110 NW 1st Avenue
High Springs, Florida 32643

Telephone: (386) 454-1416
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CITY COMMISSION MEETING
AGENDA
City Hall
110 N.W. 1st Avenue

JANUARY 8, 2015 **6:30 PM**

CALL TO ORDER: MAYOR SUE WELLER

INVOCATION: ASSOCIATE PASTOR DAVID AVERILL
FIRST UNITED METHODIST CHURCH

PLEDGE OF ALLEGIANCE: MAYOR SUE WELLER

ROLL CALL: JENNY L. PARHAM, CITY CLERK

APPROVAL OF AGENDA

APPROVAL OF MINUTES: OCTOBER 23 & 28 AND NOVEMBER 20, 2014

GOVERNOR RICK SCOTT'S PROCLAMATION HONORING FIRST RESPONDERS READ BY MAYOR WELLER.

UNFINISHED BUSINESS

1. **CONSIDER ORDINANCE 2014-08,** AN ORDINANCE AMENDING THE CITY OF HIGH SPRINGS PERSONNEL POLICY AND PROCEDURE MANUAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

   A. MAYOR OPENS PUBLIC HEARING FOR PUBLIC INPUT.
   B. MAYOR CLOSES PUBLIC HEARING.
   C. DISCUSSION AND CONSIDERATION IN PASSING OF ORDINANCE 2014-08 ON SECOND AND FINAL READING.

CITIZEN REQUESTS AND COMMENTS – FOR ISSUES NOT ON AGENDA (PLEASE STATE NAME FOR THE RECORD – **LIMIT COMMENTS TO 5 MINUTES)**

NEW BUSINESS

1. **CONSIDER REQUEST FOR USE OF THE CIVIC CENTER BY OLEN BARBER.**

2. **REVIEW AND CONSIDER APPROVAL OF REVISION TO COMMISSION'S RULES AND PROCEDURES**

3. **CONSIDER DIRECTING CITY MANAGER TO EXPLORE OPTIONS FOR A NEW POLICE DEPARTMENT BUILDING.**

4. **CONSIDER AMENDMENT TO SECTION 5 OF THE CITY MANAGER'S EMPLOYMENT CONTRACT.**

5. **CONSIDER RESOLUTION 2015-A,** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS ADOPTING A PUBLIC RECORDS POLICY FOR THE CITY OF HIGH SPRINGS WHICH GOVERNS PUBLIC RECORDS REQUESTS FOR CITY EMPLOYEES; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

6. **UPDATE BY CITY MANAGER ON COLLECTION OF SOLID WASTE SERVICES FOR ALL CITY RESIDENTS.**

CITY ATTORNEY REPORT/UPDATE

CITY MANAGER REPORT/UPDATE

COMMENTS AND CONCERNS:

1. **COMMISSIONERS**
2. **MAYOR**

MOTION TO ADJOURN

PLEASE NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY COMMISSION MEETINGS, SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 110 N.W. 1ST AVENUE, HIGH SPRINGS, FLORIDA 32643, TELEPHONE (386)454-1416.

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CITY COMMISSION MEETING
MINUTES
October 23, 2014

Vice Mayor Weller called the meeting to order at 6:42 p.m.

Invocation by Yvonne Andrews.

Pledge of Allegiance

Roll Call:
Mayor Byran Williams – Absent
Vice Mayor Sue Weller – Present
Commissioner Bob Barnas – Present
Commissioner Linda Gestrin – Present
Commissioner Scott Jamison - Present

Staff Present:
Ed Booth, City Manager
Jenny Parham, City Clerk
Scott Walker, City Attorney
Courtney Johnson, City Attorney
Antoine Sheppard, Acting Police Chief
Jennifer Stull, Finance Director

APPROVAL OF AGENDA:

Motion Commissioner Barnas to approve the agenda as presented.
Second Commissioner Gestrin.
Motion carried 4-0.

UNFINISHED BUSINESS

1. **CONSIDER ORDINANCE 2014 - 05, AN ORDINANCE OF THE COMMISSIONERS OF THE CITY OF HIGH SPRINGS, FLORIDA AMENDING SECTION 66-2 "STREET CLOSINGS" OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR PUBLIC NOTICE VIA SIGNAGE ON THE STREET; PROVIDING FOR CODIFICATION; REPEALING ANY INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Ordinance 2014-05 was read by title only by Attorney Johnson.

Vice Mayor Weller opens the public hearing. As there was no public input, the public hearing was closed.

Motion Commissioner Jamison to adopt Ordinance 2014-05 on second reading. Second Commissioner Barnas.

Roll call vote:

Vice Mayor Weller – Yes
Commissioner Barnas – Yes
Commissioner Gestrin – No
Commissioner Jamison – Yes
Motion carried 3 - 1.

2. **CONSIDER ORDINANCE 2014-06, AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA, CLOSING AS A PUBLIC RIGHT OF WAY, VACATING AND ABANDONING PORTIONS OF CERTAIN PLATTED ROADS IN RIVER VIEW SUBDIVISION WITHIN THE CITY LIMITS OF HIGH SPRINGS, FLORIDA; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE**

Ordinance 2014-06 was read by title only by Attorney Johnson.

Vice Mayor Weller opens the public hearing. As there was no public input, the public hearing was closed.

Motion Commissioner Jamison to adopt Ordinance 2014-06 on second reading. Second Commissioner Barnas

Roll call vote:

Commissioner Barnas – Yes
Commissioner Gestrin – Yes
Commissioner Jamison – Yes
Vice Mayor Weller – Yes
Motion carried 4 – 0.

CITIZEN REQUESTS AND COMMENTS

Terry Hull asked for a prayer and moment of silence for the lives lost in marine barracks in Beirut.

NEW BUSINESS

1. **CONSIDER REQUEST BY OLEN BARBER FOR CONTINUED USE OF THE CIVIC CENTER THROUGH DECEMBER FOR THE SENIORS PROGRAM.**

Mr. Barber explained the need to extend their use of the civic center an additional eight weeks.

Motion Commissioner Barnas to approve request.
Second Commissioner Gestrin.
Motion carried 4 – 0.

2. CONSIDER ORDINANCE 2014-07, AN ORDINANCE AMENDING THE ADOPTED 2013/2014 FISCAL YEAR BUDGET OF THE CITY OF HIGH SPRINGS; PROVIDING AN EFFECTIVE DATE.

Ordinance 2014-07 was read by title only by Attorney Johnson.

Finance Director Jennifer stull outlined the amendments to last year's budget.

Motion Commissioner Jamison to approve Ordinance 2014-07 on first reading.
Second Commissioner Barnas.

Commissioner Barnas asked about the roll forward funds.

Finance Director Jennifer Stull outlined the funds.

Roll call vote:

Commissioner Gestrin – No
Commissioner Jamison – Yes
Vice Mayor Weller – Yes
Commissioner Barnas – Yes
Motion carried 3 - 1.

3. CONSIDER APPROVAL OF AMENDMENT #1 TO THE WORK ORDER FOR ROADWAY MAINTENANCE WITH ALACHUA COUNTY.

Mr. Booth presented a proposed amendment to the roadway maintenance agreement with the county to add additional paving as indicated in Amendment #1.

Motion Commissioner Barnas to approve Amendment #1 to the Work Order for Roadway maintenance with Alachua County.
Second Commissioner Jamison.
Motion carried 3 – 1 with Commissioner Gestrin opposing.

CITY ATTORNEY REPORT/UPDATE

No updates to report.

CITY MANAGER REPORT/UPDATE

Gave update on road maintenance.

Advised that the personnel manual was given to attorney's office for review; will bring to Commission in November and December.

Will be holding interviews with the police chief applicants on October 31st.

Advised of newly hired employees.

Spoke of being first on the list to purchase equipment from Waldo.

Mrs. Parham advised of Special Commission Meeting scheduled for Tuesday, October 28, 2014 to adopt resolutions for FRDAP grants for Parks and Recreation.

COMMENTS AND CONCERNS:

1. COMMISSIONERS

Commissioner Jamison gave a special thanks to the City Clerk's Office for setting up the use of the Civic Center for the Educational Forum.

Commissioner Gestrin – nothing.

Commissioner Barnas gave thanks to staff for putting up with him; feels they have accomplished a lot. He suggested Commissioner Elect Evans and Candidate James review the amended budget. He asked for a tank update. Mr. Booth stated he offered it back to the Department of Defense, but haven't heard back from them.

Commissioner Barnas states that he will be keeping track of credit card payments beginning January 1, 2014. He asked for an update of the survey by Peacock property. Mrs. Parham advised that they were contacted by Public Works.

Commissioner Barnas asked if the IT contract was being put back out for bid. Mrs. Parham advised that the bid was approved, but the contract was not. She advised that at this point we need to determine what is wrong with the contract, amend it and bring it back to the commission. Vice Mayor Weller asked the commissioners that have issues with the contract get those issues to Mrs. Parham.

Commissioner Barnas spoke of the charter officer reviews.

Commissioner Barnas advises he has been keeping up with code violations. He advised that Veteran's Day, November 11th at Hospice there will be a celebration at 2:30 p.m.

2. VICE MAYOR

Wants training set up for public records and sunshine law for the new commissioners.

Gave a reminder of Fall Festival, Haunted House, being last weekend for Love of Mike at the Playhouse, and Chamber Murder Mystery Dinner.

Advised The Talented Cookie will celebrating one year anniversary Saturday..

Advised of Car Show and Music in the Park will be this weekend.

Commissioner Barnas asked for the date for the Christmas parade. Vice Mayor Weller advised it is December 13th.

Motion Commissioner Barnas to adjourn.
Vice Mayor Weller adjourned the meeting at 7:23 p.m.

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SPECIAL
CITY COMMISSION MEETING
MINUTES
October 28, 2014

Mayor Williams called the meeting to order at 7:00 p.m.

Invocation by:

Pledge of Allegiance

Roll Call:
Mayor Byran Williams – Present
Vice Mayor Sue Weller - Present
Commissioner Bob Barnas – Absent
Commissioner Linda Gestrin – Present
Commissioner Scott Jamison - Present

Staff Present:
Ed Booth, City Manager
Jenny Parham, City Clerk

Mayor Williams advised that Mr. Booth would like to have an agenda item added for payment to the city attorney's office.

Motion Vice Mayor Weller to amend the agenda to add the Folds and Walker invoice for discussion and possible approval.
Second Commissioner Jamison.

Commissioner Gestrin stated as a Special Meeting you cannot amend the agenda, it has to be as advertised. She read from the rules of procedure regarding special meetings.

Motion and second withdrawn.

BUSINESS ITEM

1. **CONSIDER RESOLUTION 2014-R, A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR STATE OF FLORIDA FISCAL YEAR 2015-2016. (CIVIC CENTER PARK)**

Resolution 2014 – R was read by title only by the City Clerk, Jenny Parham.

Mr. Booth outlined items the grant would cover.

Motion Vice Mayor Weller to adopt Resolution 2014 – R, which is an application for $50,000 grant.
Second Commissioner Jamison.

Commissioner Gestrin spoke of the need for repair of the climbing arrangement at the Civic Center Park.

Roll call vote:

Mayor Williams – yes
Vice Mayor Weller – yes
Commissioner Gestrin - yes
Commissioner Jamison - yes

Motion carried 4-0.

2. CONSIDER RESOLUTION 2014-S, A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR STATE OF FLORIDA FISCAL YEAR 2015-2016. (CATHERINE TAYLOR PARK)

Resolution 2014 – S was read by title only by the City Clerk, Jenny Parham.

Mr. Booth outlined items the grant would cover.

Motion Commissioner Jamison to adopt Resolution 2014 – S as read.
Second Vice Mayor Weller.

Roll call vote:

Vice Mayor Weller – yes
Commissioner Gestrin - yes
Commissioner Jamison - yes
Mayor Williams – yes

Motion carried 4-0.

Motion Vice Mayor Weller to adjourn.
Mayor Williams adjourned the meeting at 7:10 p.m.

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CITY COMMISSION MEETING
MINUTES
November 20, 2014

Mayor Williams called the meeting to order at 6:30 p.m.

Invocation by Pastor Freddie L. Hickmon.

Pledge of Allegiance

Roll Call:
Mayor Byran Williams – Present
Vice Mayor Sue Weller – Present
Commissioner Bob Barnas – Absent
Commissioner Linda Gestrin – Present
Commissioner Scott Jamison - Present

Staff Present:
Ed Booth, City Manager
Jenny Parham, City Clerk
Angela Stone, Assistant City Clerk
Scott Walker, City Attorney
Courtney Johnson, City Attorney
Antoine Sheppard, Acting Police Chief
Jennifer Stull, Finance Director
Bruce Gillingham, Fire Chief
David Benton, Public Works Superintendent
Rodney Hoffman, Public Works Supervisor

APPROVAL OF AGENDA

Motion Vice Mayor Weller to amend the agenda to add a presentation by Hal Brady of the City of Alachua Parks and Recreation.
Second Commissioner Jamison.
Motion carried 4-0

APPROVAL OF MINUTES: AUGUST 28, SEPTEMBER 11 & 22, 2014

Motion Vice Mayor Weller to approve the minutes of August 28, September 11 & 22, 2014 Commission Meetings.
Second Commissioner Jamison.
Motion Carried 3-1 with Commissioner Gestrin opposing.

