

by the employee. Dependent coverage is also available to employees' families/dependents. Dependent coverage costs are shared by the City though not in the same proportions. Percentages, deductibles, participation and coverage are subject to change in accordance with annual budget provisions.

15.30 LIFE INSURANCE

All full-time, non-probationary, budgeted employees are eligible to be enrolled under the group life plan at no cost to the employee. In the event of death, the life insurance plan will pay a $10,000 death benefit. Employees may also purchase dependent coverage for their spouse and/or children who are under age 19 (23 if enrolled in an accredited school). The death benefit for dependents is $5,000 for spouse and $2,500 for a child age 6 months – 19 years.

15.35 EXCEPTIONS

In addition to the above described insurance benefits, certified police personnel are insured under an additional 25,000/75,000 group life/accidental death plan. Rate coverage for the supplemental plan is provided by the City at no charge to the participating employee. Auxiliary police officers are provided coverage by the City for any injury/death incurred while in the performance of their auxiliary duties.

[1] *During the 2011 revision process of this manual, it was noted that Section 15.20 (formerly referred to as Section 14.25) had been adopted by the City Council during their FY-07 budget hearings; but had never been included in the manual as a policy in full force and effect. Further, the opinion of the City Attorney is this policy only applies to full-time, budgeted employees working for the City on or before September 11, 2006.*

CHAPTER 16 - DRUG-FREE WORKPLACE AND ALCOHOL POLICY

16.10 INTENT

The City's Drug-Free Workplace Policy is aimed at ensuring "zero" tolerance to illegal drugs at all times and its alcohol-free policy to "zero" tolerance under circumstances that affect or might affect the safety and well being of employees, citizens and others, or the effective operation of City business. This policy is consistent with all state and federal laws including Florida Drug-Free Workplace Statutes (Sections 440.101 and 440.102, Florida Statutes); Drug-Free Workplace Program Requirements, the Agency for Health Care Administration (AHCA) (Chapter 59A-24, Florida Administrative Code); Drug-Free Workplace Standards; and the Federal Drug-Free Workplace Act. In addition, all employees required to have a Commercial Driver's License (CDL) under Chapter 49 CFP, part 383, are subject to controlled substance and alcohol testing rules established by the Federal Highway Administration (FHA) under the Omnibus Transportation Employee Testing Act of 1991 (revised February 1994), in accordance with 49 CFR, Parts 40, 383, 392, 4, and 392.5. Regulatory penalties for infractions are in addition to disciplinary action including termination of employment.

16.15 POLICY

- Controlled Substances: The City prohibits the use, distribution, possession, manufacture, cultivation, sale, or the attempt to sell or distribute controlled substances at any time whether on or off duty, whether on or off City property. Illegal controlled substances are defined by applicable state and federal laws.
- Alcohol Abuse: Employees of the City are prohibited from using or possessing alcohol while on duty; while on City premises; while driving a City vehicle, operating a piece of the City's equipment, or being transported in a City vehicle at any time; or reporting to work under the influence of alcohol; or from otherwise using alcohol in a manner at any time which adversely affects the business interests of the City.

16.20 USE OF LEGAL DRUGS

The use of legal drugs, which are prescribed by licensed physicians for a specific medical purpose, is not prohibited. However, such drugs can and often do have a direct impact on the vigilance, judgment, and/or coordination of the employee and may adversely affect the employee's job performance and the employee's ability to work in a safe and efficient manner. This is particularly true in assignments involving the operation of motor vehicles and other moving equipment. Therefore, employees are required to notify their Department Head in writing of any prescription medication which they are taking and which carries a warning that indicates mental functioning, motor skills, or judgment may be adversely affected. Such notice shall indicate the drug, the dose and frequency, and the anticipated time during which the drug will be taken. The employee is responsible for keeping such information up-to-date (i.e., filing a new form for any change in drug, dosage, or time taken). The City reserves the right to make an evaluation on the impact, if any, on the safe and efficient operation of the City. Detection of a controlled substance will be presumed to be in violation of this policy unless the employee

advises the Department Head of its medicinal use in advance. The Department Head must immediately advise the Human Resource Manager of such use by the employee.

16.25 SUBSTANCES TESTED FOR

With respect to violation of Policy 16.15(b), above, employees are subject to testing for the detection of alcohol while on duty or while operating or riding in or on a City-owned vehicle. The current positive test threshold for alcohol is 0.02g% BAC. Employees will be subject to drug testing for the detection of the following drugs/drug groups, as well as others that may from time to time be declared illegal or controlled by state or federal law:

1. Amphetamines
2. Barbiturates
3. Benzodiazepines
4. Cannabinoids (marijuana)
5. Cocaine
6. Methadone
7. Methaqualone
8. Opiates (Heroin, Morphine, Codeine)
9. Phencyclidine (PCP)
10. Propoxyphene

- Circumstances for testing:
    - Subject to applicable law, all job applicants shall be subject to pre-employment drug testing as a prerequisite to employment with the City. It is the obligation of the job applicant to notify the approved testing facility of any properly prescribed or over-the-counter substances being taken by the job applicant.
    - When an employee is involved at any time directly in an equipment or vehicular work-related accident, or in any unsafe and/or negligent maintenance or operation of the City's equipment or vehicles at any time where in the opinion of the City Administrator the employee was at fault or the employee's conduct contributed to the accident.
    - When reasonable suspicion exists to believe the employee is using drugs or alcohol in violation of this policy. A reasonable suspicion is a belief that an employee is using or has used drugs or alcohol in violation of this policy drawn from specific objective and articulatable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
        - Observable phenomena while at work, such as direct observation of drug use or of physical symptoms or manifestations of being under the influence of a drug or alcohol;
        - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
        - A report of drug use, provided by a reliable and credible source;
        - Evidence that an individual has tampered with a drug test during his employment with the City;
        - Information that an employee has caused, contributed to, or been involved in an accident while at work;

- Evidence that an employee has used, possessed, manufactured, cultivated, sold, solicited, or transferred drugs;
- Frequent absences from work without a satisfactory explanation.

Unless prohibited by law, as a part of any medical examination required by the City whether or not that medical examination is required by the DOT or any other local, state, or federal law or regulation.

Unless prohibited by applicable law, the City reserves the right to test any employee for illegal or controlled drugs and alcohol to determine compliance with this policy at any time with or without prior announcement on a random or other basis.
Employees and job applicants have the right to consult with the testing laboratory for technical information regarding prescription and non-prescription medications. The name, address and telephone number of the testing laboratory will be provided to the employee or job applicant upon request. All test results will be kept confidential and will only be provided to managerial employees on a need-to-know basis.

16.30 REASONABLE SUSPICION SEARCHES
To discourage the use and/or distribution of illegal or controlled drugs or alcoholic beverages in the workplace, upon reasonable suspicion, searches for alcohol, illegal drugs or paraphernalia may be conducted on City property or worksites of employee's personal property including but not limited to any box, bag, or other containers and vehicles brought on to City property at any time.

16.35 REPORTING & CONVICTION OF ALLEGED CRIMES INCLUDING DRUGS OR ALCOHOL

- All employees must report to their Department Head any arrest, indictment or conviction of a drug or alcohol related violation or alleged violation of law not later than the next work day after the employee becomes aware of it. Failure to so report may result in immediate termination.
- Upon conviction of a crime involving illegal drugs, the employee will be immediately terminated.
- Without regard to prosecution or conviction by appropriate governmental entities, the City may, at its option, conduct its own independent investigation to determine whether or not there has been a violation of the City's drug and/or alcohol policy. If, in the opinion of the City, it believes a violation has occurred, it will take whatever disciplinary action it deems appropriate regardless of the ultimate outcome of any criminal case that may be brought against the employee.

16.40 DISCIPLINES FOR VIOLATIONS OF POLICY
Employees who violate this policy; or who are directed to take a physical examination, blood, breathalyzer, urinalysis, or other test allowed by law, and refuse or fail to do so when and as directed; or who, after having taken such examination and/or test are determined to have utilized an illegal or controlled substance at any time or to have violated this policy, shall be subject to immediate termination; provided, however, if the presence of an illegal or controlled substance is established as a result of the test, the employee or job applicant may, within five

(5) working days of receipt of written notification of a positive result, request an opportunity to explain the result to the City.

16.45 EMPLOYEE INJURED ON THE JOB

Any employee injured on the job that refuses to submit to a drug test, or has a positive confirmation test, in addition to other provision of the policy, may forfeit his eligibility for all Workers' Compensation medical and indemnity benefits depending on applicable law.

16.50 EMPLOYEE ASSISTANCE PROGRAM

- The City has an Employee Assistance Program (EAP) with one of its missions being to assist employees who voluntarily report drug or alcohol related problems, which have not yet adversely affected their job or City operations. Additionally, the City may require any employee in violation of this policy, whether he voluntarily reports his problem or not, to participate in the EAP or other medical and rehabilitative assistance programs as a condition for continued employment. For further information regarding the EAP, contact the Human Resource Manager.
    - Employees Who Voluntarily Ask for Help: Employees with drug or alcohol related problems who wish assistance through the EAP may contact the EAP. If the employee has a satisfactory performance record, the City may grant the employee an unpaid leave of absence for a period determined by the City to participate in a City-approved treatment or rehabilitative program. This employee will be responsible for all expenses resulting from the treatment or program to the extent they are not covered by insurance.
    - Other Employees: In the event the City discovers a violation of this drug or alcohol policy, or if the City otherwise discovers an alcohol-related problem that adversely affects or may adversely affect the employee's performance or the City's business, the City at its option consistent with applicable law, may proceed to discipline the employee up to and including discharge, or at the City's option, require the employee to undergo approved medical or rehabilitative assistance. The employee will be responsible for all expenses resulting from the treatment or rehabilitation to the extent they are not covered by insurance. In the event the City requires the employee to participate in the Employee Assistance Program, the EAP provider will keep the City fully advised with respect to the employee's participation and medical condition.
    - Return to work: Employees who are granted a leave of absence under paragraph (1) and (2) above must successfully complete all EAP, medical and other rehabilitative requirements established by the City for them within a reasonable amount of time, in order to be considered for return to work.
    - Re-testing: Employees allowed to return to work under paragraph (3) shall be subject to re-testing any time without notice and must submit to such test as and when directed by the City.