MAYOR WILLIAMS ADJOURNS THE 2013/2014 CITY COMMISSION.

Mr. Booth presented a plaque to Mayor Williams for his year of service as Mayor of High Springs. Mayor Williams thanked the commissioners, staff and the citizens for the good year that we have had. He states that he prays and hopes that the coming year is a wonderful year.

CITY CLERK ADMINISTERS OATH OF OFFICE TO:

COMMISSIONER-ELECT JASON EVANS
COMMISSIONER-ELECT GLORIA JAMES

CITY MANAGER CALLS TO ORDER THE 2014/2015 CITY COMMISSION.

Mr. Booth calls to order the 2014/2015 City Commission.

ROLL CALL OF THE 2014/2015 CITY COMMISSION.

Commissioner Jason Evans-Present
Commissioner Gloria James-Present
Commissioner Scott Jamison-Present
Commissioner Sue Weller- Present
Commissioner Byran Williams- Present

COMMENTS FROM NEWLY ELECTED COMMISSIONER.

Commissioner James thanked the citizens of High Springs and stated she will do her best for them.

Commissioner Evans thanked the citizens that gave him support. Congratulated Commissioner James on her win.

CITY MANAGER ACCEPT NOMINATIONS AND ELECT MAYOR.

Mr. Booth opened for nominations for Mayor.

Motion Commissioner Jamison to nominate Sue Weller as Mayor.
Second Commissioner Evans.
Carried 5-0

MAYOR ASSUMES CHAIR.

ACCEPT NOMINATIONS AND ELECT VICE-MAYOR.

Mr. Booth opened for nominations for Vice Mayor.

Motion Commissioner Weller to nominate Commissioner Jamison as Vice Mayor.

Second Commissioner James.
Motion Carried 5-0.

PRESENTATION BY HAL BRADY OF THE CITY OF ALACHUA PARKS AND RECREATION.

Hal Brady spoke of the Santa Fe Babe Ruth World Series.

David Hansen spoke of the World Series event. He spoke of not being able to be successful without the City of High Springs. He thanked Chief Gillingham for all of the fire department's help and presented a plaque.

Mayor Weller thanked both Commissioner Barnas and Commissioner Gestrin for their services, and stated that they both worked hard to represent the citizens of High Springs.

PRESENTATION ON THE "CLICK IT OR TICKET" PROGRAM BY TRAFFIC SAFETY OFFICER JAMIE YAKUBSIN.

Officer Yakubsin gave a presentation on the Click it or Ticket program. He advised in November they will have a Click it or Ticket Campaign to reduce fatality rates.

UNFINISHED BUSINESS

CONSIDER ORDINANCE 2014-07, AN ORDINANCE AMENDING THE ADOPTED 2013/2014 FISCAL YEAR BUDGET OF THE CITY OF HIGH SPRINGS; PROVIDING AN EFFECTIVE DATE.

Attorney Walker read Ordinance 2014-07 by title only.

Mayor Weller opened for public input.

Tom DePeter asked questions regarding the ad valorem tax amounts. Mrs. Stull gave the totals in question. Mr. DePeter stated that the police operations and communication budgets is basically all the ad valorem tax revenue. He states that everything else the city does is paid for in some other way.

Paul Regensdorf stated the point that Mr. DePeter made is an important one as we move forward.

With on one further coming forward; Mayor Weller closed the public hearing.

Motion Vice Mayor Jamison to adopt Ordinance 2014-07 on second and final reading.
Second Commissioner Williams.

Roll call vote:

Commissioner James – Yes
Commissioner Evans- Yes
Vice Mayor Jamison-Yes
Mayor Weller-Yes

Commissioner Williams-Yes

Motion carried 5-0.

UPDATE ON PLANTATION OAKS TAX ABATEMENT.

Attorney Walker gave an overview of a letter from the Property Appraiser's Office dated October 13, 2014. He states his office has looked at this and there are some problems with granting the exemption.

Commissioner Evans questioned if there were two applications. Attorney Walker stated that there was only one application, but the application is vague.

Commissioner Jamison states the application was after the deadline, and thinks they would need to file a new application for the expansion.

Mayor Weller stated the problem she has is how a business knows what the application deadline would be and that this is available.

Tom DePeter read a portion of the city ordinance on this issue. He gave a history of this application. He states the city planner's office, city attorney, and city managers were involved since the beginning and were told they did not meet the qualifications, and the ordinance was not yet passed. He states they were told by sitting commissioners at the time to go ahead and put in an application.

Attorney Walker states this commission wants to help but it is the businesses obligation to move it forward.

Paul Regensdorf spoke of the need of economic development and having a city planner to help with this.

Attorney Johnson spoke of Resolution 2012-E and gave an overview of this Resolution for background.

Ann Carter asked if Plantation Oaks was notified of this meeting.

CITIZEN REQUESTS AND COMMENTS

Rev. Hickmon spoke of the drug bust in High Springs and thanked the police department for the job that was done.

Paul Regensdorf spoke of the city's motto, "you will like our good nature." Thanked Commissioner Barnas and Commissioner Gestrin for their service.

Thomas DePeter congratulated the new commissioners and commended them. Thanked the former Mayor and the two former commissioners for their service.

NEW BUSINESS

1. CONSIDER AWARDING BID FOR ADMINISTRATIVE SERVICES OF THE FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT(CDBG) #15DB-OJ-03-11-02-N51 TO FRED FOX ENTERPRISES.

Mr. Booth requested this be tabled as it needs to be readvertised in a regional paper.

Motion Commissioner Williams to table to the next meeting on December 11, 2014.
Second Commissioner James
Motion Carried 5-0.

2. CONSIDER RENEWAL OF CONTRACT FOR ENGINEERING SERVICES WITH MITTAUER & ASSOCIATES, INC.

Mr. Booth states that this contract is coming to an end, but we are currently working on grant funds with this firm and it would be prudent to continue with the firm for another two years.

Attorney Walker states we need to add a prevision on retention of public records.

Mayor Weller questioned the other two contracts under the CCNA. Attorney Walker gave an overview of the CCNA process.

Mrs. Parham stated we did enter into a contract with three engineers under the CCNA at the same time.

Mr. Booth states that Mittauer and Associates has done most of our work.

Motion Vice Mayor Jamison to renew the contract with Mittauer & Associates for Engineering Services with the addition of language on public records for two years.
Second Commissioner Evans.
Motion Carried 5-0.

3. CONSIDER AWARDING BID TO SGS CONTRACTING SERVICES, INC. FOR THE FOUNDATION CONSTRUCTION AND PREPARATION TO INSTALL DEWATERING BOX FOR THE WASTEWATER PLANT.

Mr. Booth gave an overview. Mayor Weller asked if this was budgeted. Mr. Booth stated it was.

Mr. Booth gave an explanation of the dewatering box process.

Motion Commissioner Evans to award the bid to SGS Contracting Services for the foundation construction and preparation to install dewatering box.
Second Vice Mayor Jamison

Motion carries 5-0.

Vice Mayor Jamison asked what the time frame is to have this running. Mr. Booth stated 90 days.

4. **AUTHORIZE THE FOLLOWING PERSONNEL TO SIGN CHECKS AND INVESTMENT DOCUMENTS IN COMPLIANCE WITH SECTION 2-97 OF THE HIGH SPRINGS CODE OF ORDINANCES: MAYOR, VICE MAYOR, CITY MANAGER AND CITY CLERK**

Motion Commissioner Williams to authorize the Mayor, Vice Mayor, City Manager and City Clerk to sign checks and investment documents.
Second Commissioner James.
Motion carried 5-0.

5. **CONSIDER RESOLUTION 2014 – T, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS CHANGING THE DUE DATE FOR WATER AND WASTEWATER SERVICE BILLS AND AMENDING IN PART RESOLUTION 2011-B; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Resolution 2014-T was read by title only by Attorney Walker.

Mayor Weller states this was brought up at a previous commission meeting to change the dates and this resolution explains this.

Commissioner Williams stated if the due date falls on a holiday or weekend you have until the next business day until 6:00 p.m. to pay.

Mayor Weller questions the late fees and disconnections. Mrs. Stull clarified. She added that we will put it on the website, on the sign out front, and it will be on December's bill.

Motion Vice Mayor Jamison to adopt Resolution 2014-T as read.
Second Commissioner Evans.

Roll call vote:

Commissioner Evans- Yes
Vice Mayor Jamison-Yes
Mayor Weller-Yes
Commissioner Williams-Yes
Commissioner James-Yes

Motion carried 5-0.

Vice Mayor Jamison asked if we could post a sign at the payment counter for citizens to see as well.

6. CONSIDER RESOLUTION 2014-Q, A RESOLUTION SETTING THE MONTHLY SALARY FOR THE OFFICE OF CITY COMMISSIONER AND MAYOR; PROVIDING AN EFFECTIVE DATE.

Resolution 2014-Q was read by title only by Attorney Walker.

Mayor Weller stated there is not a purposed change to this resolution for the monthly salary.

Mr. Booth spoke of the need to look at this as it is at the low end.

Attorney Walker stated this can be changed by resolution. He spoke of their liability for sitting on the Dias.

Vice Mayor Jamison stated we could table to let the new commissioners to review.

Motion Vice Mayor Jamison to table Resolution 2014-Q to the next meeting.
Second Commissioner Evans

Motion carried 5-0.

7. APPOINT/REAPPOINT MEMBERS TO THE PLAN BOARD, CODE ENFORCEMENT BOARD, TREE BOARD, HOUSING NEEDS & IMPROVEMENT COMMITTEE, PARKS & RECREATION ADVISORY BOARD.

Mr. Booth asked that we table this item as we have no applications. He states the advertising is not working and we are going to need to go door to door to recruit some citizens. He thinks he can get more applications.

Mrs. Parham states that on the Parks and Recreation Board, Member Hallman does not want to return, David Beckerink would like to return and Suzie Clark, an alternate, would like to be a full member.

Motion Vice Mayor Jamison to appoint Suzie Clark to the Parks and Recreation Advisory Board and to renew David Beckerink's term on the Parks and Recreation Advisory Board.
Second Commissioner James.
Motion carried 5-0.

8. CONSIDER ORDINANCE 2014-08, AN ORDINANCE AMENDING THE CITY OF HIGH SPRINGS PERSONNEL POLICY AND PROCEDURE MANUAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mr. Booth asked that this be tabled as there are some ambiguities and numerous questions. Would like to have the attorney's office look at these questions.

Mayor Weller pointed out the union contracts and that would take precedence.

Motion Commissioner Evans to table Ordinance 2014-08.
Second Commissioner Williams.

Mrs. Parham gave an overview of the timeline.

Motion carried 5-0.

9. CONSIDER THE PURCHASE OF CERTAIN SURPLUS EQUIPMENT FROM THE CITY OF WALDO.

Mr. Booth stated that the money needed for this is in the budget. He states we would like to purchase several vehicles. He spoke of wanting to buy a vehicle for the city for training and travel for staff and the commission rather than giving mileage reimbursement for travel.

Commissioner Williams asked how many vehicles we are looking to purchase. Chief Sheppard advised six vehicles.

Vice Mayor Jamison asked what needed to be done to the vehicles. Chief Sheppard stated we would only need to add our decals and tags.

Commissioner Evans asked if these vehicles would be worth the cost with the mileage they have. Chief Sheppard stated most have low mileage.

Motion Commission Williams to allow the city manager to purchase surplus equipment from the City of Waldo.
Second Commissioner James.

Billye Dowdy states that she grieves that a sister city has lost their police department. She asks about this purchase being well within our budget. She asks if there is adequate funds to fund dispatch and our police department with this purchase; this purchase would not hinder the budget of the dispatch and police department. Mr. Booth states that there are adequate funds.

Motion Carried 5-0.

10. CONSIDER APPOINTING REPRESENTATIVE TO THE NORTH FLORIDA REGIONAL WATER SUPPLY PARTNERSHIP STAKEHOLDER ADVISORY COMMITTEE (SAC).

Mr. Booth gave an overview. He states he can be the alternate but the representative should be a commissioner.

Motion Commissioner James to place Commissioner Williams as the Representative to the NFRWSP Stakeholder Advisory Committee and the alternate as the city manager.
Second Commissioner Evans.
Motion carried 5-0.

11. SET DATES FOR DISPATCH AND ALCOHOL WORKSHOP.

Mr. Booth stated that the commission requested to have a workshop on these items some time ago. He gave an overview of the purpose of the workshops.

Mayor Weller suggested that we wait until after the holidays.

Consensus to hold the Alcohol Workshop on January 13, 2014 at 6:30 p.m.

Consensus to hold the Dispatch Workshop on January 20, 2014 at 6:30 p.m.

12. REVIEW AND APPROVE PAYMENT TO CITY ATTORNEY.

Mr. Booth is looking for approval to pay an invoice for the city attorney's office. Mayor Weller asks that in the future they receive, for approval, a monthly financial statement to see an overview of the budget and they can approve those statements.

Discussion on the purchasing policy.

Mayor Weller states that there is no requirement to have a motion to pay.

CITY ATTORNEY REPORT/UPDATE

Attorney Johnson stated we are having a New Commissioner Orientation at city hall on December 4th 2014 for the new commissioners, but encourages all to attend.

In January, we will have training on public records for city staff and anyone who wants to attend.

On the issue with Capital City, we have filed a motion to dismiss and will have hearing at the end of December. Today we received interrogatories to be answered within 30 days.

CITY MANAGER REPORT/UPDATE

Advised there is an email from the CSX contractor to take up rails that the Code Enforcement Officer will supervise to make sure they clean up. He will also go around and identify city owned property that is over grown.

Presented letter to send out to residents that are not paying for solid waste services. Mayor Weller stated that we need to add to the letter that they need to come in and sign up for an account.

Received a letter that we can go out to bid for Farmer's Market Pavilion.

He states he needs an economic development forum. We need to have a packet with properties that are available and their advantages and what the city is willing to do. He needs the land owners, the CRA and commission to come together to discuss this to put this together. He would like to have a meeting on this in February.

Wants to give a tour, to each commissioner on an individual basis, of the city owned property and then discuss what we want to build or what we want to do with the property.

Mr. Booth advised that DOT is looking at putting in four lanes on US 27 but may only be able to put in turn lanes.

We will continue to push grants this year.

COMMENTS AND CONCERNS:

1. COMMISSIONERS

Commissioner Williams asked when they pull up the tracks will they still maintain the area better than then they do now. Mr. Booth advises they will not and we will try to do this.

Mayor Weller spoke of an organization that is wanting to rail bank the property.

Commissioner Williams welcomed the new commissioners and congratulated the mayor and vice mayor.

Commissioner Williams reminded of the tree lighting and parade.

Commissioner James had nothing at this time.

Commissioner Evans spoke of a fund raiser for the Fire Department and the Police Department Holiday Cheer which can be found on their Facebook pages.

Commissioner Jamison stated he was pleased to see the crowd in attendance tonight and hopes to see them throughout the year.

2. MAYOR

Spoke of being at the Civic Center and the storage room having old chairs and requested we have them moved. Mr. Booth states we will salvage them.

Complemented the downtown and NW 1st Ave lighting for the holidays.

Advised that November 22 there is a Toy Soldier Run at Ginnie Springs.

Advised of the need to review the city managers contract and would like on the agenda for December 11th, 2014 for discussion.

Sandra Webb spoke of the December Chamber of Commerce Social on December 9th at the Great Outdoors at 5:30 p.m. on the patio.

Mayor Weller wished everyone a good Thanksgiving.

Yvonne Andrews spoke of the debris in the closet at the Civic Center that needs to be cleaned up as well as the chairs.

Motion Commissioner James to adjourn the meeting.
Mayor Weller adjourned the meeting at 8:45 p.m.

Commission Agenda Item Request Form

MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING

MEETING DATE: **JANUARY 8, 2015**

SUBJECT: **CONSIDER ORDINANCE 2014-08, AN ORDINANCE AMENDING THE CITY OF HIGH SPRINGS PERSONNEL POLICY AND PROCEDURE MANUAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

AGENDA SECTION: **UNFINISHED BUSINESS**

DEPARTMENT: **CITY MANAGER**

PREPARED BY: **CITY CLERK**

RECOMMENDED ACTION: **ADOPTION OF ORDINANCE 2014-08 ON SECOND AND FINAL READING.**

COST: **NO ADDITIONAL COST**

Summary

THE CITY COMMISSION READ AND ADOPTED ORDINANCE 2014-08 ON FIRST READING AT THE DECEMBER 11, 2014 MEETING WITH AMENDMENTS TO THE PROBATIONARY PERIOD BEING ESTABLISHED AS 12 MONTHS AND FOR CHANGES TO TEMPORARY ACTING PAY. ORDINANCE 2014-08 WAS NOTICED AND IS BEING PRESENTED FOR SECOND AND FINAL READING.

ATTACHMENTS: **ORDINANCE 2014-08**

REVIEWED BY CITY MANAGER:

ORDINANCE 2014-08

AN ORDINANCE AMENDING THE CITY OF HIGH SPRINGS PERSONNEL POLICY AND PROCEDURE MANUAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of High Springs adopted a Personnel Policy and Procedure Manual by Ordinance 2011-20, passed on November 3, 2011; and

WHEREAS, the City Commission has determined that it is appropriate and necessary to update and amend the Personnel Policy and Procedure Manual; and

WHEREAS, after proper notice and public hearing, the City Commission has determined that it is prudent to amend and adopt the City's Personnel Policy and Procedure Manual.

NOW THEREFORE BE IT ORDAINED BY THE HIGH SPRINGS CITY COMMISSION THAT:

SECTION ONE: Amendment. The City of High Springs Personnel Policy and Procedure Manual, attached hereto and incorporated herein by reference, is hereby amended and adopted.

SECTION TWO: Future Amendments. The City of High Springs reserves the right to amend, alter, modify, delete and/or add to the Personnel Policy and Procedure Manual in the future effective upon passage of a Resolution by the City Commission.

SECTION THREE: No Employment Contract. This Manual does not constitute any form of employment contract or guarantee of continued employment or of any benefit contained therein. The Manual is not a legally enforceable contract (either express or implied), nor is it intended to create any legally enforceable obligations on the part of the City of High Springs. All employment with the City is at will, and the City may terminate the employment relationship at any time.

SECTION FOUR: Conflicts. Ordinance 2011-20, and all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FIVE: Conflicts of Law. Whenever the requirements or provisions of this Manual are in conflict with the requirements or provisions of Federal, State, and or local laws, they take precedence over this Manual.

SECTION SIX: Severability. If any section, subsection, paragraph, sentence, clause, phrase, word or provision of this ordinance, or if any provision of the attached High Springs Personnel Policy and Procedure Manual is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or otherwise invalid, such holding shall not affect the remaining provisions of this ordinance.

SECTION SEVEN: Effective Date. This ordinance shall take effect immediately upon passage.

PASSED THIS 8TH DAY OF JANUARY, 2015.

First Reading: December 11, 2014
Second Reading: January 8, 2015

Date of Publication: December 11, 2914

CITY OF HIGH SPRINGS, FLORIDA

ATTEST:

_____
Sue Weller, Mayor

_____
Jenny L. Parham, City Clerk

(Municipal seal)

CITY OF HIGH SPRINGS

110 NW 1st AVENUE
HIGH SPRINGS, FLORIDA 32643
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PERSONNEL POLICY AND PROCEDURE MANUAL

December 11, 2014

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SECTION 1 GENERAL PROVISIONS

1.1 PURPOSE

The purpose of these Personnel Rules and Regulations is to establish procedures which will serve as a guide to administrative actions covering most personnel actions which may arise. The final interpretation and application of these Personnel Rules and Regulations shall be made by the City of High Springs (hereafter "City") or its designee, the City Manager. The City reserves the right to amend, alter, modify, delete and add to these rules.

The information contained in these policies and procedures is intended as a general rule for employees. They do not constitute any form of employment contract or guarantee of continued employment or of any benefit contained herein. Rather, all employment with the City is at will and either the City or the employee may terminate the employment relationship at any time. This document is not intended to be a legally enforceable contract (either express or implied), nor is it intended to create any legally enforceable obligations on the part of the City.

1.2 OVERALL EMPLOYMENT POLICY

The City of High Springs is an equal opportunity employer and it is the policy of the City not to discriminate against any person in recruitment, examination, appointment, training, promotion, retention, or personnel action solely on the basis of race, color, national origin, gender, legally recognized disability, religion, age, marital status, unless one or more of the above constitute a bona fide occupational qualification within the meaning of the law.

1.3 COLLECTIVE BARGAINING AGREEMENT

Where these Personnel Rules and Regulations or department rules and regulations are in conflict with the express terms of a Collective Bargaining Agreement, the terms of the Collective Bargaining Agreement shall take precedence.

1.4 AMERICANS WITH DISABILITIES

Persons with known legally recognized disabilities will be given full consideration for employment and opportunities for advancement in all departments and divisions. The City will offer to such persons reasonable accommodation with respect to the essential functions of the job, provided the person is otherwise qualified to perform the job, and provided further such accommodation does not create undue hardship on City operations.

1.5 COVERED EMPLOYEES

All City employees shall be covered by the policies contained herein.

1.6 EMPLOYEE RESPONSIBILITY FOR PERSONNEL POLICIES

All employees are responsible for becoming aware of and familiar with the policies and procedures which govern their employment with the City.

All employees are expected to report immediately to their supervisor any and all suspected violations of these policies or of any City regulation. Failure to do so may subject the employee to disciplinary action.

1.7 AMENDMENTS

Amendments to the Personnel Policy and Procedure Manual shall be approved by the City Commission upon the recommendation of the City Manager. Copies will be distributed to all departments and employees.

1.8 PRIOR MEMOS, POLICIES AND REGULATIONS

All prior memos, policies, procedures and regulations inconsistent with the Personnel Policy and Procedure Manual are null and void.

1.9 ADMINISTRATION

Departmental policies and standard operating procedures will be in writing and submitted to and reviewed by the City Manager for approval. In the event of conflict, the City Personnel Policy and Procedure Manual shall prevail.

The City Clerk is responsible for the administration of the City Personnel Policy and Procedure Manual and to ensure compliance with applicable federal and state personnel laws.

Department Directors are responsible for the proper and effective administration of these policies and procedures within their respective departments. Routine matters pertaining to enforcement may be delegated.

The City Clerk shall direct the maintenance of all personnel files. Every City employee shall have the right to inspect the employee's personnel file and obtain copies of any documents comprising the file. All such inspections shall be initiated at the employee's request, during normal business hours, in the presence of the official file custodian at the location where the file is stored. No original documents shall be removed from the file except by the custodian for copying.

Employees with questions or concerns regarding these policies and procedures shall contact their immediate supervisor.

SECTION 2 DEFINITIONS OF COMMONLY USED TERMS

2.1 DEFINITIONS

Active Pay Status – When an employee is working, on an authorized paid leave, paid holidays or other time where pay is being credited to employee.

ADA – Americans with Disabilities Act

Anniversary Date – The date an employee begins employment and the same date in following years. This is the date upon which entitlement to fringe benefits are based unless a specific benefit provides otherwise. The anniversary date may be changed in accordance with these Personnel Rules and Regulations.

At-Will Employee – Employees who serve at the pleasure of the City Manager and who may be removed from their positions and/or disciplined up to and including termination by the City Manager for any or no reason subject only to applicable law.

Calendar Year – Is the period from January 1 to December 31 of any given year.

Classification Plan – The official schedule of pay, assigning rates of pay to each position or job classification.

Seniority – The length of time an employee has been continuously employed in his current position classification.

City Clerk – The City Clerk or designee.

City Manager – The City Manager or designee.

Collective Bargaining Agreement (CBA) – An agreement between an employee organization and the High Springs City Commission negotiated and ratified as required by the Public Employees Relation Act.

Compensatory Time – (also referred to as Comp Time) – Compensatory time is paid time off granted to an exempt employee for working extra hours. Comp time should not be confused with "flex-time."

Confidential Employee – An employee, as defined in Florida Statutes Chapter 447, who is exempt from coverage of the Public Employee Relations Act.

Demotion - The assignment of an employee from one class to another class, which has a lower minimum and maximum rate of pay.

Department Director – An exempt managerial and confidential employee who is assigned the overall responsibility for the operation of a recognized department or area of City operation.

Employees - Are generic and used for reference purposes only to signal reference to both males and females.

Exempt Employee – An employee exempt from overtime under the Fair Labor Standards Act and paid a salary for all hours worked in a work week.

Flex-time – At the discretion of the Department Director, this time allows non-exempt employees to occasionally schedule their regular working hours for personal needs. All changes must occur within the same pay period.