16.55 REPORTING VIOLATIONS OF THE POLICY

- It is the obligation of every employee of the City to report violations of the City's drug and alcohol abuse policies. Failure to report may subject employees to discipline up to and including discharge.

- Any employee who in good faith, based upon reasonable suspicion or observation, reports an alleged violation of these policies, or any Department Head or managerial employee who investigates or takes action in good faith based on reasonable suspicion or observation shall not be harassed, retaliated against, or discriminated against in any manner for making reports, participating in the investigation or because of any reasonable action he takes as a result of the investigation.
- Bad Faith Claims. Any knowingly false reporting of a violation of the policies set forth herein shall subject the employee to immediate termination.

CHAPTER 17 - SERVICE CONNECTED INJURY

17.10 POLICY

It shall be the policy of the City to provide Workers Compensation insurance benefits to any employee injured as a result of job duties. The City policy is to secure immediate medical attention for the injured employee and furnish competent medical services.

17.15 BENEFITS

Worker's Compensation insurance provides for complete payment for medical services, hospital charges and related therapy and treatment. Temporary disability benefits are paid when an employee has been unable to work for approximately two weeks and are retroactive to the date of the injury. The employee may elect to receive full pay for the first week of a disability if the employee has accrued sick leave. If the employee is paid by the City and remains off work until benefits are paid by Worker's Compensation, the employee may either reimburse the City for the first week of injury or have the hours subtracted from sick leave. If an employee misses work time due to an on-the-job illness or injury, the City will place the employee on Family Medical Leave provided they meet those requirements. All FMLA rules will apply to this combination of Worker's Compensation/FMLA leave as allowed by law.

17.20 INJURY REPORTING

All employee injuries, of any description, or size must be immediately reported to the Department Head by the injured employee. The injury report must be signed by the employee.

17.25 FAILURE TO REPORT

Should an employee not immediately report the injury the benefits of Worker's Compensation may be withheld and disciplinary action will be taken. An investigation and determination will be made as to the facts of the accident before benefits are approved.

*(Also see **Sections 5.50 Job Injury** and **5.55 Vehicle Accident Reports**).*

CHAPTER 18 - PENSION PROGRAM

18.10 POLICY
It is the policy of the City to provide a retirement pension plan for budgeted employees.

18.15 ELIGIBILITY
Full-time, budgeted employees are eligible to enroll in the City's group program which is through a third party on the first anniversary date of their employment with the City providing their service has been continuous. In addition, employees must be 19 but not yet 65 years old on the first day of January of the year following enrollment eligibility.

18.16 EFFECTIVE DATE OF PARTICIPATION
An eligible employee shall become a participant effective as of the day he reaches one year of continuous service as a full-time employee of the City, provided said employee is still employed as of such date. In the event an employee or participant terminates employment and is rehired, such employee or former participant must again satisfy the eligibility requirements of section 18.15 hereof.

18.20 EMPLOYEE CONTRIBUTIONS
Under the present plan, employees participate through payroll deductions and are required to contribute 5% of their annual gross salary.

18.25 CITY CONTRIBUTION
Under the present plan, the City participates in the employee pension plan and is required to contribute amounts which, together with employee contributions, are determined to be actuarially sufficient to fund the system.

18.30 RETIREMENT ELIGIBILITY
Under the present pension plan, employees may choose between either retirement options as outlined below:

Option No. 1--Normal Retirement--Age 65. Employee may retire with full benefits at age 65, based on years of credited service and benefits. Specified minimum total benefit is assured.

Option No. 2--Early Retirement--Age 55. Employee may retire between ages of 55 and 65, with reduction in benefits payments.

18.35 RETIREMENT PAY
Retiring employees may choose either of the below pension compensation options:

Option No. 1--Monthly Payments--Employees may receive monthly payments based on accrued benefits for duration of life.

Option No. 2--Single Payment--Employees may receive a lump sum single payment for all employee contributions at time of retirement. Lump sum payment shall include total employee contributions plus interest[1].

18.40 TERMINATIONS

Any employee who terminates employment prior to retirement eligibility is entitled to full reimbursement of employee contributions[2].

18.45 EXCEPTIONS

Certified Police personnel are not included in the above pension plan. A separate police pension program is established in accordance with Florida Statutes to provide retirement pensions benefits.

18.50 VESTING SCHEDULE

An active participant shall become 100% vested in his accrued benefit attributable to employer contributions upon attainment of his normal retirement date or his early retirement date. Any other participant who becomes a terminated participant shall be vested in his accrued benefit attributable to employer contributions based on years of service, according to the following schedule:

Vesting Schedule

Years of Service	Percentage
More than 1 but less than 2	0
2 but less than 3	20%
3 but less than 4	40%
4 but less than 5	60%
5 but less than 6	80%
6 years or more	100%

[1] *The employee contributions are accumulated at an annual rate of 5.0%. This rate is constant each year and is mandated by the terms of the Pension Plan Document. Please refer to section 1.32 of the Document, which is entitled Plan Interest Rate.*

[2] *If the employee DOES withdraw their Employee Accumulation (as defined in Section 1.18 of the Plan Document) when they terminate (i.e. "move on") prior to reaching ages 55 through 65, then the entire Benefit Attributable to Employer Contributions IS forfeited. If the employee DOES NOT withdraw their Employee Accumulation (as defined in Section 1.18 of the Plan Document) when they terminate (i.e. "move on") prior to reaching ages 55 through 65, then the entire Benefit Attributable to Employer Contributions is NOT forfeited. Once they reach retirement age, they can begin collecting their Vested Accrued Benefit (which is derived from both the Employee Contributions and Employer Contributions) if they leave their Employee Accumulation in the Plan.*

CHAPTER 19 – UNIFORMS

19.10 POLICY

It shall be the policy of the City to provide uniforms for employees in service or utility work or as determined by the City Administrator.

19.15 AUTHORIZED WEAR

Department Head's will determine uniforms that their department will wear. Employees shall wear uniforms only while engaged in City work or acting in official representative role on behalf of the City. Personal wear of City uniforms or any portion thereof, during non-working hours, or in an unofficial capacity, shall be subject to disciplinary action as prescribed herein.

19.20 UNIFORM RETURN

Upon termination of employment with the City, each employee is responsible for returning **ALL** uniforms issued. Uniforms should be in good, clean condition, normal wear and tear accepted. No separation pay checks shall be issued until all employee uniforms are turned in. Employees shall be held liable through final pay deduction for any shortage or condition adjustment in uniforms issued.

19.25 ID BADGES

Any time, outside a traditional office setting, an employee is representing the City at a public function or in the field; said employee should affix their city-issued ID badge to their person above the waist and within clear, visible sight to the public. City ID badges must be returned to the employee's Department Head upon separation of service for whatever reason.

CHAPTER 20 - DISCIPLINARY ACTIONS

20.10 INTENT

It shall be the City's policy to maintain a positive and progressive attitude toward employees. Discharge for cause should seldom be executed without prior warning to the employee. It shall be policy to provide at least one warning notice to the affected employee unless the specific cause is of a major nature. All disciplinary actions shall be supported by the Department Head and the Human Resource Manager by written signed statement acknowledged by signature of the employee. A copy shall be placed in the employee's personnel file.

20.15 CAUSE

Disciplinary actions are only to be taken for good and sufficient reasons such as a direct violation of the policies contained herein. Due to diverse functions and public services administered by the City, it is recognized that employee performance and conduct requirements will vary between departments. Actions will depend partially on the individual work situation and department requirements at the time.

20.20 EMPLOYEE PERFORMANCE PROBLEM – CORRECTIVE ACTION

It is recognized that unacceptable job performance may stem from misunderstanding, lack of knowledge, skills and abilities or general unsuitability to meet the requirements of the job. Corrective action requires counseling, training or retraining. If this process is unsuccessful, transfer, demotion, or termination will result. The City retains the right to treat each incident on an individual basis without creating a precedent for other cases which may arise in the future and to determine appropriate corrective action on a case-by-case basis.

The steps below are recommended but not mandatory and should apply to specific offenses; however, the action utilized shall be discretionary with management and nothing herein shall require that a particular action be utilized in any case prior to the utilization of another. In determining the action, management may consider:

- the severity of the problem or offense
- the cost involved
- the time interval between occurrences
- the employee's work record
- the employee's length of service with the City
- the employee's overall value to the city
- the ability and potential of the employee concerned, and
- other factors as may bear on the efficient operation of the City

Step 1. Documented Verbal Counseling – the problem(s) should be handled promptly and discussed with the employee to ensure that he or she clearly understands the problem and what corrective action must be taken. If such counseling corrects the problem, no additional action is required.

Step 2. Documented Corrective Action – document the problem(s) in writing and cite specific examples of deficiencies and review the document with the employee. Develop a planned improvement program with measurable goals to be achieved in an acceptable time frame (e.g. 30, 60, or 90 days)

Step 3. Review the improvement goals and timetables and document the results of the review. Obtain the employee's signature and that of the Human Resource Manger. If significant improvement has been achieved to the extent that the employee's performance has met the job requirements, the program may be successfully documented as concluded.

- If the employee has not corrected the deficiencies in his/her job performance during or by the conclusion of the planned improvement program, the Department Head should review the case with the Human Resource Manager to determine the following: Offer the employee an opportunity to be placed in position equal to his/her demonstrated skills and ability , if such position is available or,
- Terminate the employee due to "inability to perform the job".

20.25 WRITTEN REPRIMAND

The Department Head, Human Resource Manager or City Administrator may issue the employee a written reprimand for minor infractions. The accumulation of two written reprimands for the same offense or three written reprimands for any combination of offenses within one (1) year is sufficient cause for suspension or dismissal. A copy of the reprimands will be placed in the employee's personnel file.