FMLA – Family Medical Leave Act

Health Insurance Eligibility- Full Time employees are eligible for benefits, in determining eligibility a rolling twelve month average of a minimum of 30 hours per week is required.

Managerial Employee -_An employee, as defined in Florida Statutes Chapter 447, who is exempt from coverage of the Public Employee Relations Act.

Non-Exempt Employee - Nonexempt employees are entitled to overtime pay under the Fair Labor Standards Act. Overtime is typically defined as any time worked over 40 hours in a workweek.

Part-time employee – Is any employee who is assigned a regular schedule of less than thirty (30) hours, and in fact works less than 30 hours on a regular basis.

Pay Grade – The salary range assigned to a particular classification title expressed as a pay range number.

Probationary employee – Is any full-time or part-time employee who has not completed the initial probationary period or any extension thereof.

Probationary Period – The first 126 months (3 months for promoted employees) of continuous employment with the City, the probationary period is dependent on completion of training and probationary expectations, to be determined by the employee's supervisor. After successful completion of the probationary period, the employee will be classified as a regular full-time or part-time employee.

Promotion – A permanent assignment of an employee to a higher level job classification that is subject to the completion of a 3 month probationary period.

Reclassification – Movement of a job classification from one pay grade to another based on changes in the job duties, responsibilities, job market and/or other work related factors.

Reemployment – The hiring of a person who formerly worked for the City. Persons rehired will be considered new employees for all purposes.

Regular full-time employee – is an employee who is assigned a regular schedule of a minimum of thirty (30) hours or the regular Section 7(K) schedule, whichever applies, per week or per pay period and is classified as a regular full-time employee of the City.

Resignation – Act of voluntary withdrawing from City employment.

Section 7(K) – Section 7(K) of the Fair Labor Standards Act allowing certain employees in the Fire and Police Departments to be paid overtime based on a schedule other than after forty (40) hours in a seven (7) day period.

Shall – The word "shall" will be interpreted as mandatory.

Temporary employee – Is any employee that is not classified as a regular full-time, part-time or probationary employee, such as a part-time employee who does not work a regular schedule.

Transfer – The permanent reassignment of an employee from one position to another.

Work Day – The scheduled number of hours an employee is required to work per day.

Work Week or Work Period – The number of hours regularly scheduled to be worked during any seven (7) consecutive days or other work period allowed by the Fair Labor Standards Act and adopted by the City Commission for an employee or group of employees.

SECTION 3 JOB CLASSIFICATIONS/DESCRIPTIONS

3.1 GENERAL STATEMENT

A job classification plan and job descriptions are established and maintained by the City Manager. The Classification Plan provides a complete inventory of all positions in the City service as well as accurate descriptions for each position. The plan standardizes titles, each of which indicates a range of duties and responsibilities and has the same meaning throughout the classified service.

3.2 COMPOSITION OF THE PLAN

The Classification Plan consists of a set of job titles, along with their specifications, which identify, define and describe the type of work and level of difficulty and responsibility, and establishes the desirable qualifications of each class.

3.3 JOB TITLE

Job titles shall be used in all official City records. No person shall be appointed to, or employed in a position under a title not included in the classification plan.

3.4 MAINTENANCE OF THE PLAN

The City may add or delete positions or job classifications and may change job descriptions to expand, reduce or clarify the job dimensions and/or responsibilities of any classification. The City will attempt to provide employees with as much advance notice of any change as practicable.

Each City department head shall maintain a copy of current job descriptions for authorized job classifications assigned to that department for convenient review by the city employees of each department.

3.5 TYPES OF EMPLOYMENT

The City employs full-time, part-time, or temporary employees.

Part-time and full-time employees who have not successfully completed their initial probationary period serve at the will and pleasure of the City and may be dismissed for any reason or no reason, subject only to applicable law. Such employees shall not have access to the grievance procedure set forth in the Personnel Policy and Procedure Manual or any applicable collective bargaining agreement unless the collective bargaining agreement provides otherwise. All decisions concerning their wages, hours, and working conditions shall be made by the City, or its designee.

Full-time and part-time positions are those which are permanently budgeted and authorized for a period of six (6) months or longer. Persons employed to fill these positions on a full time or part time basis shall be deemed permanent employees after satisfactory completion of a probationary period. An employee filling a permanent position is not guaranteed continued employment.

Temporary Employment

A temporary position, established with approval of the City Manager, is a position not currently budgeted and cannot exceed six (6) months in duration. A temporary employee may be dismissed for any or no reason, subject only to applicable law.

A temporary employee may be hired to fill a regularly budgeted position when the employee normally assigned to the regular position is on approved leave of absence.

3.6 PROBATIONARY PERIOD

All newly hired employees, which include voluntary transfers and involuntary transfers, shall be on probation for a period of twelve~~six~~ (12~~6~~) months. Promoted Employees are subject to the completion of a three month probationary period.

If the employee's service is unsatisfactory during the probationary period, the employee may be removed at any time during or at the end of the probationary period by the Department Director and City Manager. Said probationary period may be extended upon recommendation by their Director, for up to an additional ninety (90) days, with the approval of the City Manager.

When an employee is promoted to a higher level job classification where a license or certification is a City requirement for holding the position, the probationary period may be

extended, with approval by the City Manager, to successfully obtain the license or certification. During the probationary period, the employee shall serve in the position to which he was promoted at the will and pleasure of the City Manager.

3.7 PERFORMANCE EVALUATIONS

An evaluation is a series of observations by a supervisor about the performance of a job by an employee over a set period of time based on procedures, forms and standards as approved by the City Manager. It is a tool designed to give employees constructive feedback about their performance in an effort to improve and enhance that performance and to correct deficiencies. It helps familiarize supervisors with information designed to assist him/her in becoming an effective evaluator of employee performance.

Performance evaluations will be conducted annually for regular full-time and part-time employees and on other occasions as determined necessary by the Director and for other employees when and if the Director determines such evaluations are needed.

Performance evaluations are considered in determining advancement, disciplinary actions and other job actions.

Any employee who receives an overall rating of unsatisfactory shall be subject to further evaluation for a period not to exceed 180 days. The employee will be evaluated during this period to ensure performance is satisfactory. If performance does not reach satisfactory performance during the period the employee may be terminated.

SECTION 4 RECRUITMENT & SELECTION PROCESS

4.1 JOB VACANCIES

Requests to announce and fill job vacancies are initiated by the Department Director. Requests are made in writing to the City Manager.

Job vacancy announcements specify the job title, salary range, minimum qualifications, and any special requirements of the position.

All job vacancies shall be advertised internally for a period of not less than five (5) working days. If the position is not filled internally, the position will be advertised externally. Notwithstanding the foregoing, at the direction of the City Manager, a job vacancy may be simultaneously posted both internally and externally.

The City Clerk is responsible for the advertisement of the position. The City Clerk reserves the option of advertising the deadline as "position open until filled," depending on recruitment needs.

A job vacancy announcement may be postponed or canceled as requested by the Department Director or City Manager. In this event, applicants will be notified.

The City Clerk is responsible for the implementation and scoring of any employment examination. Further, the City Clerk, or designee is responsible for the initial screening of all applicants/employees and may reject an applicant/employee if minimum qualifications are not met or the application was not received by the advertised closing date.

4.2 BASIS FOR SELECTION

Employment with the City shall be based on skills, experience, training, education, ability, physical and mental ability to do the available work and other factors that are related to the performance of the job in question.

As part of the pre-employment procedure, the City may check references provided by the candidates. Reference checks made by personal or telephone contact will be documented and made part of the applicant's file.

Applicants for employment where driving is an essential function of the job that have more than twelve (12) points on their Florida Driver's record shall not be considered.

The City reserves the right to reject any applicant for any reason or no reason subject only to applicable law.

4.3 TESTING

At the option and expense of the City, the City may use physical, written or oral examinations and performance tests, or other testing methods as appropriate to assist in the selection process.

In the event the City institutes or uses any sort of testing for a position, all applicants for the position will be subjected to the same testing.

4.4 DRUG TESTING

The City will adhere to Section 15 Drug Free Workplace Policy in this Policy.

4.5 DISABILITY AND MEDICAL EXAMINATIONS

Applicants may be required to take a medical and/or psychological examination after they have been provided a conditional letter of hiring depending upon job requirements.

Employees may be required to take a medical and/or psychological examination at any time by the City for reasons connected with their job (e.g., an accident on the job or fitness for duty).

Applicants who refuse to take a medical examination as indicated above will be denied employment. Employees who refuse to take a medical examination as indicated above will be terminated.

Applicants and employees who are directed to take such examinations as indicated above shall not be employed, or if previously employed, shall be terminated immediately if (a) the results of

the examination show that they are either mentally or physically unable to perform the essential functions of the job; and (b) such mental or physical impairment cannot be remedied through a reasonable accommodation Such action shall be subject to applicable federal, state and local laws dealing with disability status.

Confidentiality-Medical examination results are confidential and exempt from public records and are not part of an employee's personnel file.

Costs - The City will be responsible for all expenses incurred as a result of any medical or psychological testing required by the City.

4.6 REFERENCE CHECKS

The City Clerk or designee is responsible for responding to inquiries concerning current and former employees. The City Clerk or designee will only provide information about current or former employees which can be disclosed in accordance with Florida Law, including, without limitation, any and all requests for public records.

Each Department which receives a request for an employment reference or recommendation concerning a former or current employee shall forward the request to the City Clerk or designee for response. The City Clerk or designee will not comment upon its perception of the current or former employee but will only verify dates of employment, rates of pay, position(s) held, and eligibility for rehire and will also respond to any public records requests related to such employees.

4.7 NEPOTISM

It is the policy of the City of High Springs that no employee shall be hired to work under the direct supervision of a relative as defined below except in accordance with the terms of this subsection.

If two employees change their family relationship by marriage, adoption, or other means so as to come in conflict with these prohibitions, one of the employees shall be transferred to a different department if possible, voluntarily reduced in position to a sufficient level such that neither party is in a direct supervisory role, or separated from City service.

The relative of an official or an employee shall be defined as an individual who is related as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

The policies of this section shall be guided by the provisions of Florida Statute 112.3135, as amended. Such provisions preclude the appointment, promotion, or advancement, of a relative in or to a position in the City by an elected official.

SECTION 5 SENIORITY, LAY OFF AND RECALL

5.1 LOSS OF SENIORITY

An employee shall lose seniority and be terminated from employment as the result of any of the following:

- Discharge
- Retirement
- Voluntary resignation
- Failure to report from military leave within the time limits prescribed by law or any other leave unless an extension has been approved in advance by a Department Director or the City Manager
- Failure to notify the immediate supervisor of absence for three (3) consecutive working days shall constitute a voluntary termination effective the last day worked

5.2 LAYOFF

The City Manager shall have the authority to lay off any employee(s) because of lack of funds, lack of work, or when there are insufficient funds or appropriations to meet salary requirements necessary to maintain existing personnel in any department. A reduction in the number of employees in a job classification shall be determined by the City Manager.

Layoffs shall be final and not subject to appeal. Laid off employees may apply for future open positions for which they qualify.

SECTION 6 COMPENSATION

6.1 INTRODUCTION

The City intends to provide a comprehensive Compensation Plan, which is designed to provide wages based on merit, performance and years of continuous service that are competitive in our area and which encourage continued employment with the City. The Compensation Plan will be updated periodically.

6.2 COMPENSATION PLAN:

The Compensation Plan will include a schedule of salary ranges for each title in the classification plan consisting of minimum and maximum rates of pay. Each employee shall be paid within the rates set forth in the pay plan for the group in which he or she is employed.

6.3 SALARY RANGES:

Salary ranges are intended to furnish administrative flexibility in recognizing individual differences between positions and the qualifications of individuals, providing employees with incentives, and rewarding employees with meritorious service. The City Manager shall make or

cause to be made such comparative studies as necessary to maintain an accurate and current classification and compensation plan.

6.4 SALARY INCREASES:

Salary increases within appropriate pay ranges shall be based on:

Cost of Living:

Each year, during the budget process, the City Commission will determine what percent, if any, will be granted for cost of living increases. The percent increase will be calculated based on current base annual salary and the rate of pay will be adjusted beginning the first pay period in October of each year. Salary ranges will be adjusted by the percent determined.

Merit:

Employees may become eligible for merit salary increases, if any, depending on appropriations in the annual operating budget. Merit increases become effective on the employee's anniversary date and are based on the employee's performance evaluation as rated by his/her supervisor. The percentage of the merit increase will be applied to the employee's current rate of pay. If employee is at or near the maximum rate of pay for the position, the percentage of the merit increase that exceeds the maximum pay range will be given as a lump sum payment in lieu of increasing the current base hourly rate of pay beyond the set maximum rate. If funds are available the merit increase shall be based on the following scale or the rate set by the commission, whichever is less:

Unacceptable	0%
Needs Improvement	25% of approved total percentage increase
Meets Expectations	50% of approved total percentage increase
Exceeds Expectations	75% of approved total percentage increase
Clearly Outstanding	100% of approved total percentage increase

Longevity:

Effective October 1, 2011, longevity amounts, depending on appropriations in the annual operating budget, will be paid in a lump sum (less withholdings, etc.) in December of the anniversary year. This will only be paid on the year the employee achieves the year milestone listed below. This is not part of the employee's base salary, rather a bonus.

5 years of consecutive full-time employment $500.00
10 years of consecutive full-time employment $1,000.00
15 years of consecutive full-time employment $1,500.00
20 years of consecutive full-time employment $2,000.00
25 years of consecutive full-time employment $2,500.00
30 years of consecutive full-time employment $3,000.00

Other Salary Increases:

Participation in and successful completion of special training courses may be considered in making base salary adjustments. Salary adjustments shall not be automatic, but shall depend upon increased value of the employee to the City, as exemplified by recommendations, length of service, performance records, special training undertaken, increased responsibilities or other pertinent evidence. Salary adjustments may be made on the recommendation of the Department Director and approval of the City Manager.

6.5 ENTRANCE AT THE MINIMUM:

The minimum rate of pay for the job will be paid to qualified persons on their original appointment to a position; however, the Department Director may recommend to the City Manager a higher starting rate based on experience, training or education that warrants employment at a higher rate in the pay grade.

6.6 PAY RATES IN TRANSFER, PROMOTION OR DEMOTION:

If an employee is promoted, demoted or transferred, the rate of pay for the new position shall be determined as follows:

1. If the employee is promoted to a position having a higher pay range, the employee shall receive a five (5%) percent increase from the employee's current rate of pay, or the minimum rate for the new position, whichever is greater.

2. If an employee is transferred to a different position in the same pay range, the employee may receive a salary increase at the time of the transfer, to be determined by the Department Director and approved by the City Manager

3. If an employee is demoted to a position in a lower pay range, the employee shall be placed at an appropriate level within the lower pay range as recommended by the Department Director and approved by the City Manager. Voluntary demotion may require a reduction in pay.

6.7 TRAVEL AND OTHER OFFICIAL EXPENDITURES

The employee's rate of pay does not include allowances for official authorized travel or other expenditures incurred in the conduct of City business, or allowances provided to employees for the official use of privately owned automobiles. Employees will be reimbursed for such expenses as provided in other sections of this manual.

6.8 HOURS OF WORK

It is the policy of the City to provide a system of compensation for employees who work during assigned hours (non-emergency) and during times when a declared City Emergency exists.

Where a contract exists between the City and employees belonging to a collective bargaining unit the contract takes precedence over this policy. Employees are either designated as exempt or non-exempt based on state and federal laws.

Exempt employees are hired at an annual base salary to accomplish a job for the City. Although generally expected to be present and working for the total hours of the normal work week, exempt employees are allowed some latitude with respect to time spent at work. Compensatory time off for extended hours worked may be granted to exempt employees by their direct supervisor, and subject to approval by the Department Director.

The normal work week for non-exempt fulltime employees is 40 hours. Hours worked per day and work assigned is established by the Department Director.

The work week starts at 12:00 a.m. on Monday and ends at 11:59:59 p.m. on Sunday.

All full-time employees are required to be present at their assigned workplace for the total hours of their normal work week unless absence is authorized by the Department Director. All absences must be properly recorded and charged against the employee's appropriate leave.

Compensatory time off must be approved by the employee's supervisor prior to taking the time off. The supervisor must consider current and predicted working conditions and requirements before allowing an individual to take compensatory time off.

Part-time employees are required to be present at their assigned workplace for the total hours for which they are being compensated, unless absence is authorized by the Department Director. All absences must be properly recorded.

Required attendance at training courses will be considered as hours worked.

Travel to and from an employee's home and the employee's regularly assigned workplace will not be counted as hours worked.

Stand By

Employees who are on a standby status will be compensated in accordance with their department directives/policies.

Call Out Time - Non Exempt Employees Only

An employee called to return to work within one hour before or within one hour after the regular work shift is considered an extension of the work day and included in the total hours worked on that day. If recall (call-out time) is more than one hour before or more than one hour after the regular work shift, a minimum of two hours will be paid.

Employees will not be compensated with recall (call-out) pay when the duty involved is training or a meeting.

A minimum of two (2) hours will be paid for all call outs after normal working hours. If an employee works more than two (2) hours on the problem, the employee will be paid for the total hours actually worked.

When an employee is in official travel status for which travel expenses are reimbursable, time spent in travel beyond the normal workday on the first and last day of such travel will be considered as hours worked.

Non-exempt employees on a recognized lunch break of 30 minutes or longer are prohibited from performing any of their job functions during their lunch break. Employees are encouraged to take their lunch break away from their work area, but if they remain on the premises they shall not perform any duties while on lunch break.

Employees are prohibited from working at home unless authorized to do so by their Department Director.

Employees may not voluntarily perform their regular duties for the City without compensation.

6.9 OVERTIME:

It is the City's policy to avoid overtime work when possible. However, overtime work may be necessary to meet emergency situations, seasonal or peak workload requirements or to make accommodations when a department is understaffed. Department Directors are responsible for advance planning to minimize the need for overtime. Overtime is defined as the hours of authorized actual work performed by a non-exempt employee in excess of forty (40) hours during the established work week.

Overtime is compensated as follows:

Non-exempt employees must have supervisor approval prior to working overtime. The repeated performance of unauthorized overtime will result in disciplinary action.

Non-exempt employees shall be compensated for overtime at one and one-half (1.5) times the regular hourly rate of pay in accordance with Fair Labor Standards Act (FLSA). Only hours actually worked over forty (40) per work week will count as hours worked for the purpose of computing overtime. Paid time off, holiday, administrative leave or any other type of leave will not count as hours worked for overtime pay purposes.

6.10 Work Break

Each department may allow employees one work break during the first half of their work shift and one work break during the second half of their work shift, provided that:

- No single work break will exceed fifteen (15) minutes absence from the employee's work station.
- An employee may not accumulate unused work breaks.
- Work break time cannot be used to cover for employees' late arrivals or early departures from duty.
- Permission to take work breaks is based upon workload demands and may be withheld at the discretion of the supervisor.

Nothing in this Section will be deemed to require the City or any department to provide breaks to its employees.

6.11 Emergency Operations

During a declared City emergency procedures may be changed as required due to the circumstances and conditions.

A declared City emergency is a condition that may affect or does affect a large part of the City population, corporate limits, city property or resources available to the City. This condition may be a result of, but not limited to, a wind storm (hurricane, tornado), flood, fire, earthquake, hazardous materials and/or civil disobedience.

A City emergency may be declared by the Mayor or his/her designee, or the City Manager.

During a City emergency work schedules of individual employees may be altered without notice.

During times of declared emergencies scheduled leave time may be cancelled. After the emergency no longer exists an employee may re-schedule the employee's remaining leave time at the discretion of the Department Director.

Employees who are on leave during a declared emergency may be recalled to work at the Supervisor's discretion. After the emergency no longer exists an employee may re-schedule his/her remaining leave at the discretion of the Department Director.

During a declared emergency, employees may be temporarily released from normal duty and may be assigned to other needed tasks as determined by the City Manager. All employees will receive their normal straight time pay for their regular work period if released during the declared emergency.

Exempt employees who are recalled to duty or remain on duty during the declared emergency when City facilities are closed and other employees have been released from duty will receive their normal straight time pay in addition to receiving pay at their hourly rate of pay for any hours worked beyond their regular hours. Employees will continue on this pay schedule for the duration of the declared emergency. After the declared emergency no longer exists, employees pay schedules will revert back to the regular pay schedule.

Non-exempt employees who are recalled to duty or remain on duty during the declared emergency when city facilities are closed and other employees have been released from duty will receive their normal straight time pay in addition to receiving pay at 1.5 times their normal rate of pay for all hours worked. Employees will continue on this pay schedule for the duration of the declared emergency. After the declared emergency no longer exists, employees pay schedules will revert back to the regular pay schedule

6.12 ACTING PAY

Permanent fulltime employees temporarily assigned for thirty (30) calendar days or more to a position in a higher pay grade shall receive the minimum starting pay for that position or 5% whichever is higher, retroactive to the first day of the transfer.

When an employee temporarily works in a lower paid job classification, they shall receive the rate of pay for their regular job classification.

A routine assumption of duties that occurs in the absence of another employee on PTO or with a short-term illness is not a transfer and does not affect salary.

Upon reinstatement to the employee's previous job classification, the employee will receive the hourly rate of pay earned prior to the time acting pay status was granted, in addition to any merit increase/wage adjustment that may be applicable.

6.13 HOLIDAYS

The following holidays and any such other days as the City Commission may declare are designated as official holidays for City employees:

New Year's Eve	(December 31)
New Year's Day	(January 1)
Martin Luther King, Jr. Day	(third Monday in January)
Memorial Day	(last Monday of May)
Independence Day	(July 4)
Labor Day	(first Monday in September)
Veteran's Day	(November as observed)
Thanksgiving Day	(fourth Thursday in November)
Day after Thanksgiving	(fourth Friday in November)
Christmas Eve	(December 24)
Christmas Day	(December 25)

When a holiday falls on Sunday, the following Monday shall be observed in lieu thereof. When a holiday falls on Saturday, the preceding Friday is observed. In certain instances where two days off are scheduled, i.e., Christmas Eve and Christmas Day, the City Manager may approve going forward or backward two days to insure a holiday does not fall on a Saturday or Sunday or change the actual day observed for the holiday to create a more effective work schedule.

All full time employees on the active payroll on the date of the holiday, including such employees who are receiving occupational injury or occupational illness pay through Workers' Compensation, are eligible for holiday pay at their regular rate of pay. When a holiday is observed on a scheduled work day, an eligible employee may be paid up to a maximum of eight (8) hours pay for that day. Employees must work, or otherwise be on pre-approved leave, the scheduled day before and after the holiday to be eligible for holiday pay.

Regular Full-time staff members working at least 1,560 hours per year will receive holiday pay on a pro-rated basis. The following formula is used to determine the pro-rated holiday hours a

part-time staff member will earn per year: ***(Total Budgeted Hours Worked per Year/Full-Time Equivalency Basis i.e. 2080) X 8 hours = Pro-rated Holiday Pay.***

Fire Department Part-time staff members working at least 2,178 hours per year will receive holiday pay on a pro-rated basis. The following formula is used to determine the pro-rated holiday hours a part-time staff member will earn per year: ***(Total Budgeted Hours Worked per Year/Full-Time Equivalency Basis i.e. 2904) X 8 hours = Pro-rated Holiday Pay.***

When a fulltime non-exempt employee works on a holiday, the employee is paid one and one-half (1.5) times regular rate of pay for actual hours worked on a holiday plus holiday pay at the regular rate of pay up to a maximum of eight (8) hours pay for that day.

ABSENCE DUE TO ILLNESS

An employee scheduled to work a holiday who fails to work because of sickness or injury shall not receive holiday pay unless:

The employee notifies the Director at least one (1) hour before the employee is scheduled to report for work and; upon request, the employee presents evidence satisfactory to the Director, which may be a medical excuse that the absence was due to a bona fide, unforeseen serious illness or injury.

The Director may excuse the above one hour requirement if the Director determines that a failure to notify as required was for a reason clearly beyond the employee's control.

HOLIDAY ON A PAID TIME OFF DAY

Employees on a scheduled PTO who meet the eligibility requirements for holiday pay will be paid for their regularly scheduled hours for the holiday(s) that fall within their PTO leave period. If a holiday falls during a leave of absence without pay, the employee shall receive no holiday pay.

The provisions of the Family Medical Leave Act (FMLA) may apply in certain situations. (See FMLA Section)

SECTION 7 BENEFITS

7.1 PAID TIME OFF

Paid time off (PTO) provides all full-time staff employees with paid time away from work that can be used for vacation, personal time, personal illness or time off to care for dependents. PTO must be scheduled in advance and have department head approval, except in the case of illness or emergency. The PTO policy takes the place of sick leave, personal time, floating holiday and vacation.

All accrued sick time that current employees have earned at the time of transition to PTO will be placed in individual sick banks for each employee. Employees can use their individual sick

leave bank for extended sick leave absences (more than 3 days) only, and they can use it for their own illness or for an FMLA leave for a dependent's illness. Upon cessation of employment by resignation, retirement, or death, the employee or employee's estate shall be compensated for unused accumulated sick leave in accordance with the following schedule at the rate of pay in effect at the time of cessation:

- Resignation after 15 years of continuous service up to 360 hours
- Retirement and/or death after five years of continuous service up to 720 hours

Employees who are terminated voluntarily without a two-week' notice and employees who are terminated involuntarily for any reason are not entitled to payment for accrued, unused PTO. Department Directors who resign without a 30 day notice are not entitled to payment for accrued, unused PTO, unless approved by the City Manager. Employees who resign or retire will be paid for all unused, accrued PTO up to 800 hours. Pay will be automatically reduced for any unearned PTO that has been taken. PTO cannot be paid out while employed. It is expected that a terminating employee will work the entire time designated by his or her notice, at the convenience of the City, without using PTO.