20.30 IMMEDIATE SUSPENSION

The Department Head may suspend an employee without notice for causes related to personal conduct in order to avoid undue disruption to work, to promote safety of persons or property, or for other serious cause. The suspended employee shall be directed to leave City property immediately and remain away until circumstances and material facts shall be prepared, with one copy mailed to the employee. Immediate suspension can be with or without pay for maximum of three (3) work days.

20.35 SUSPENSION

The Human Resource Manager or City Administrator may suspend any employee in his/her jurisdiction for an additional period of up to ten (10) working days with or without pay. A written statement will be given to the employee setting forth the reasons for the action and a copy placed in the employee's personnel file.

20.40 DEMOTION

A Department Head, subject to City Administrator's approval, may reduce the salary of an employee or demote the employee, or both, for good reasons to a lower grade. A written statement of the reasons for such action will be furnished to the employee and a copy placed in the employee's personnel file. This action may be temporary, based on nature of events surrounding demotion.

20.45 TERMINATION

See Section 22.25 for full explanation.

20.50 COUNCIL REVIEW

The City Council may periodically review disciplinary procedures and will direct the City Administrator to amend those guidelines when necessary to maintain consistent, fair and equitable employee treatment.

21.10 APPEAL

Only employees who have satisfactorily completed their probationary period may appeal a disciplinary action through the appeal procedures.

21.15 APPEAL PROCEDURES

Policy

It is the policy of the City to provide a due process method for employees to appeal disciplinary action, demotion, suspension, or discharge. It is also the policy of the City that no employee shall be disciplined, demoted, suspended, or dismissed without just cause. However, this procedure does not apply to probationary employees.

General

- Working Days. When the term "working day" is used in this procedure, it shall refer to the days when work is actually assigned. Regular days off and days designated as holidays are excluded.
- Time Limitations. Time is of the essence in the application of this procedure. The failure of an employee to pursue an appeal within the time prescribed shall invalidate the appeal.
- Evidence and Witnesses. If written documents or materials are relied upon by any party, copies of such material shall be furnished at once to the other party. If witnesses are to be used, a list of such witnesses shall be furnished to the other party as soon as they are selected, and at least 24 hours before witnesses are presented.

Procedure

An employee may appeal proposed or actual discipline, demotion, suspension or discharge if the employee can demonstrate that the City's proposed or actual disciplinary action, demotion, suspension or discharge will be and/or was made for reasons other than good cause. Appeals shall be presented and processed in the following manner:

Step 1

The employee shall submit an appeal in writing to the employee's Department Head within five (5) working days after the employee has received written notice from the City advising of proposed or actual disciplinary action, demotion, suspension or discharge.

The Department Head shall investigate the matter fully and within five (5) working days after the receipt of the written appeal meet with the employee and witnesses, if any. The employee may be accompanied by an attorney or legally qualified representative if the employee so desires. The Department Head shall allow the employee to present any evidence and witnesses that the employee wishes to present. The Department Head may also present evidence and witnesses.

All evidence presented and all documents involved shall be furnished to all parties, and all witnesses may be questioned as to all relevant matters by the Department Head, the employee or representative. The meeting shall be conducted by the Department Head in an informal manner with the intent of an impartial, objective proceeding to determine the facts and assure a fair decision.

The Department Head shall render a decision in writing and furnish a copy to all parties within ten (10) working days after the completion of the meeting. If the employee is not satisfied with the decision of the Department Head in Step 1, the employee may proceed to Step 2.

Step 2

If an employee is not satisfied with the decision of the Department Head in Step 1, an employee may within five (5) working days of the date of the Department Head's decision submit a written appeal to the ~~Human Resource Manager~~ City Administrator. The ~~Human Resource Manager~~ City Administrator shall investigate the matter fully and within five (5) working days after the receipt of the written appeal meet with the employee and witnesses, if any. The employee may be accompanied by an attorney or legally qualified representative if the employee so desires. The ~~Human Resource Manager~~ City Administrator shall allow the employee to present any evidence and witnesses that the employee wishes to present. The Department Head involved shall also be present at this meeting and may present evidence and witnesses.

All evidence presented and all documents involved shall be furnished to all parties, and all witnesses may be questioned as to all relevant matters by the ~~Human Resource Manager~~ City Administrator, the employee or representative, or the Department Head involved. The meeting shall be conducted ~~by the Human Resource Manager~~ in an informal manner with the intent of an impartial, objective proceeding to determine the facts and assure a fair decision.

The Human Resource Manager shall render a decision in writing and furnish a copy to all parties within ten (10) working days after the completion of the meeting. The decision of the ~~Human Resource Manager~~ City Administrator, shall be final unless the appeal involves a discharge. If the employee is not satisfied with the decision ~~of the Human Resource Manager~~ in Step 2 and the appeal involves a discharge, the employee may proceed to Step 3.

Step 3

If an appeal involves a discharge and an employee is dissatisfied with the decision of the ~~Human Resource Manager~~ City Administrator, in Step 2, an employee may within five (5) working days of the date of the ~~Human Resources Manager's~~ City Administrator's decision submit a written appeal to the ~~City Administrator~~ City Council. The City Council may elect to review or not review the discharge appeal. If the City Council elects not to hear the appeal, the decision of the City Administrator shall be final. If the City Council elects to review and hear the discharge appeal at Step 3, the City Council shall review at a minimum the decisions and evidence within the Step 1 and Step 2 record. City Council may determine if the review shall be restricted to the record only, or may permit elect to review new evidence or witnesses at Step 3.

However, each party may appear, in person or by legally qualified representative, before the ~~City Administrator~~ City Council and speak in support of the position taken. Equal time for presentation before the ~~City Administrator~~ City Council shall be allowed to each party. However, this time shall be set by the ~~City Administrator~~ City Council and shall not exceed thirty (30) minutes per party.

The ~~City Administrator~~ City Council may affirm, modify, or reverse the decision of the Department Head and/or ~~Human Resource Manager or the~~ City Administrator and may remand the matter to the ~~Human Resource Manager~~ City Administrator and/or Department Head for the taking of additional evidence.

Within fifteen (15) working days of the final consideration of the matter the ~~City Administrator~~ City Council shall render a decision in writing which shall be final and binding upon all parties. Copies of the decision shall be furnished immediately to all parties.

21.20 APPEALS FOR POLICE OFFICERS, SWORN PERSONNEL

A separate procedure has been established under Florida Statutes and will govern disciplinary action concerning Police Officers, excluding the City Marshal.

CHAPTER 22 - SEPARATIONS FROM SERVICE

Separations from City service are categorized as:

22.10 RESIGNATION

Resignation as a means of separation of service can be further divided into "good standing" or "forced".

To resign in "good standing" is defined as an employee who provides a written resignation of at least two weeks' notice. Employees separating in good standing are eligible for payment of all leave balances as defined herein, for any other benefits to which they may be entitled (e.g. retirement) and for re-employment in the future. In cases of "forced resignation" in lieu of termination or legal prosecution, those employees are not eligible for re-employment in the future.

~~Forced resignation in lieu of termination or legal prosecution, waives the employee's right to payment for any and all leave balances, benefits and future re-employment. Resignation without a written, minimum two-week notice also waives the employee's right to payment for any and all leave balances, benefits and future re-employment.~~

22.15 LAYOFFS

- It is the intent of the City Council to provide stable employment to employees of the City. However, there may be occasions which necessitate a reduction in the City work force.
- A reduction of work force may be instituted in cases of bona fide budget reduction, lack of work, lack of funds, program or grant discontinuation, technological replacement, or any other significant organizational change or condition of serious financial distress that may occur. When such conditions exist, the department director may, after coordination with the Human Resource Manager and approval by the City Administrator, proceed to lay off an employee or employees. To the extent a reduction in force is necessitated by the City Administrator's proposed budget, layoff decisions shall be consistent with the programs, services, or operations to be reduced or eliminated by such budget.
- A reduction in work force may be made by work site assignment and/or specific function performed and/or unique skills or qualifications held and/or by general job classification and/or by pay grade within the affected department, or division or operation thereof. Layoffs which are targeted solely at reduction of salary costs must fairly target the foregoing employee classifications in a roughly uniform way so as not to cause the layoff of a more senior worker where a more junior employee performing the exact same duties and working at the same location is earning more.
- The duties previously performed by a laid-off employee may be reassigned to other employees already working in positions in appropriate job classifications.
- The Human Resource Manager shall review any reduction in force proposals prior to their implementation so as to review such proposals to minimize negative impacts on prior equal employment gains in impacted work units. Additionally, the City

Attorney shall review any reduction in force proposals prior to their implementation and shall advise the City Administrator on any labor law implications.

Layoff Priority

- In the event of layoff, primary consideration will be on the factors set out in paragraph b, above. Thereafter, the order of layoff shall begin with temporary then probationary employees. The next order of layoff shall begin with the employee who has the least seniority (see subparagraph 2, below).
- Seniority shall be determined by County-wide continuous service. Rules of continuous service shall be observed in deciding the date of last hire for the purpose of seniority determination. If two or more individuals should have the same hire date for determining seniority, the employee with the most disciplinary and/or counseling notices shall be laid off first.
- In accordance with prevailing veteran laws, including Chapter 295, Florida Statutes, certain veterans and spouses of certain veterans may be eligible for preference in retention when layoffs are necessitated. Human resources shall review layoff proposals to ensure compliance with such laws.

- City employees who are scheduled for layoff shall not have "bumping rights" to other positions in any City department. However, where the City is able to forecast a layoff in advance, the City may establish a time period wherein employees subject to a pending layoff will be permitted to apply for open positions. During this period, such employees shall, when being considered by interviewing departments, receive preference in hiring where they are otherwise equally qualified with other candidates. Nothing herein, however, is intended to require the hiring of any such employee by a department where another candidate is clearly more qualified for the position.
- Employees scheduled for layoff may, if offered by the City, elect to accept transfer to vacant City positions for which they are qualified. Such transfer offers may be made at the discretion of the City and must be accepted by the employee within 3 days of receipt of the written offer. The employee's pay rate may be adjusted in accordance with policy for any other City employee changing positions within the City. Employees who accept a transfer offer under this paragraph shall not be further entitled to any reinstatement to their prior position.
- However, employees on layoff status with no offer of transfer, may for a period of twelve (12) months from the date of layoff apply and receive preference in interviewing for any job for which they are minimally qualified. Nothing herein, however, is intended to require the hiring of any such employee by a department where another candidate is clearly more qualified for the position.