A maximum of 800 hours PTO can be carried over to the next calendar year. The total number of hours carried over from one year to the next can never exceed 800. Any PTO in excess of 800 hours will be lost if it is unused in the calendar year, unless extenuating business circumstances have prevented the employee from taking scheduled PTO. In such cases, PTO may be carried over and taken in the first half of the next year with the approval of the Department Director and the City Manager.

The Department Directors shall determine when paid time off shall be granted in their Departments. The City Manager shall have authority to approve or disapprove leave for Department Directors.

Employees will earn one day of PTO incentive for not calling out eight hours or less before their shift starts in a six month period of time, based on January 1 to June 30 and July 1 to December 31. An employee can earn up to a maximum of 2 days per year.

All regular full-time employees covered by this article shall earn Paid Time off in accordance with the following schedule:

Years of Service	Bi-Weekly Accrual	PTO Hours per Year
Less than One Year	5.55 Hours	144 Hours
One to Five Years	7.70 Hours	200 Hours
Five to Ten Years	8.63 Hours	224 Hours
Ten to Twenty Years	10.16 Hours	264 Hours
Over Twenty Years	11.70 Hours	304 Hours

Regular full-time staff members working at least 1,560 hours per year will accrue PTO on a pro-rated basis. The following formula is used to determine the pro-rated PTO hours a part-time staff member will earn per year: ***(Total Budgeted Hours Worked per Year/Full-Time Equivalency Basis i.e. 2080) X Full-time Accrual Rate = Pro-rated Annual PTO.***

Fire Department Part-time staff members working at least 2,178 hours per year will accrue PTO on a pro-rated basis. The following formula is used to determine the pro-rated PTO hours a part-time staff member will earn per year: ***(Total Budgeted Hours Worked per Year/Full-Time Equivalency Basis i.e. 2904) X Full-time Accrual Rate = Pro-rated Annual PTO.***

7.2 BEREAVEMENT LEAVE

Bereavement Leave is available to employees as a special privilege under circumstances established in this policy.

PROCEDURE

In order to determine eligibility for Bereavement Leave with pay, employees requesting Bereavement Leave are to complete the appropriate leave form. Upon receipt of the request, the employee's Supervisor and Department Director will review the information provided, obtain any other verification needed, and determine whether the employee meets established policy requirements to receive compensation for the absence incurred. If the requirements are met for compensation, the employee's Supervisor and Department Director will approve the request.

The request form, whether approved or denied, shall be filed in the payroll record.

GUIDELINES

When a death occurs in the immediate family of an employee, that employee shall receive three (3) days off without loss of pay or benefits.

The Department Director shall have discretion to grant up to two (2) additional days off, without loss of pay or benefits. Bereavement Leave will not be charged against PTO, holiday or overtime.

Immediate family as cited above shall be defined as father, mother, spouse, children, aunt, uncle, father-in-law, mother-in-law, brother, sister, grandparents, grandchildren, step-parents, step-children, or members of the family domiciled in the household to include foster relatives, or any relative who has been declared to be under a court appointed guardianship of the employee or the employee's spouse.

Bereavement leave is a leave benefit only and no compensation will be paid for unused bereavement leave. Verification of need may be required before bereavement leave is authorized.

7.3 LEAVE OF ABSENCE WITH PAY

Jury Duty

A full time employee who is summoned to jury duty shall be granted time off with pay for the time actually spent on jury duty or. The employee must:

- Notify his/her supervisor of the summons immediately upon receipt and provide the summons to his/her supervisor with an estimate of the duration of the absence; and

- Report to the supervisor immediately upon the conclusion or continuance of such jury duty or court appearance.

The City may reschedule the working hours and days of work of a part time employee who is summoned to jury duty. If it is not feasible or practical to reschedule the employee's hours of work, the City shall grant the employee time off with pay for the time actually spent on jury duty.

All monies received by employee for such services shall be remitted to the City.

In order to receive time off with pay for jury duty, the employee must abide by the provisions contained above.

Court Appearance

If any employee is subpoenaed as a witness unrelated to City business, the City will grant the employee leave without pay or accrued PTO leave to the extent that the Department Head approves.

Conversely, if any employee is subpoenaed as a witness related to City business, the time spent as a witness will be hours worked.

Meetings

With prior approval, an employee may be granted leave with pay to attend professional meetings or conferences which contribute to the effectiveness of the employee's work performance.

Certifications

With prior approval, employees may be granted leave with pay while taking examinations before a Federal, State or County agency, provided such examinations are pertinent to his/her City employment.

Military Leave

1. Military Leave will be granted in accordance with Chapters 115 and 250.48 of Florida Statutes.
2. An employee in the United States Reserve Forces or the Florida National Guard will be granted Military Leave for training purposes with full pay and without loss of benefits.
   a. Such military leave will not exceed 17 calendar days in a calendar year.
   b. An employee assigned to active military duty for training in the United States Reserve Forces or the Florida National Guard will be granted military leave without pay for any period extending beyond 17 calendar days in a calendar year.
3. Employees who are service members in the National Guard or a reserve component of the Armed Forces of the United States shall be granted leave of absence from their respective offices and duties to perform active military service. The first 30 days of any such leave of absence to be with full pay.
4. Employees who are service members of the Florida National Guard are entitled to leave of absence from their respective duty without loss of pay or time on all days during which the officer or employee is engaged in active state duty for a named event, declared disaster, or operation pursuant to Florida Statutes 250.28 or s. 252.36. Such leave with pay shall not exceed 30 days.
5. A request for military leave will be:
   a. Submitted to the department director.
   b. Accompanied by proper military orders.
6. An employee serving on a Military Leave of Absence will retain seniority and continuous service rights.

7.5 LEAVE OF ABSENCE WITHOUT PAY

Military Leave

An employee called to compulsory military service is automatically placed on leave pursuant to state and federal law for the duration of his/her military duty. Upon completion of such service such employee shall be reinstated in the position held at the time of entry into the service, at the same salary the employee would have received had such leave not been taken, based on the following conditions:

1. That the position has not been abolished or the term thereof, if limited, has not expired.

2. That the employee is physically and mentally able to perform the duties of such position. If requested, the employee shall submit to appropriate medical examinations at the City's expense to evaluate physical and mental capabilities.

3. That the employee makes written application for reinstatement to the City within applicable statutory time limits after termination of such service.

4. That the employee submits an honorable discharge or other form of release by proper military authority establishing satisfactory service. Upon such reinstatement, the employee shall have the same rights with respect to accrued

and future seniority status and other benefits of permanent full-time employment as if the employee had been actually employed during the time of such leave.

5. The City will abide by all laws and guidelines.

Scheduling Leave of Absence Without Pay

Leaves of absence without pay may be authorized by Department Directors with approval of the City Manager for periods not to exceed sixty (60) calendar days. With the exception of across the board raises, no wage increases, PTO leave or retirement benefits shall be accrued while an employee is on leave without pay. Employee will be responsible for the entire premium for health, dental and life insurance.

All leave without pay must be approved in advance. The employee must request leave without pay by submitting a leave request to their immediate supervisor who will indicate recommendation for approval or rejection and forward the leave request to the next level supervisor, etc., with the ultimate approval or rejection by the City Manager.

Employees must request leave without pay at the earliest possible date. Untimely requests may result in a delay of the starting date for the requested leave.

7.6 Domestic or Sexual Violence

The City is committed to promoting the autonomy, safety and health of our employees and to providing leadership in recognizing the impact of domestic and sexual violence on staff and in the workplace. The purpose of this policy is to detail the support available to staff who are victims of domestic or sexual violence, and to detail the disciplinary consequences to staff members who commit, threaten or have been held legally responsible for committing acts of domestic or sexual violence.

It is the policy of the City to provide support and assistance to employees who are experiencing domestic or sexual violence. This support includes: confidential means for coming forward for help, resource and referral information, additional security at the workplace, work schedule adjustments and leave necessary to address the impact of domestic or sexual violence. Written resource and referral information is available in languages understood by all employees. Other appropriate assistance will be provided based on individual need.

Confidentiality

The City will respect the confidentiality and autonomy of the adult experiencing domestic violence to direct his or her own life. However, in accordance with Florida law reporting for certain populations is required. All information relating to leave taken under this policy will be kept confidential to the extent allowed by Florida's public records law.

Leave Options for Employees Who Experience Domestic or Sexual Violence:

A. Any employee may take up to three work days of unpaid leave from work in any 12-month period if the employee, or a family or household member of the employee, is the victim of domestic or sexual violence, for the purpose of:

1. Seeking an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence.
2. Obtaining medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the domestic or sexual violence.
3. Obtaining services from any victim-services organization.
4. Making the employee's home secure from the perpetrator of the domestic or sexual violence, or seeking new housing.
5. Seeking legal assistance in addressing issues arising from the act of domestic or sexual violence, or attending and preparing for court-related proceedings arising from the act of domestic or sexual violence.

B. The employee seeking leave under this paragraph should follow ordinary procedures for leave requests, or, in instances where a request in advance is either impracticable or unsafe, the employee should call his/her supervisor as soon as possible to inform the supervisor regarding the reason for his/her absence. Employees are not required to exhaust accrued leave time in advance of seeking leave under this paragraph.

C. Requests for additional hours of leave, or for other purposes than those recited above, will be considered on an individual basis on consultation with the employee, her/his supervisor and the approval of the City Manager. Additional hours of leave, beyond the three work days of leave authorized above, may be taken as unpaid leave or as accrued leave.

D. The employee, supervisor and the City Manager are encouraged to explore whether any other paid options can be arranged, including schedule accommodations, which will help the employee cope with a domestic or sexual violence situation without having to take an unpaid leave.

Procedures for Employees with Performance Issues Related to Domestic Violence:

A. The City recognizes that people experiencing domestic or sexual violence may have performance or conduct problems such as repeated absences from work, or inability to concentrate on work tasks, as a result of abuse. When an employee is subject to disciplinary action discloses that the job performance or conduct problem is caused by domestic or sexual violence, a referral for appropriate assistance should be offered to the employee.

B. The supervisor, in collaboration with the employee and Department Director, should allow a reasonable time for the employee to obtain assistance regarding the domestic or sexual violence.

Disciplinary Procedures for Employees Who Commit Acts or Threats of Violence:

A. The City is committed to a workplace in which the perpetration of domestic or sexual violence is neither tolerated nor excused. Any physical assault or threat made by an employee while on City premises, during work hours or at a City sponsored event is a serious violation of City policy. This policy applies not only to acts against other employees, but to acts against all other persons, including intimate partners. Employees found to have violated this policy will be subject to disciplinary action, up to and including discharge.

B. Employees who are convicted of a crime as a result of domestic or sexual violence, or who are subject to a Domestic Violence, Dating Violence, Sexual Violence, or Repeat Violence injunction, may be subject to disciplinary action, up to and including discharge, depending on the circumstances.

C. The City understands that there is the possibility of wrongful conviction of assault in the case of victims of domestic violence, who act in self-defense. The City will consider the context of the conviction before deciding on disciplinary action or discharge.

7.7 LIFE INSURANCE

Life insurance may be provided to all permanent full time employees as determined by the City.

7.8 PENSION

General Employees

The City of High Springs offers a retirement plan through the Florida Retirement System (FRS) for all eligible employees. The City reserves the right to change and/or eliminate this plan. Employees should contact the City Clerk's Office for more information regarding the FRS.

7.9 DEFERRED COMPENSATION

Deferred Compensation is a voluntary plan which may be provided by the City to assist employees in providing an option for additional retirement benefits. The total contribution is tax deferred and paid for by the employee. Contact the City Clerk's Office for enrollment information.

7.10 VOTING

During a primary or general election, an employee who is registered to vote and whose hours of work do not allow sufficient time for voting shall be allowed the necessary time off with pay for this purpose, upon notification and approval of their supervisor.

7.11 HEALTH INSURANCE

The City makes available comprehensive group insurance for medical, dental and vision for full time employees. The City's employer contribution rates will be determined annually by the City. The City shall make no contribution to dependent coverage. If an employee elects dependent coverage, the full group premium cost for dependents will be paid by the employee. The

dependent must fall within the City guidelines established for dependent coverage. Carrier and plan coverages are subject to modification at any time. Employees may temporarily extend health coverage at group rates upon separation in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA of 1985). Detailed provisions or current policies may be obtained from the City Clerk's Office.

Employees who retire may continue their group medical insurance coverage under the same terms and conditions of all then active city employees; provided, however, the retiree will pay the full premium for continued coverage.

All benefits granted in this section by the City are expressly conditioned upon budgetary consideration and subject to and limited by all of the rights granted to and reserved by the City, including the right to change and/or eliminate any and all benefits not required by law.

Additional benefits may be available at full cost to employees. Contact the City Clerk's Office to determine if any such additional benefits are offered.

SECTION 8 TRAINING AND DEVELOPMENT

8.1 Employee Education/Training:

The City encourages its employees to get job related advanced education and training in their respective fields of work. The City will assist employees with education and training under the following guidelines:

A. Mandated Training/Education - When the City requires an employee to participate in an education or training program, the City will bear the full costs of the employee's participation including: per diem, hourly pay, tuition, books, travel cost, etc, as it applies.

B. Voluntary Education - Employees may be reimbursed for tuition upon satisfactory completion of a pre-approved class at an accredited college or university. Reimbursement shall be based on availability of funds and in accordance with the following:

1. Application Procedure:
   a. The employee must submit a timely application to his/her supervisor prior to registering for the course. (Appendix A)
   c. Employee will only be reimbursed for the course if they are still employed by the City upon completion of the course.
   d. Employee must certify that they are not receiving any funds for reimbursement from any source other than the City of High Springs (i.e. grants or other source of financial aid, other than student loans).
   e. A grade of "C" or higher is required as a final grade for the course.
2. Reimbursement

a. No reimbursement will be made for an incomplete course and no employee will be reimbursed more than five hundred $500 dollars per fiscal year.

b. A pre-approved application form, accompanied by tuition receipt and evidence of satisfactory completion of the course with appropriate grade must be submitted through the City Manager to the Finance Department for reimbursement.

c. Reimbursement shall be as follows:
   i. Grade A or Pass in Pass/Fail = 100% reimbursement
   ii. Grade B = 90% reimbursement
   iii. Grade C = 80% reimbursement
   iv. Lower than C or failure = No reimbursement

Recipient agrees to remain in the employment of the City for a period of twelve months, other than by normal retirement or death, after completion of the course. In the event of voluntary resignation or involuntary termination, recipient authorizes The City to deduct required payback from payout of PTO and/or wages.

Tuition payback will be based on the amount of time remaining on your agreement as follows:

Months/Time Remaining	Amount Owed
12-9 months	100%
8-6 months	75%
5-3 months	50%
Less than 3 months	25%

SECTION 9 MEDICAL - ILLNESS OR INJURY

9.1 WORK RELATED INJURIES/WORKERS' COMPENSATION

All work related injury, regardless of severity, must be reported and documented whether medical treatment is waived or obtained by the employee. Any employee injured in the line of duty must make an immediate written report to the supervisor at the employee's first opportunity, regardless of the extent of the injury. The supervisor must report the injury to the City Clerk's Office immediately upon being advised that an injury to an employee has occurred.

In the event an employee refuses medical care, a signed statement to this effect should be obtained from the employee and submitted to the City Clerk's Office.

9.2 BENEFITS

An employee who misses work as a result of a work-related injury that is compensable under the Workers' Compensation Law, Chapter 440, Florida Statutes (or as subsequently amended), shall receive his/her normal salary for the time actually missed, up to a maximum of seven (7) calendar days, beginning with the date of injury. Injury time shall be cumulative and shall not exceed seven (7) calendar days.

This seven (7) calendar day benefit shall not be charged to the employee's accumulated PTO leave. Such leave shall continue to accrue during the initial seven (7) calendar day period of injury during the period of Workers' Compensation disability. PTO days earned shall be limited to amounts equal to one-third of those normally accrued. Once utilized, there will be no further accumulation of PTO leave.

If the employee is unable to resume work at the end of seven (7) calendar days, Workers' Compensation will begin on the eighth (8th) day at the rate of 66-2/3% of the employee's gross salary (computed on the average weekly wage paid for the thirteen (13) weeks prior to the date of injury), in accordance with the Workers' Compensation Law (or with statutory provisions if subsequently amended). In addition, an employee may receive PTO leave, if applicable, equivalent to one-third (1/3) the scheduled daily hours for each day of eligibility under Workers' Compensation. However, in no case shall an employee's benefits exceed the total amount an employee would have been paid in the absence of injury.

FOLLOW-UP TREATMENT

Those employees, upon returning to work, requiring follow-up treatment due to a work related injury may be allowed time from work with pay for such treatment provided treatment is not reasonably available during non-working hours. Each absence from the work place, due to follow-up treatment, may not exceed three (3) hours. Time away from the work place, in excess of three (3) hours, will be charged to the employee's PTO leave.

Treatment must be prescribed and/or recommended by a City authorized physician, Workers' Compensation physician or approved medical treatment facility. The employee shall provide written documentation of the prescribed and/or recommended treatment to the Supervisor/Department Director. Department Directors shall have the responsibility of monitoring an employee's use of City time for follow-up treatment. An employee may be denied use of City time for such treatment if abuse is determined.

In the event an employee is injured on the job, the following procedures apply:

A. First aid should be applied for all minor injuries not requiring professional medical attention. Drug screening will be ordered at the supervisor's discretion as set forth in the Drug Free Workplace policy.

B. *NOTIFY YOUR SUPERVISOR.* If an injury has not been reported to a supervisor, there may be no coverage by the City's Workers Compensation insurance program. All treatment must be pre-authorized except in the case of a life-threatening emergency.

C. If medical treatment other than minor first aid treatment is needed, the employee shall be sent immediately to the City's designated Workers Compensation medical provider. Drug screening may be required by the City's Drug Free Workplace policy.

D. Call 9-1-1 for all injuries that are serious in nature. When in doubt about seriousness, call 9-1-1. Employees with serious injuries should be transported immediately for treatment. Drug screening shall be required by the City's Drug Free Workplace policy.

E. Supervisors must complete a Supervisor's Report of Injury/Illness Form and forward it to the City Clerk's Office along with a completed the First Report of Injury or Illness Form by the end of the supervisor's workday.

F. Supervisors or the Department Director must contact the City Clerk's Office. All inquiries concerning any accident are to be referred to the City Clerk's Office. The City Clerk will report all incidents to the insurance carrier.

G. All medical treatment subsequent to the initial treatment must be approved by the City's insurance carrier. Only approved medical providers can treat employees for on the job injuries. Treatment by an employee's personal physician must be approved prior to any treatment by the City's insurance carrier. Employees must notify their supervisor and City Clerk's Office of all follow-up medical appointments.

9.3 MODIFIED/LIGHT DUTY

The City, at its sole discretion, retains the right to offer an employee who sustains a work related illness or injury a temporary light duty or modified duty assignment for a period not to exceed 120 days. Such duty shall be in accord with the restrictions set forth by the authorized treating physician. Unless the attending physician specifically documents that the employee cannot perform light duty work, all employees will be required to perform light duty work. While there is no employee entitlement to light or modified duty, an employee who is offered such a temporary duty assignment and declines shall not be compensated for time off. Department Directors will assign all light duty work. The attending physician will document any physical or mental restrictions and when or if the employee can return to his/her regular work.

A. Definitions:

1. Light/Modified Duty – Temporary job assignment, if available, within or without the employee's regular department, as more fully described in section C below.
2. Lost Time – When an employee is taken off of work by the authorized treating provider or when an assessment by the injured employee's supervisor, the Department Director and the City Manager concludes that the employee's work restrictions cannot currently be accommodated.

B. Follow-up:

1. The injured employee shall attend all scheduled follow up medical appointments. If an injured employee cannot attend an appointment, he/she shall notify the insurance provider and the medical provider at least 24 hours before the appointment.
2. The injured employee should schedule appointments after his/her normal working hours. If this is not possible, the employee can attend the medical appointment during work hours. Only the actual time for travel and the appointment will be allowed. The employee must return to work if the workday has not ended.
3. Following any appointment for treatment of a workplace injury, the employee shall immediately contact his supervisor and provide current work status documentation. The supervisor will send the work status documentation to the City Clerk's Office.

C. Light/Modified Duty:

1. Relates to employees whose illness or injury was job related.
2. Injured employees are often returned to work on light duty with specific restrictions. If an employee is returned to work, the supervisor will not assign duties that are beyond the employee's restrictions. If an injured employee willfully violates his work restrictions, he/she may be subject to progressive discipline that may include termination.
3. Supervisors shall review the restrictions placed on the employee and determine the ability of the employee to perform any needed work. If the supervisor feels that the employee's restrictions cannot be reasonably accommodated, the employee shall be sent home and the City Clerk's Office notified. The City Clerk's Office will schedule an assessment of the employee's work capabilities.
    a. The injured employee's supervisor and the Department Director will conduct the assessment.
    b. If it is found that the employee's restrictions cannot be reasonably accommodated, the employee will be placed on lost time status pending further assessment of restrictions or another position becomes available.
4. The light duty program requires the participation of all injured employees who are released to perform light duty work by the Authorized Treating Provider. If an injured employee refuses to participate in the program, certain workers compensation benefits may cease.
5. While on light duty, the injured employee will receive the normal hourly rate of pay and benefits. Scheduled hours of work may be reduced.
6. Light duty is temporary and is not considered a permanent accommodation to a workplace injury.
7. A light duty assignment may not extend beyond 120 days. When an employee has been in a light duty assignment for 10 days, an assessment will be made by the employee's supervisor regarding the employee's progress.
8. When an employee has reached Maximum Medical Improvement (MMI) as determined by the Authorized Treating Provider, an assessment will be made regarding the employee's ability to return to regular job duties.
    a. The injured employee's supervisor and the Department Director will conduct the assessment.
    b. If it is found the employee cannot perform his/her regular job duties with or without reasonable accommodation, posted jobs will be reviewed to determine the employee's ability to work in other positions. If the employee is qualified and meets the minimum physical requirements for a posted job, he/she will be considered for that job. If selected for the job, salary will be determined according to compensation guidelines.
        i. If an employee refuses to accept an offered job, the employee will be terminated.
        ii. If a position is not available for the employee, the employee will be terminated.

D. Lost Time:

1. The injured employee in lost time status is to contact his supervisor a minimum of once a week (not including weekends and holidays), to update the supervisor on his/her condition.
2. The injured employee in lost time status may be required to return all City owned equipment to his/her supervisor.
3. Once the employee has been released to return to work, he/she will notify the supervisor immediately. Failing to do so may subject the employee to discipline.
4. The injured employee will not accumulate PTO time while in lost time status..
5. Lost time due to a workplace injury will count toward the employee's Family and Medical Leave Act (FMLA) entitlement.

9.4 FAMILY/MEDICAL LEAVE

1. General Eligibility

Eligible employees may take up to 12 weeks of unpaid, job-protected leave each year for specified family and medical reasons.

Employee Eligibility
To be eligible for family or medical leave, you must

a. have worked at least 12 months for the City;
b. and have worked at least 1,250 hours for the City over the previous 12 months.

2. Conditions Triggering Leave

Family and medical leave must involve one or more of the following reasons:

a. For the birth of a child, to care for a newly-born child, or placement of a child with the employee for adoption or foster care.

b. To care for an immediate family member (spouse, child, or employee's parent) with a serious health condition.

c. Because of the employee's serious health condition which makes the employee unable to perform the functions of the employee's job.

d. To manage qualifying exigencies when a qualifying family member serves in the National Guard or Reserves while such member is on active duty.

e. To care for a covered military service member that is your spouse, child, parent, or next of kin with a serious illness or injury incurred in the line of duty on active duty (called Military Caregiver Leave).

3. Duration of Leave

Eligible employees that incur one of the first four triggering conditions set forth above may receive up to 12 workweeks of unpaid leave during any "rolling" 12 month period, measured backward from the date of any family or medical leave. Family and medical leave involving the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement. Eligible employees that qualify for Military Caregiver Leave are able to take up to 26 workweeks of leave in a single 12 month period.

a. You may take family and medical leave intermittently -- which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule -- whenever it is medically necessary to care for a seriously ill family member, or because you are seriously ill and unable to work. Intermittent leave is not permitted for birth of a child, to care for a newly-born child, or placement of a child for adoption or foster care.

b. Depending on the purpose of your leave request, you may choose (or the City may require you) to use accrued paid leave, if available, as a substitute for some or all of the family and medical leave.

4. Maintenance of Health Benefits

If you and/or your family participate in a group health plan, the City will maintain coverage under the plan during your family and medical leave. This coverage will be provided if you or your family were covered under the plan before the leave was taken and on the same terms as if you had continued to work. Where appropriate, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the City may recover premiums it paid to maintain health coverage for an employee and family.