Reinstatement

Laid-off employees, who have not accepted an offer of transfer to a different City position, have priority for reinstatement, according to seniority, in jobs within their

classifications at the time of separation for twelve (12) months following the effective date of layoff. Laid-off employees reinstated to those classifications within the twelve (12) month period shall have their previous dates of hire restored (including vacation and sick leave accrual rates and any unpaid sick leave balances in effect at the time of layoff). However, recalled employees may not be offered the rate of pay they had prior to their layoff where fiscal conditions require a reduced rate for the position. At the end of the twelve (12) month period, all laid-off employees' rights associated with reinstatement are concluded. The City offers reinstatement to laid-off employees by certified mail to the last known address. (Note: It is the laid-off employee's responsibility to keep the human resources director notified of any change of address, if he/she is interested in reinstatement.)

Reinstatement is offered to laid-off employees provided they are qualified (medical certification may be required) to perform the essential duties of the job, and are in compliance with current pre-employment requirements including the City's Drug Free Workplace Program. A laid-off employee, who is temporarily unable to accept an offer of reinstatement due to medical certification, may request a delay in starting work, not to exceed thirty (30) calendar days.

The return to work date for a laid-off employee, who is qualified to return to work and compliant with all pre-employment requirements, is determined by the City's requirements, but the employee must be available for work no later than two (2) weeks following notice or his/her seniority will be forfeited and he/she is no longer considered eligible for reinstatement under these layoff procedures.

If the employee fails to report to the Human Resources Manager within three (3) business days after receipt of the certified notice or if the employee does not meet all current pre-employment requirements, his/her seniority is forfeited and he/she is no longer considered eligible for reinstatement under the Layoff procedures.

- Employees who are scheduled for layoff do not have the right to submit appeals or complaints in regard to layoff actions, except for reasons of alleged violation of these policies and procedures governing such reduction of work force, or for alleged acts of illegal discrimination. The City Administrator may elect to offer separation agreements to employees subject to layoff. In such cases, no agreement may be offered prior to legal review by the city attorney.
- Employees who are scheduled for layoff should contact the Human Resource Manager to discuss their medical coverage and other health benefits.
- The Human Resources Manager shall make all reasonable efforts to provide outplacement assistance and services to laid-off employees.

22.20 DISABILITY

An employee who is incapacitated for work on account of disability or is unable to perform his duties effectively due to mental or physical restriction, and the condition cannot be corrected, may be required to take an extended leave without pay. The Department Head and the Human Resource Manager shall first attempt to place the employee in another position within the City service for which he/she is physically qualified. The Human Resource Manager reserves the right to require additional examination and/or disability determination by a designated

physician at the City's expense. Disability separation is classified as a resignation in good standing.

22.25 TERMINATION

An employee may be discharged, when, in the judgment of the Department Head, the employee's performance or conduct has given good cause. Discharge results in loss of eligibility for re-employment ~~and loss of pay for accumulated leave time and other benefits~~. A written notification containing a statement of the substantial reasons for discharge is to be provided to the employee and a copy placed in the employee's personnel file.

Only employees who have satisfactorily completed their probationary period may appeal the discharge through the Appeal Procedures. Reasons for discharge include, but are not limited to:

- Being convicted of a felony or misdemeanor involving moral turpitude.
- Being absent three or more consecutive days without leave or notification to Department Head.
- Excessive unplanned tardiness or absences.
- Incompetence, inefficiency, negligence, or failure to follow orders.
- Abuse, misuse, or theft of public property, equipment, facilities or supplies.
- Willfully making false statements to Department Heads, officials, Boards or to the public, or falsification of records.
- Violation of department rules, personnel or police regulations, safety rules or City Ordinances.
- Possession, use or reporting to work under the influence of alcoholic beverages or drugs in violation of the Drug-Free Workplace policy during working hours or on City property or in a City vehicle.
- Material misstatements or omissions on job application or violation of Personnel Policies.
- Acceptance of gratuity in violation of City policy and of Florida Statutes of Conduct and Ethics.
- Refusal to be examined by a physician approved by the City.
- Prohibited political activity.
- Violation of State and/or Federal Statutes and regulations pertaining to public employees.
- Failure to work overtime when necessary.
- Conduct which is disruptive, insubordinate, antagonistic, offensive or injurious to the City whether in relation to co-workers, other employees, superiors, elected officials or general workers.
- Lack of integrity, abuse of public trust, misuse of information or misfeasance.
- Failure to promptly report injuries or accidents through proper channels to Department Heads.
- Gambling while on duty or while on City property any time.
- Any employee actions as may be included as defined under Florida Statutes 447.203.
- Loss of Job Requirements (licensing, certification, bond or other type requirement)

22.30 INDUCTION OR ENLISTMENT INTO MILITARY SERVICE

A full-time employee, who is inducted into the armed forces for active duty, shall have all monies due them paid at the time of leaving city employment to enter active military service.

22.35 DEATH

An employee's spouse, next of kin, or estate receives all leave and other benefits due the deceased as provided by Florida Statutes.

CHAPTER 23 - EMPLOYEE COMPLAINT PROCEDURES

23.10 PURPOSE

The purpose of the Complaint Procedure is to establish a process for resolving employee work-related problems and complaints at the lowest administrative level possible and to ensure the fair, expeditious and orderly resolution of employee problems and complaints. Violation of this section is subject to disciplinary action up to and/or including discharge. The Complaint Procedure shall NOT be used to address allegations of illegal harassment or discrimination. Complaints regarding such matters must be processed under the provisions of Section 6.60 related to Illegal Discrimination or Harassment.

23.15 COVERAGE

- The Employee Complaint Procedure is applicable only to regular (non-probationary, non-temporary) employees.
- Employees, including probationary and temporary employees, who wish to lodge a complaint concerning illegal discrimination, must utilize the formal procedures established in Section 6.60 of this Personnel Policy Manual.
- Time Limits
    - The time limits set forth in this Procedure are strictly adhered to unless waived by both parties concerned or the Human Resource Manager or designee.
    - Failure on the part of the Department Head or the Human Resource Manager to comply with the time limits enables the employee to proceed to the next step.
    - If an employee fails to comply with the time limits, his or her problem shall be deemed resolved, and any pending complaint shall be dismissed.
- Responsibilities of Department Directors
    - Department Heads are responsible for ensuring that Department Heads promptly handle employee problems and that each employee is made aware of this procedure.
    - Department Heads are encouraged to call upon the Human Resource Manager for an interpretation of any City Personnel Policy or Procedure or for guidance regarding the application of City Personnel Policies, Rules and Procedures. Department Heads are also encouraged to consult with the Human Resource Manager or designee concerning employee relations matters.
- Available Complaint Procedures. Employees have the following procedures available to them:
    - Opportunity to file a complaint with the Human Resource Manager.
    - Opportunity for informal resolution of the complaint. An effort will be made within the affected department to resolve the problem informally through the use of representatives of the Human Resource Manager, as necessary.
    - Opportunity to bring witnesses and documentary evidence at any step in this Procedure.

- Opportunity to have copies of relevant records or documents provided by the records custodian when such records or documents are kept by or for the City in the ordinary course of business.

- Procedural Steps. The following steps are available to employees for the orderly and expeditious processing of non-disciplinary, work-related problems or complaints.

  - STEP I: Department Head

  When an employee has a work-related complaint, the employee should consult with his/her Department Head within ten (10) calendar days of the occurrence. Either or both parties may request the Human Resource Manager's assistance in resolving the complaint. However, employees are encouraged to work in good faith with their respective Department Head for speedy resolutions of their problems or concerns.

  If a satisfactory resolution is not reached within two (2) of the Department Head's working days following the employee's initial consultation with the Department Head, the employee has two (2) additional work days to put the problem in writing on an official form and to present it to his/her Department Head.

  The Department Head has two (2) working days (Department Head's working days) from the day the employee presented the written complaint to give the employee a written decision on an official form, with forwarding copies.

  - STEP II: Chain of Command

  If the matter is not satisfactorily resolved in Step I, the employee may present the written statement of the problem or concern to the next person in the chain of command. This step must be taken within five (5) working days of receipt of the Department Head's written decision. The next person in the chain of command shall render a written decision to the employee within five (5) working days after receipt of the employee's written statement, with forwarding copies.

  - STEP III: Human Resource Manager

  In the event the complaint remains unsettled, the employee may refer the matter to Human Resource Manager within five (5) working days of receipt of the department director's decision. The Human Resource Manager or designee attempts to resolve complaints within his/her area of responsibility. In the event the complaint is not resolved within ten (10) working days of receiving the complaint or if it is beyond the scope of the Human Resource Manager's responsibility, the Human Resource Manager will prepare a report to the City Administrator.

  - STEP IV: City Administrator

The City Administrator or his/her designee will consider the complaint. Upon request, the complaining employee may explain his/her position in writing and/or in a meeting with the relevant official/designee. After considering all the available information, including any recommendation by a designee, the City Administrator will make a final determination within fifteen (15) calendar days after receipt of written submission, meeting with employee, or receipt of designee's report, whichever is last-occurring.

- Prohibition Against Retaliation
  - The City prohibits retaliation against any employee for properly using the Employee Complaint Procedure or for participating or cooperating in any way in connection with this Procedure.
  - An employee who believes that he/she has been harassed or retaliated against for having used this complaint procedure may, within ten (10) calendar days of the occurrence, file such allegation with the Human Resource Manager for further investigation. After completion of its investigation, the Human Resource Manager will submit a report of its investigation to the City Administrator, who will take appropriate action.
  - Violation of this section is subject to disciplinary action up to and/or including discharge.

24.10 POLICY

It is the policy of the City that every employee is entitled to work under the safest possible conditions in the many occupations we represent. To this end, every reasonable and practical effort will be made to provide and maintain a safe and healthy work place, safe equipment, proper materials and to establish and insist upon safe methods and practices at all times.

24.15 RULES AND REGULATIONS

Each Department within the City, in coordination with the Safety Coordinator, shall develop, implement and promote safety rules, regulations and procedures to ensure safe working conditions and employee safety practices. Employees are responsible for knowing, as well as practicing departmental safety policies and rules failure to follow safety policies and rules will result in disciplinary action up to and including discharge.

24.20 PROTECTIVE WEAR / EQUIPMENT

Where deemed appropriate to help prevent potential accidents and/or injury, the City shall provide protective wear, equipment, or other safety features.

24.25 EMPLOYEE SAFETY ATTITUDES

The City encourages the personal development of safety awareness and practices by all employees. Employees are encouraged to call to the Department Head's attention any unsafe practices, conditions, or other employee work habits observed during the course of their work.

24.30 SAFETY COORDINATOR

The City shall designate an employee to serve as Safety Coordinator. Said person shall coordinate all aspects of the City's Safety Program, including, but not limited to: development of policy, forms and rules; inspection of facilities and equipment; training; safety aids; and other related functions as assigned.

24.35 EMPLOYEE COMPLIANCE

All employees are expected to comply with City and department safety rules, regulations, policies and procedures. Failure to observe same, or to participate in an uncooperative manner, shall result in disciplinary action as may be herein prescribed.

25.10 POLICY

It is the purpose of this policy is to establish guidelines for the use of City issued cellular telephones or other portable, communication devices (hereinafter referred to as "Mobile Device"). Mobile devices are being increasingly accepted as a viable adjunct to traditional land based communications. This acceptance is based upon a premise that the value of productivity gained must be greater than the cost of the mobile device and service. This cost-effectiveness is dependent upon the proper use of the equipment and service.

25.15 PROCEDURES

These guidelines serve to promulgate the procedure for proper use and prevent unintentional misuse.

- It is the policy of the City to provide certain employees with a mobile device for the purpose of improving productivity.
- The cellular service plan utilized by the City as of this writing is for shared minutes. Text messaging, picture messaging and paging is not included in the plan and therefore not permitted.
- Mobile devise use shall be confined to those employees whom the City Administrator has determined to have a legitimate need.
- Mobile devices should be used whenever there is an emergency situation or other extenuating circumstance requiring telephone communications and valuable time would be lost searching for/traveling to a landline or pay phone.
- Employees and other personnel wishing to call a cellular-equipped employee in the field should assess the need for the call and explore another type of communications that would be more appropriate under the prevailing circumstances.
- Confidential or lengthy conversations are best handled via landline telephone. Cellular phones are not secure and can be monitored.
- City cellular phone numbers may be disclosed to business partners, board members, suppliers involved in City projects, other government agencies or others as deemed necessary or practical by the employee in order to conduct the normal business of the City.
- Mobile devices are easy targets for theft. Take precautions to protect any city-issued mobile device.
- City issued mobile devices are the property of the City, and employees may be financially responsible for the loss, damage, or failure to return assigned property.
- Employees are hereby notified that their conversations via City mobile devices are not private. The City reserves the right to monitor, listen to, and record all conversations made on its phone lines, including cellular phones. These calls are easily monitored using commercially available scanners. All calls made to the DeSoto County Sheriff's Office Communications Center will be recorded.
- Under no circumstance may an employee use a City mobile device to operate a business or conduct or handle personal matters. As referenced in "B" above, all

forms of text and picture messaging are prohibited with the exception of transitory messages reasonably necessary during a declared emergency. In the event of a declared emergency, texting shall be of a transitory nature as defined by the Florida Department of State.

25.20 PERSONAL MOBILE DEVICE USAGE

The purpose of this policy is to promote a safe and productive work environment and increase public safety. This policy applies to both incoming and outgoing mobile device calls. All non-managerial City employees shall not use their personal mobile devices during regular working business hours unless it is an absolute emergency. Employees shall give the City's land line number for friends and family as a way of contact. All land line calls (City phones) shall be limited for personal use. Employees may use their personal mobile device during breaks or lunches.

Employee's who violate this policy will result in disciplinary action up to and including termination.

CHAPTER 26 - SEAT BELT USAGE

26.10 PURPOSE

It is the policy of the City that all employees must utilize a safety belt while driving or riding in a City vehicle. As everyone is aware, State Law mandates the wearing of safety belts by front seat occupants. This policy applies more broadly to all occupants.

An employee failing to follow the safety belt policy/State law may be subject to disciplinary action. Please be advised should an employee be involved in an accident and sustain injuries due to no safety belt, Worker's Compensation may be paid at a 25% reduction for failure to utilize provided safety equipment.

CHAPTER 27 - WEAPONS IN THE WORKPLACE

27.10 PURPOSE

To safeguard our employees, our customers and the general public, the City absolutely prohibits anyone -- employee, vendor, contractor, supplier, visitor, or customer -- to have, bring or possess weapons (including all firearms, regardless of any official authorization or government permit), explosives or any sort of dangerous weapons or objects on City property or at City of Arcadia-sponsored events. The only exception to this policy is active-duty, sworn law enforcement personnel and military personnel in uniform.

City properties include, but are not limited to: Administrative Offices (Margaret Way Building), City Hall, Water Plant, Wastewater Plant, Airport, Public Works facility, Speer Center, Municipal Golf Course, Mobile Home Park, Smith-Brown Center, Fire Station #2 (Hickory Street), all city-owned parks. Similarly, weapons, explosives or other dangerous objects are strictly prohibited in city-owned vehicles, at City work sites, warehouses, storage facilities and parking lots.

The City reserves the right to conduct searches of city property (e.g. city vehicles, lockers, bathrooms, buildings, etc) when there is reason to believe that any person is in possession of a weapon, explosive or any other device, instrument, substance (or any object prohibited by this policy) that may be capable of causing or producing injury or death.

Any violation of this policy -- including any refusal to consent to search -- will subject the employee(s) to immediate suspension and discipline up to and including termination of employment. Violations by non-employees will result in their immediate removal from City property and filing of appropriate charges.

APPENDIX A

CITY OF ARCADIA
PERSONNEL ACTION FORM

Date: _____ **Department:** _____

Employee: _____ **Effective Date:** _____

X	CHANGE (S)	FROM	TO
	Rate		
	Job Classification		
	Shift		
	Department		
	Status (PT/FT, etc.)		
	Incentive Pay		

REASON(S) FOR CHANGE(S)

	Hired		Merit Increase
	Probationary Period Ended		Transfer
	Promotion		Demotion
	STEP Increase		Council/Policy/Budget Change
	Rehired		Re-evaluation of Job
	Other:		

Termination ☐

Resignation ☐ Retirement ☐ Layoff ☐ Discharged ☐

Voluntary Yes ☐ No ☐ Eligible for Rehire ☐ Yes ☐ No

Leave of Absence	From	Until
Reason:		

Change of Address/Phone
From:
To:

Tax Exemptions (Attach W-4)	From	To

X	OTHER CHANGE (S)	FROM	TO
	Insurance		
	Pension		
	Explain Other Change		
	Vacation Time		
	Sick Time		

Originated By: _____ Date: _____

Approved By: _____ Date: _____

Above changes were completed by: _____ Date: _____

APPENDIX B

FAMILY MEDICAL LEAVE FORMS
(Begin next page)

CITY OF ARCADIA

FAMILY AND MEDICAL LEAVE REQUEST

I, _____, request a leave of absence under the Family and Medical Leave Act.

The leave of absence is requested for the following reason:

1. ___ the birth of my child and to care for such child.
2. ___ the placement of a son or daughter with me for adoption or foster care.
3. ___ to care for my spouse, child, or parent (circle one) who has a serious health Condition
4. ___ my serious health condition
5. ___ Military Caregiver Leave. The military personnel I will be caring for is my _____ (specify relationship to military personnel)
6. ___ Qualifying Exigency Leave. Please specify family member and contingency operation circumstances. _____

I will be absent from work from _____/_____/_____ to _____/_____/_____.

If you checked number 3 or 4, please have a Health Care Provider Certification completed by the Health Care Provider indicated below.

HEALTH CARE PROVIDER INFORMATION

Name _____ Telephone ( ) _____

Address _____

By receipt of this request form, I hereby authorize the Health Care Provider to provide such information and medical records as requested by the City without liability for such release of information.

I understand that I may elect to substitute for my unpaid leave, leave that I have earned under other City leave plans. The substitution of paid benefits with Family and Medical Leave will not extend or result in additional Family and Medical Leave being available to me. Family and medical leaves will not be extended due to layoffs or emergency closings.

RETURN TO WORK CERTIFICATION. I understand that if I am requesting medical leave for my serious health condition, I must not only provide the City with a certification from my health care provider as to the existence of my serious health condition, but must also provide the City prior to my return to work, with a Return to Work Certification which has been completed by my health care provider. I understand that failure to provide the Return to Work Certification may result in my being denied reinstatement until such document is provided to the Personnel Office. I understand that the Return to Work Certification Form is attached.

In the event that I desire to return to work prior to the expiration of my leave, I will notify the city at least two (2) working days prior to my desired return date. If my position is filled or equivalent employment is not available, I am not eligible for employment until the expiration of

Sample

my family or medical leave through I may accept alternate employment with the City (a position dissimilar from my regular employment position).

Alternative Position During Leave: I understand and agree that if my leave is requested to be taken on a reduced or intermittent basis and I am capable of performing work during my request leave, the City may place me in alternative employment within the city and I hereby agree to such placement. I understand that the position that I may be placed in may have no relation to my current job responsibilities and that such placement is only temporary. I will be returned to my position or substantially equivalent employment upon the expiration of my leave.

Date: ___/___/___ Employee Signature: _____

Printed Name: _____

********** OFFICE USE ONLY **********

Date Received: ___/___/___ Received by: _____

Date Notice of Rights provided to employee: ___/___/___

Sample

CITY OF ARCADIA

FAMILY AND MEDICAL LEAVE
HEALTH CARE PROVIDER CERTIFICATION

I, _____, certify that _____
(Name of Health Care Provider) (Patient's Name)

has a "serious health condition", which is an illness or injury, impairment or physical or mental condition involving:

A) In-patient care in a hospital, hospice or residential medical facility; and/or

B) 1. Any period of incapacity requiring absence from work, school, or other regular daily activities or more than three (3) calendar days that involve continuing treatment or supervision by a health care provider;

2. Continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that it may result in a period of incapacity of more than three (3) calendar days; or

3. Prenatal care.

In addition, I certify that the patient is one of the following (check the appropriate line)

____ An employee of the City of Arcadia
____ The spouse of an employee of the City of Arcadia
____ The child of an employee of the City of Arcadia
____ The parent of an employee of the City of Arcadia

Accordingly, I certify that:

- The serious health condition commenced on ___/___/___ and has a probable duration through ___/___/___
- The patient was seen by me and treated for this serious health condition on the following date(s):

  ___/___/___; ___/___/___; ___/___/___; ___/___/___; ___/___/___;

- The patient was treated on an inpatient/outpatient basis (choose one)
- The medical facts regarding the serious health condition are as follows:

_____

_____

_____

OVER ⟶

Sample

If the patient is an employee, the serious health condition must render the employee unable to perform the functions of his/her position which means the employee is unable to work at all or unable to perform the essential functions of the position.

Below is an explanation of the extent to which the employee is unable to perform the functions of the position as a result of the serious health condition.

_____

_____

_____

If the employee requires intermittent leave (leave taken in blocks of time) or reduced leave (leave that reduces the employee's hours per workweek or workday) which is medically necessary, please describe why the intermittent or reduced leave is medically necessary, the dates on which treatment is expected, and the expected duration of the treatment and leave.

_____

_____

_____

_____

If the patient is the spouse, son, daughter or parent of the employee, the serious health condition of such individual must require that the employee is needed to care for such individual. A serious health condition for such individual is any condition that affects an individual's ability to engage in normal daily activities.

- The employee will be needed to care for the spouse, parent, son or daughter for approximately the following length of time:

_____.

- Describe the care to be provided by employee

_____

_____

_____

- If the employee required intermittent leave (leave taken in blocks of time) or reduced leave (leave that reduces the employee's hours per workweek or workday), to care for the employee's spouse, parent, son or daughter, pleas describe why it is necessary, the schedule of treatment, and the duration.

_____

_____

_____

_____

Dated this _____ day of _____, 20____

_____ _____

Signature of Health Care Provider Telephone Number

_____ _____

Office Address City, State, Zip

Sample

CITY OF ARCADIA

FAMILY AND MEDICAL LEAVE
BENEFIT ELECTION FORM

Employee Name: _____
Please Print

NOTICE

While you are on a leave of absence, the City of Arcadia will continue to maintain your group insurance if you continue to pay the employee co-payment amounts for insurance coverage. Checks should be made payable to City of Arcadia.

If you elect to cease coverage while on leave, you will again be covered under the plan once your leave expires. Your entire premium arrearage will be deducted from your first paycheck upon returning to work unless other arrangements are made prior to payroll processing.

If your insurance arrearage amount reflects 12 weeks or more, you will be removed from the group insurance and offered COBRA continuation insurance. Your last day of coverage will reflect the date that your insurance premium was paid through. Please note, only medical claims with dates of service prior to your "paid through date" will be responded to.

If you elect or if the City requires you to substitute paid time for the unpaid family or medical leave time, your insurance premium amount will be deducted from your regular payroll on a pre-tax basis.

If you elect to maintain coverage and do not return to work, the City will seek to recover from you all amounts paid for health insurance coverage during your leave.

ELECTION

Please check the appropriate line below, sign and date this Benefit Election Form. Return this completed form to Human Resources prior to the commencement of your leave.

I elect the following with respect to health and/or dental insurance coverage and premium payments during my leave of absence:

__ I DO ELECT to continue my health coverage(s) during my leave of absence and will send a check or money order payable to the City by the required date each month.

___ I DO ELECT to continue my health coverage(s) during my leave of absence and request the City to deduct the premium payments from my paycheck(s). If my paid leave ends, and my leave should become unpaid, I will send a check or money order by the required date each month.

___ I DO NOT ELECT to continue coverage during my leave of absence.

NOTE: If you elect not to continue coverage, all other persons receiving health insurance coverage through you will also have coverage discontinued.

DATE: _____ Employee's Signature: _____

********** OFFICE USE ONLY **********

_____ _____
Received By Date

Sample

CITY OF ARCADIA

FAMILY AND MEDICAL LEAVE
HEALTH CARE PROVIDER RECERTIFICATION AND
INTENT TO RETURN TO WORK

TO BE COMPLETED BY AN EMPLOYEE OF A HEALTH CARE PROVIDER

I certify that _____ continues to suffer from a serious health
Name of Patient
condition that renders him/her unable to perform his/her job functions.

May the individual perform duties with restrictions? ____ YES ____ NO

Explain: _____

_____

_____

OR

PARENT, SPOUSE, SON OR DAUGHTER OF EMPLOYEE:

I certify that _____ continues to suffer from a serious health
Name of Patient
condition and that _____ is needed "to care for" the individual
Name of Employee
with the serious health condition. The employee will provide care from ____/____/____ to
____/____/____ on the following schedule if an intermittent leave:

_____

_____.

_____ DATE: ____/____/____
Name of Health Care Provider

TO BE COMPLETED BY EMPLOYEE:

I _____ intend/do not intend to return to work at the City of
Name of Employee (circle one)
Arcadia at the end of my leave of absence.

_____ DATE: ____/____/____
Signature of Employee

Sample

CITY OF ARCADIA

FAMILY AND MEDICAL LEAVE

EARLY RETURN TO WORK REQUEST

I _____ am requesting to return to work on ___/___/___. My
Name of Employee
family or medical leave is due to expire on ___/___/___. I understand that if my position is filled or equivalent employment is not available, that I may accept alternative employment (a position different from my regular employment position) with the City of Arcadia for the remainder of my leave period.

_____ DATE: ___/___/___
Signature of Employee

Sample

CITY OF ARCADIA

FAMILY AND MEDICAL LEAVE

FITNESS FOR DUTY CERTIFICATION

I certify that _____ as of ___/___/___, no longer suffer from a
Name of Employee
serious health condition or other medical condition or disability and is able to return to work to perform all of the functions of his/her position without restriction.

_____ DATE: ___/___/___
Signature of Health Care Provider

Sample

APPENDIX C

TRAVEL REIMBURSEMENT / CONUS INFORMATION
Refer to Section 5.30

FY 2011 PER DIEM RATES FOR FLORIDA
(in effect at the time of adoption of this manual)

The following link is directed to the U.S. General Services Administration for Per Diem rates currently in effect.
http://www.gsa.gov/portal/category/100120

If the above link is not available, try "Florida CONUS information" in your search engine.

FY 2011 MILEAGE REIMBURSEMENT

The Internal Revenue Service has issued the 2011 optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes.

As of Jan. 1, 2011, the standard mileage rates for the use of a car
(also vans, pickups or panel trucks) will be:

- 51 cents per mile for business miles driven
- 19 cents per mile driven for medical or moving purposes
- 14 cents per mile driven in service of charitable organizations

These values were in effect at the time of this manual's adoption. They may be increased or decreased per the instituting authority. All reimbursements for travel expenses will be done at the prevailing rate in effect at the time of travel.

CITY OF ARCADIA
LEAVE REQUEST FORM

Name: _____ **Date requested:** _____

Department: _____

Type of leave: (Attach necessary documents if needed)

____ Vacation _____ Sick _____ FMLA _____ Military _____ Civil _____ Other

Description:

_____

_____

From: _____ **To:** _____ **Hours used:** _____

_____
Employee Signature

_____ _____
Manager/Supervisor Signature Date

Approved _____ **Disapproved** _____ **If Disapproved Reason:** _____

INTENTIONALLY LEFT BLANK

AGENDA No. 7

CITY OF ARCADIA
ADMINISTRATION DEPARTMENT
MEMORANDUM

TO: City Council and City Staff

FROM: Tom Slaughter, AIPC, Interim City Administrator

DATE: March 4, 2014

SUBJECT: Employee and Payroll Roster

Suggested motion: ***Move to direct the Interim City Administrator to fill two mid-level administrative aide positions to the City's employee payroll roster. One utility billing service representative would be funded through an open position funded through the general revenue fund, and one administrated aide position for public works would be funded through two special revenue funds from the sanitation budget and the solid waste budget.***

In an effort to understand and evaluate City staffing needs, the Arcadia City Council, on February 6, 2014, directed the City Administrator to prepare a complete, budget-based employee roster. Please see attached three spreadsheet tables which reflect staffing levels as they exist today (February 14, 2014 pay period) and as it existed at the start of the fiscal (October 1, 2013), and the previous fiscal year's end of year closeout. The net changed in staffing for the two most recent budget periods is a reduction of eight (8) budgeted positions. The comparison of two tables, which included all positions on the City's payroll including the five (5) elected representatives of the City Council for all years, is as follows:

Staffing Levels by Payroll Date

Report Period	Number of Staff
October 1, 2013	96
February 14, 2014	88
net change	-8

City staff management team identified the need for 96 full and part-time salaried employees as part of the budget agreement which began on October 1, 2013. This is a reduction of the 111 positions which were approved in the previous fiscal year and are depicted in the Table: Employees by Payroll as of September 30, 2013. In the most recent 2013-14FY budget, City Council budgeted a total of 96 positions. Since the adoption of the October 1, 2013 budget, the City has shed eight (8) budgeted positions through resignation, layoff, and termination. As agreed by City Council, the City's management team, rather than just filling each vacated position on a like-for-like basis, have evaluated if the position is necessary any longer -- or if

functional needs have changed requiring differing skill sets than those that were lost through position departure.

In light of a review of the 1st budget quarter for FY2-13-14 and projections for the 2nd quarter, City management teams members have reviewed staffing needs based upon budgeted resources and have identified several mid-level administrative positions to add in operations and customer services. If agreement by City Council is provided, a total of two (2), full-time positions would be added. The City would be left with six (6) budgeted, but unencumbered staff positions.

Each of the two proposed administrative positions are within functional areas funded through both general fund (utility billing) and special revenue (sanitation) funding. Staff is specifically requesting to fill one customer service representative position in the Finance Department' utility billing services. A second, new position would be created to serve in operations (public works and utilities) as direct administrative support to the two directors (Public Works, Utilities), and the six divisional managers operating with the two major departmental structure (systems, streets, sanitation, parks, garage, and facility maintenance). With the departure of the administration customer service representative to the utility billing services, one internal administrative aide position will be reassigned to the City's front customer service desk. The vacant administrative aide position (assistant to the City Administrator and deputy to the City Clerk) will be held open until the open City Administrator's position is filled by City Council. This will ensure a smooth transfer of duties while improving customer services.

Attachments:
Table, Employees by Payroll as of September 30, 2013
Table, Employees by Budget (FY2013-14)
Table, Employees by Payroll as of February 14, 2014

Employees by Payroll as of September 30, 2013

# of Employees	Dept.	Org	Object	Last Name	First Name
5	City Council	01110	10130	HEINE	ROBERT
		01110	10130	KEENE	KEITH
		01110	10130	FINK	JOSEPH
		01110	10130	ALLEN	ROBERT
		01110	10130	FRIERSON	ALICE
8	Admin	01120	10120	COLEMAN	JAMES
		01120	10120	HERRIN	JACKIE
		01120	10120	JONES	CAROL
		01120	10120	SERGEYS	LESLIE
		01120	10110	JANLOSKY	JUITH
		01120	10120	LANCASTER	GIA
		01120	10120	VITELLA	CASSANDRA
		01491	10120	MILLER	CATHERINE
3	Finance	01130	10120	ALBRITTON-HORKEY	AMANDA
		01130	10120	KILLMON	ASHLEY
		01130	10120	GREEN	RENEE
2	Planning	01150	10120	SLAUGHTER	THOMAS
		01150	10120	PENCE	CHRISTI
32	Police Dept.	01210	10120	ALLRED	ANGIE
		01210	10120	ANDERSON	MATTHEW
		01210	10120	BIRGE	ZACHARY
		01210	10120	BOATRIGHT	KAREN
		01210	10120	BURNS	VERTRINA
		01210	10120	CARRILLO	TROY
		01210	10120	CARRILLO	SONIA
		01210	10130	CARSTEN	LOIS
		01210	10120	CROSS	DAVID
		01210	10130	ELY	WILLIAM
		01210	10130	EUERLE	DONNA
		01210	10120	EVANS	GARY

# of Employees	Dept.	Org	Object	Last Name	First Name
		01210	10120	GALVAN	MIGUEL
		01210	10120	GLEOCKLER	LARRY
		01210	10120	JOENS	KEVIN
		01210	10120	JONES	QUINN
		01210	10130	LATTIMORE	WILLIAM
		01210	10120	LEE	CHARLES
		01210	10130	MCCRAY	MATTHEW
		01210	10120	MCQUAY	CARL
		01210	10120	MCVEY	ROBERT
		01210	10130	PETERSON	MONTREAL
		01210	10130	PITTS	DAVID
		01210	10120	POLK	LEWANDA
		01210	10130	RINKER	PAUL
		01210	10120	SANTOS	JOSEPH
		01210	10120	SCRIBNER	BRENT
		01210	10120	VILLEGAS	CHRISTY
		01210	10130	WICKS	LEONIA
		01210	10120	WILEY	DORIS
		01210	10120	WOODS	ROBERT
		01210	10130	YUSKO	STEPHEN
5	Streets	01410	10120	WILLIAMS	BYRON
		01410	10120	COBB	CHARLES
		01410	10120	NEWSOME	DANIEL
		01410	10130	HAND	MELISA
		01410	10120	HACKNEY	MICHAEL
1	Cemetery	01390	10120	BOONE	TIM

# of Employees	Dept.	Org	Object	Last Name	First Name
4	Garage	01491	10120	AVANT	TIMOTHY
		01491	10120	COLLINS	JEFFREY
		01491	10120	SKINNER	BOBBY
		01491	10120	HOWARD	NEAL
14	Golf Course	01722	10120	APPLEGATE	MARY
		01722	10120	CALLAN	JAMES
		01722	10120	CLAUSING	ANNA
		01722	10130	COX	JASMIN
		01722	10120	KOTZKER	MICHAEL
		01722	10120	PHILBROOK	BRANDON
		01722	10120	RHONEELLI	DIANA
		01722	10120	SCARBOROUGH	LEE
		01722	10130	SHACKELFORD	JOHN
		01722	10130	SNOW	MERTON
		01722	10130	SWEETING	KRISTY
		01722	10130	TAYLOR	THOMAS
		01722	10130	TAYLOR	CARRIE
		01722	10130	WYNN	ASHLEY
4	Parks	01723	10120	GREEN	CHERRIE
		01723	10120	TWOHIG	JOHN
		01723	10120	ROWLEY	STEVEN
		01723	10120	RAINES	HELEN
2	Mobile Home	01724	10130	ANDERSON	ALICE
		01724	10120	HUCKABY	CHARLES
4	W.T.P.	41533	10120	RISTAU	JOHN
		41533	10130	BULLION	LARRY
		41533	10120	EDWARDS	WILLIAM
		41533	10120	BERNDT	ARNOLD

# of Employees	Dept.	Org	Object	Last Name	First Name
6	W.W.T.P.	41535	10120	MC KERNAN	JIM
		41535	10120	UNDERWOOD	HAROLD
		41535	10120	JONES	WILLIAM
		41535	10120	SAFTENBERG	DONALD
		41535	10120	COGSWELL	GORDON
		41535	10120	OSTROWE	NICHOLAS
5	Utility Dept.	41536	10120	ANDERSON	KRISTY
		41536	10120	HUTSON	ELLEN
		41536	10120	SNYDER	KELLY
		41536	10130	LOWE	TINA
		41536	10130	REYES	ANA
7	Systems	41568	10120	LEWIS	FREDDIE
		41568	10120	SNYDER	LEE
		41568	10120	WHITE	CHRISTOPHER
		41568	10120	AYRE	MARGOT
		41568	10120	JAHALUDIN	RASHEED
		41569	10120	LAMBERT	CASEY
		41569	10120	SOUTH	CHARLES
9	Solid Waste	01340	10120	ARNDTS	JAMES
		01340	10120	SMITH	SHANNON
		01340	10120	WILLIAMS	DELSHAWN
		01340	10120	MUSSELWHITE	DENISE
		01340	10120	MORALES	JUAN
		01340	10120	JONES	WILLIE
		01340	10120	BRADY	ARTHUR
		01340	10120	CORDES	JERRY
		01340	10120	PEACOCK	RICHELLE

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Employees by Budget

# of Employees	Dept.	Org	Object	Last Name	First Name	Notes: Read below for Allocation #
5	City Council	01110	10130	HEINE	ROBERT	
		01110	10130	KEENE	KEITH	
		01110	10130	FINK	JOSEPH	
		01110	10130	ALLEN	ROBERT	
		01110	10130	FRIERSON	ALICE	
5	Admin	01120	10110	JANLOSKY	JUITH	# 1
		01120	10120	LANCASTER	GIA	
		01120	10120	VOKOUN	CASSANDRA	
		01120	10120	PENCE	CRISTI	# 9
		41568	10120	JONES	CAROL	# 7
3	Finance	01130	10120	LARSON	ERIKA	
		01130	10120	KILLMON	ASHLEY	
		01130	10120	GREEN	RENEE	# 4
1	Planning	01150	10120	SLAUGHTER	THOMAS	
22	Police Dept.	01210	10120	ALLRED	ANGIE	
		01210	10120	CARRILLO	TROY	
		01210	10120	JONES	QUINN	
		01210	10120	WILEY	DORIS	
		01210	10120	CARRILLO	SONIA	
		01210	10120	EVANS	GARY	
		01210	10120	WOODS	ROBERT	
		01210	10120	ANDERSON	MATTHEW	
		01210	10120	SCRIBNER	BRENT	
		01210	10120	BIRGE	ZACHARY	
		01210	10120	MCVEY	ROBERT	
		01210	10120	MCCRAY	MATTHEW	
		01210	10120	BOATRIGHT	KAREN	
		01210	10120	POLK	LEWANDA	
		01210	10120	GLEOCKLER	LARRY	
		01210	10120	CROSS	DAVID	
		01210	10120	JOENS	KEVIN	
		01210	10120	BURNS	VERTRINA	
		01210	10130	YUSKO	STEPHEN	
		01210	10130	CARSTEN	LOIS	
		01210	10130	LATTIMORE	WILLIAM	
		01210	10130	PETERSON	MONTREAL	

# of Employees	Dept.					Notes: Read below for Allocation #
12	Streets	Org	Object	Last Name	First Name	
		01340	10120	PEACOCK	RICHELLE	# 11
		01410	10120	BRADY	ARTHUR	
		01410	10120	WILLIAMS	BYRON	
		01410	10120	COBB	CHARLES	
		01410	10120	CORDES	JERRY	# 10
		01410	10120	MILLER	CATHERINE	
		01410	10130	P/T STAFF	x 6	
1	Cemetery					
		01390	10120	BOONE	TIM	
3	Garage					
		01491	10120	AVANT	TIMOTHY	
		01491	10120	COLLINS	JEFFREY	
		01491	10120	SKINNER	BOBBY	
6	Golf Course					
		01722	10120	SNOW	MERTON	
		01722	10120	TAYLOR	THOMAS	
		01722	10120	SCARBOROUGH	LEE	
		01722	10120	SHACKELFORD	JOHN	
		01722	10120	KOTZKER	MICHAEL	# 6
		01722	10120	TAYLOR	CARRIE	
5	Parks					
		01723	10120	OSTROWE	NICHOLAS	
		01723	10120	TWOHIG	JOHN	
		01723	10120	ROWLEY	STEVEN	
		01723	10120	RAINES	HELEN	
		01723	10130	HAND	MELISA	
2		01724	10130	ANDERSON	ALICE	
		01724	10120	HUCKABY	CHARLES	
5	Pro Shop	01726	10120	APPLEGATE	MARY	
		01726	10130	CALLAN	JAMES	
		01726	10130	CLAUSING	ANNA	
		01726	10130	PHILBROOK	BRANDON	
		01726	10130	RHONEELLI	DIANA	
4	W.T.P.	41533	10120	RISTAU	JOHN	
		41533	10130	BULLION	LARRY	
		41533	10120	SELLERS	DANIEL	
		41533	10120	BERNDT	ARNOLD	

# of Employees	Dept.	Org	Object	Last Name	First Name	Notes: Read below for Allocation #
5	W.W.T.P.	41535	10120	MC KERNAN	JIM	
		41535	10120	UNDERWOOD	HAROLD	# 5
		41535	10120	JONES	WILLIAM	
		41535	10120	SAFTENBERG	DONALD	
		41535	10120	COGSWELL	GORDON	
6	Utility Dept.	41536	10120	AYRE	MARGOT	
		41536	10120	HUTSON	ELLEN	
		41536	10120	SNYDER	KELLY	
		41536	10130	VICKERY	MICHAEL	
		41536	10130	REYES	ANA	
		41536	10130	P/T CLERK		
5	Systems	41568	10120	LEWIS	FREDDIE	# 4
		41568	10120	SNYDER	LEE	
		41568	10120	WHITE	CHRISTOPHER	
		41569	10120	LAMBERT	CASEY	
		41569	10120	SOUTH	CHARLES	
6	Solid Waste	43534	10120	ARNDTS	JAMES	
		43534	10120	SMITH	SHANNON	
		43534	10120	NEWSOME	DANIEL	
		43534	10120	WILLIAMS	DELSHAWN	
		43534	10120	MUSSELWHITE	DENISE	
		43534	10120	MORALES	JUAN	
96						

Allocation	Description		
1	55%EXEC/15%SANIT/15%WSYS/15%SS		
2	40% WTP - 60% WWTP		
3	50% WATER - 50% SEWER		
4	60% FIN DIR - 40% UTIL COLL		
5	50% GARBAGE - 50% WWTP		
6	50% GOLF - 50% PRO SHOP		
7	25%SYST, 25%SYST,25%WWTP&25%WT		
8	20% - SANIT,GARA,PARK,SYSTEMS		
9	50% P&Z - 50% EXECUTIVE		
10	25%GAR/25%STR/25%PARK/25%SANIT		
11	34%STR/33%PARK/33%SANIT		
12	75% SANIT/ 25% STR		
13	50% PW/50% STR		

Employees by Payroll as of February 14, 2014

# of Employees	Dept.	Org	Object	Last Name	First Name	Notes: Read below for Allocation #
5	City Council	01110	10130	HEINE	ROBERT	
		01110	10130	KEENE	KEITH	
		01110	10130	FINK	JOSEPH	
		01110	10130	ALLEN	ROBERT	
		01110	10130	FRIERSON	ALICE	
3	Admin	01120	10120	DELANEY	PENNY	
		01120	10110	SLAUGHTER	THOMAS	# 1
		41568	10120	JONES	CAROL	# 7
3	Finance	01130	10120	LARSON	ERIKA	
		01130	10120	KILLMON	ASHLEY	
		01130	10120	CARSTEN	ELIZABETH	# 4
2	Planning	01150	10120	REYES	ANA	# 9
		01150	10120	MCQUAY	CARL	
26	Police Dept.	01210	10120	ALLRED	ANGIE	
	F/T	01210	10120	GALVAN	MIGUEL	
		01210	10120	CARRILLO	TROY	
		01210	10120	JONES	QUINN	
		01210	10120	WILEY	DORIS	
	P/T	01210	10120	VILLEGAS	CHRISTY	
		01210	10120	CARRILLO	SONIA	
		01210	10120	EVANS	GARY	
		01210	10120	WOODS	ROBERT	
		01210	10120	ANDERSON	MATTHEW	
		01210	10120	SCRIBNER	BRENT	
		01210	10120	BIRGE	ZACHARY	
		01210	10120	MCVEY	ROBERT	
	P/T	01210	10130	PITTS	DAVID	
	P/T	01210	10130	RINK	PAUL	
		01210	10120	BOATRIGHT	KAREN	
		01210	10120	POLK	LEWANDA	
	F/T	01210	10120	GLEOCKLER	LARRY	
		01210	10120	RIOS	DANIELLE	
		01210	10120	CROSS	DAVID	
		01210	10120	JOENS	KEVIN	
		01271	10120	BURNS	VERTRINA	
		01290	10130	EUERLE	DONNA	
		01290	10130	ELY	WILLIAM	
		01290	10130	LATTIMORE	WILLIAM	

# of Employees	Dept.	01290	10130	PETERSON	MONTREAL	Notes: Read below for Allocation #
3	Streets	Org	Object	Last Name	First Name	
		01340	10120	PEACOCK	RICHELLE	# 11
		01410	10120	BRADY	ARTHUR	
		01410	10120	WILLIAMS	BYRON	
1	Cemetery					
		01390	10120	BOONE	TIM	
3	Garage					
		01491	10120	AVANT	TIMOTHY	
		01491	10120	COLLINS	JEFFREY	
		01491	10120	SKINNER	BOBBY	
5	Golf Course					
		01722	10120	SNOW	MERTON	
		01722	10120	TAYLOR	THOMAS	
		01722	10120	SCARBOROUGH	LEE	
		01722	10120	SHACKELFORD	JOHN	
		01722	10120	KOTZKER	MICHAEL	# 6
6	Parks					
		01723	10120	OSTROWE	NICHOLAS	
		01723	10120	TWOHIG	JOHN	
		01723	10130	HAND	MELISA	
		01723	10120	TAYLOR	CARRIE	
		01723	10120	ROWLEY	STEVEN	
		01723	10120	RAINES	HELEN	
2	Mobile Home					
		01724	10130	ANDERSON	ALICE	
		01724	10120	HUCKABY	CHARLES	
5	Pro Shop					
		01726	10120	APPLEGATE	MARY	
		01726	10130	COX	JASMIN	
		01726	10130	CLAUSING	ANNA	
		01726	10130	PHILBROOK	BRANDON	
		01726	10130	SIMMONS	DANA	
4	W.T.P.					
		41533	10120	RISTAU	JOHN	
		41533	10130	BULLION	LARRY	
		41533	10120	SELLERS	DANIEL	
		41533	10120	BERNDT	ARNOLD	

# of Employees	Dept.					Notes: Read below for Allocation #
		Org	Object	Last Name	First Name	
5	W.W.T.P.	41535	10120	MC KERNAN	JIM	
		41535	10120	UNDERWOOD	HAROLD	# 5
		41535	10120	JONES	WILLIAM	
		41535	10120	SAFTENBERG	DONALD	
		41535	10120	COGSWELL	GORDON	
4	Utility Dept.	41536	10120	AYRE	MARGOT	
		41536	10120	HUTSON	ELLEN	
		41536	10120	SNYDER	KELLY	
		41536	10130	VICKERY	MICHAEL	
5	Systems	41568	10120	LEWIS	FREDDIE	# 4
		41568	10120	SNYDER	LEE	
		41568	10120	WHITE	CHRISTOPHER	
		41569	10120	LAMBERT	CASEY	
		41569	10120	SOUTH	CHARLES	
6	Solid Waste	43534	10120	ARNDTS	JAMES	
		43534	10120	SMITH	SHANNON	
		43534	10120	NEWSOME	DANIEL	
		43534	10120	ROWE	MATTHEW	
		43534	10120	MUSSELWHITE	DENISE	
		43534	10120	MORALES	JUAN	
88						

Allocation	Description		
1	55%EXEC/15%SANIT/15%WSYS/15%SS		
2	40% WTP - 60% WWTP		
3	50% WATER - 50% SEWER		
4	60% FIN DIR - 40% UTIL COLL		
5	50% GARBAGE - 50% WWTP		
6	50% GOLF - 50% PRO SHOP		
7	25%SYST, 25%SYST,25%WWTP&25%WT		
8	20% - SANIT,GARA,PARK,SYSTEMS		
9	50% P&Z - 50% EXECUTIVE		
10	25%GAR/25%STR/25%PARK/25%SANIT		
11	34%STR/33%PARK/33%SANIT		
12	75% SANIT/ 25% STR		
13	50% PW/50% STR		

DEPARTMENT REPORTS

City Marshal
Matthew A. Anderson

State of Florida
City of Arcadia

ARCADIA POLICE DEPARTMENT
COUNCIL REPORT

TOTALS FOR THIS REPORT PERIOD: FEB 2014

ARREST ACTIVITIES

FELONY ARREST	7	MISDEMEANOR ARREST	16
JUVENILE ARREST	0	TRAFFIC ARREST	13
WARRANT ARREST	8		

TRAFFIC ACTIVITIES

ACCIDENT REPORTS	20	TRAFFIC CITATIONS	136
		WARNING CITATIONS	55

PATROL

COMPLAINTS	901	**CRIMINAL INVESTIGATIONS**	
		CASES TOTAL	20
CITY ORDINANCE VIOLATIONS	14	CASES UNDER INVESTIGATION	12
		CASES CLOSED	10

Matt A Anderson

CITY MARSHAL
2/25/2014