5. Job Restoration

Upon returning from a family and medical leave, you will normally be restored to your original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. In addition, your use of family and medical leave will not result in the loss of any employment benefit that you earned or were entitled to before using family and medical leave.

6. Notice and Medical Certification

When seeking family and medical leave, you must:

a. Provide 30 days advance notice of the need to take family and medical leave, if the need is foreseeable.

b. Abide by usual and customary call-in procedures for reporting an absence when significant advance notice cannot be provided.

c. Provide medical certifications supporting the need for leave due to a serious health condition affecting you or an immediate family member. Second or third medical opinions and periodic re-certifications at the City's expense may also be required. Any incomplete certifications will be returned to you with any such failures noted in writing and you will be provided with seven days to cure such deficiencies.

d. Such periodic reports as deemed appropriate during the leave regarding your status and intent to return to work.

e. Medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition. You will be required to provide certification that you are able to perform the essential functions of your position. Furthermore, fitness for duty certification may be required during periods of intermittent leave if a reasonable job safety concern exists.

f. When leave is needed for a planned medical treatment for your own serious health condition or that of an immediate family member, you must try to schedule treatment so that it will not unduly disrupt the City's operation. Failure to comply with these requirements may result in delay or denial of leave.

7. Other Employment

Outside employment during your leave period is prohibited, and may result in disciplinary action, up to and including immediate termination of employment.

8. Exceeding FMLA Leave

Any employee who exceeds their FMLA entitlement may be subject to termination of employment.

9. Non-Contractual Nature Of This Policy

The duration of leave, availability of benefits, opportunity for job restoration, and other rights and privileges associated with FMLA Leave are limited by the requirements of applicable state and federal law. No express or implied contractual rights shall be inferred from this policy. The City reserves the right to modify this or any other policy, as necessary, in its sole discretion.

9.5 SAFETY PROGRAM

The City of High Springs is interested in the safety and well-being of every employee and the general public. It is the intent of the City to provide safe equipment, procedures, and surroundings for all employees. The City Manager shall be responsible for establishing and maintaining a comprehensive safety program.

SECTION 10 CODE OF CONDUCT

10.1 Code of Ethical Standards

A. Declaration of Policy:
To encourage employees to conscientiously maintain acceptably high ethical standards, the voters of Florida in 1976 approved Article II, Section 8, of the Florida Constitution entitled "Ethics in Government". In addition, the Florida Legislature enacted Florida Statutes Chapter 112, Part III, entitled "Code of Ethics for Public Officers and Employees". These provisions are general in nature and the Commission on Ethics, authorized by Section 8 of the Constitution and created by Florida Statutes, Chapter 112, encourages political subdivisions including municipalities to adopt ethical standards tailored to their particular needs. In accordance with these statutes and constitutional provisions, the City of High Springs hereby adopts this Code of Ethical Standards. Since it is neither desirable nor possible to list all possible activities that could result in a breach of the public trust, this code serves as a guideline and statement of policy. Each employee bears a personal responsibility for assessing his or her own compliance with these policies and procedures. The ethical connotations of every action shall be considered carefully and be directed toward enhancement rather than erosion of the public trust.

B. Administration of the Code of Ethics:
Where a question arises concerning whether or not any activity conforms to this Code of Ethics, the City Manager shall decide the question.

C. Fair and Equal Treatment:
Every employee must treat all citizens with courtesy, impartiality, fairness and equality under the law. No employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

D. Use of City Resources:
Use of City resources for other than City business is prohibited. Using City personnel, vehicles, equipment, material or funds (including expense accounts) for other than legitimate City business is prohibited and such prohibited use is considered a breach of ethics.

E. Conflict of Interest:
No employee shall solicit or accept free or discounted goods, services, prizes, gifts, favors, accommodations, entertainment, discounted loans or anything else of

value. This code must be read as proscribing the appearance of impropriety as well as actual conflicts of interest. No circumvention of this code is permitted by diverting free or discounted goods or services to family or associates of employees in order to avoid direct acceptance of gifts.

Exception: No breach of ethics is deemed to occur under the following circumstances:

i. Free or discounted goods, services, loans, premiums and gifts available to the general public are excepted. Discounts, loans, premiums or gifts offered to the general public or a representative group thereof (a representative public group shall not predominantly consist of public officers and employees) may be accepted by employees on the same terms as offered to the public, provided there is no evident intent to influence the decisions or performance standards of the employees in performing their official duties. (This exception is intended to permit participation in discounts offered to the public via coupons in newspapers and other publications, discount sales offered to the public, premiums and prizes offered certain open membership groups such as bank and credit cards and loans on terms offered to the public or to members of other credit unions, and the like, where no relationship exists between the official position of the recipient and the discounted goods or services received).

ii. Restricted exception to food and drink at meetings and public gatherings. Food and drink may be accepted infrequently by employees without breach of ethics providing there is no evident intent to influence official decisions or performance standards. (This exception is intended to permit attendance at breakfast, lunch and dinner meetings of organizations and committees and the like where the food is largely incidental to the occasion and expenditures per guest by the host are nominal).

iii. Promotional materials of inconsequential value are excepted. No breach of ethics occurs when the item accepted is unsolicited advertising promotional material or award and is of small resale value, such as a pen, pencil, note pad or calendar.

iv. Campaign contributions are excepted. No breach of ethics occurs when a campaign contribution is accepted and publicly reported in accordance with the applicable election laws.

v. Incentive and merit awards are excepted. If the City or any department, with the approval of the City Manager, offers or gives an award, prize, premium or such, no breach of ethics occurs when an employee accepts.

vi. Certain de minimis uses within the meaning set forth in the Internal Revenue Code.

F. Gratuities in General: Discretion and caution are recommended.

In accepting even nominal gifts, treats or benefits of any kind, all employees shall carefully refrain from incurring obligations expressed, implied or reasonably presumable by others. Therefore, ordinary discretion suggests a polite but firm refusal of even minor largess (including food or drink) from those having business relationships with the City, or from those who may be affected by the professional judgment and job performance of the gift recipient. This paragraph does not intend to inhibit normal gift giving among family and friends on festive occasions. It does aim to discourage business oriented or other gifts with even the subtlest connotations of reciprocal obligations that could be fulfilled with preferential treatment.

G. Contracts with the City:

Except for publicly recorded salary and benefits, no employee may receive any additional personal financial benefit (income, goods or service, or increase in equity or other value) from any transaction of the City, including contracts for construction and transactions for the sale or purchase of goods, services or real estate, except those indirect and incidental public benefits and conveniences accruing to all citizens under similar circumstances.

H. Policy or Legislative Matters before the City Commission:

Any employee who has a financial or other private interest in any matter before the City Commission requiring a decision and vote by the Commission or who contributes to the preparation, presentation or discussion of an official report or recommendation to the City Commission affecting such financial or other private interest shall disclose at the appropriate public meeting, orally or in writing, duly recorded in the minutes thereof, the nature and extent of such interest. This disclosure shall be made prior to any vote by the City Commission.

I. Penalties:

Violation of the provisions of this policy may result in disciplinary action, up to and including discharge.

Creed for Public Employee:

A. The public employee feels that the public business is respectable, efficient and honorable and that it is as essential as private business.
B. The public employee realizes that loyalty is the foundation upon which the public service rests. He/she speaks well of and stands by the City whose wages support him/her.
C. The public employee is governed by high ideals in his/her public and private activities in order that he/she may merit the respect and confidence of people with whom he/she works, and the public, which he/she serves. He/she is careful to conduct himself/herself, both on duty and off, so as to reflect credit upon the City.

D. The public employee renders efficient service to the best of his/her ability, for efficiency begets public confidence and assures economical operation of municipal activities.

E. The public employee is resourceful and considers it his/her duty to improve himself/herself continually, to increase his/her output of work and to expand the scope of his/her usefulness.

F. The public employee has a thorough knowledge of his/her own job and possesses a profound respect for its importance.

G. The public employee is tolerant of the opinions and conduct of others. He/she has a full recognition of the rights and honest misunderstandings of the average citizen and of his/her fellow employees.

H. The public employee believes that a dual responsibility exists between him/her and the municipal government. Since the City is responsible for the payment of adequate wages, fair labor relation policies and job security, the obligation rests upon him/her to render honest, efficient and economical service in the performance of his/her duties.

I. The public employee is courteous, pleasant and tactful in his/her contacts with the public and fellow employees, for courtesy builds good will that money cannot purchase.

J. The public employee recognizes that the chief function of government is to serve the best interest of all persons all the time.

10.2 EMPLOYEE RESPONSIBILITY FOR PERSONNEL POLICIES

All employees are responsible for becoming aware of and familiar with the policies and procedures which govern their employment with the City.

All employees are expected to report immediately to their supervisor any and all suspected violations of these policies or of any City regulation. Failure to do so may subject the employee to disciplinary action.

10.3 PERSONAL CONDUCT:

A. All persons employed by the City must remain constantly aware of the responsibility to the public and of the fact that they are representatives of the City. It is expected that conduct and appearance shall be commensurate with the position held. Employees will be respectful and courteous to the citizens of this community and others that they may come in contact with during the course of their duties.

B. City employees are frequently called upon to express opinions and to provide information concerning the City government, its operations and its policies. Expressions of opinions shall be carefully weighed in the light of the probable effect and shall be based upon facts within the personal knowledge of the employee. A City employee is not deprived of the rights of citizenship which affords the right of free speech but shall be keenly aware of responsibilities and privileges as an employee of the City and understand that personal opinions will often be interpreted by others as representing the official position of the City.

C. Employees shall be informed concerning the policies and operations of City government. Such responsibilities increase with the importance of the position held. Admitting lack of knowledge concerning a question is far superior to an incorrect answer, but, if the situation requires it, the employee, under such circumstances, shall refer the questioner to the proper source of information or obtain actual facts and inform the person making the inquiry.

D. Employees are to refrain from repeating rumors and from creating dissension within the organization.

10.4 NO SOLICITATION/DISTRIBUTION:

Solicitation on City property causes employees to neglect their own work and interferes with the work of fellow employees. The following rules shall apply to solicitation or distribution of literature by employees on City property:

A. There shall be no solicitation during working time.

B. There shall be no distribution of literature during working time or any other time in any working area. "Working time" means time designated for performing actual job duties, either by the person soliciting or distributing literature or the person being solicited or receiving literature.

C. Examples of "solicitation" include, but are not limited to, solicitations for magazines or periodical subscriptions, political contributions or membership in organizations. Examples of "distribution" include, but are not limited to, distribution of political literature, subscription forms or informational bulletins. Any such violation by an employee is grounds for disciplinary action, up to and including discharge.

D. Persons not employed by the City are forbidden from coming on City property to solicit or distribute material for any reason. All employees shall immediately report to their supervisor any solicitation or distribution of literature in violation of this rule by non-employees.

10.5 DISCLOSURE OF INFORMATION:

Except as otherwise required by public records laws, Information which is obtained in the course of official duties shall not be released by any employee unless the employee is charged with this responsibility as a part of his/her official duties. Employees may not, either directly or indirectly, use their official positions with the City or information obtained in connection with their employment for private gain or personal benefit.

10.6 OFFENSES OR VIOLATIONS OF LAW

Employees who are arrested, issued a criminal summons, issued a notice to appear, issued a criminal citation, or have their driver's license suspended, have an active warrant(s) or capiases against them, or are involved in a civil proceeding against the City will immediately notify their supervisor of the event and circumstances involved.

An employee in a driving position whose driver's license is revoked shall be terminated or, at the option of the City Manager, may be placed in a non-driving position under whatever conditions the City Manager considers appropriate, including disciplinary action.

An employee in a driving position whose driver's license is suspended shall be subject to disciplinary action, and if not terminated, may at the option of the City Manager, be placed in a non-driving position and shall not be allowed to hold a driving position until his/her driving record has not been charged with any additional points from the date of the suspension.

Return to a driving position above shall be at the discretion of the City Manager.

10.7 PROMOTION OF PRIVATE BUSINESS

Employees are prohibited from promoting or conducting personal or private business for gain or personal benefit on City time or using City owned resources or equipment.

10.8 POLITICAL ACTIVITY RESTRICTIONS

It is the City's intent to promote more efficient public service by relieving public employees of political pressure and to protect against a clear, substantial, and direct threat to the efficiency, integrity, or morale of City employees, by regulating the political activities of its employees subject to city policies:

A. No City employee shall use his/her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof.

B. No City employee shall directly or indirectly coerce or attempt to coerce, command, or advise any other officer or employee to pay, lend, or contribute any part of his salary, or any money or anything else of value to any party, committee, organization, agency or person for political purposes. Contributions which are strictly voluntary in nature for political purposes, are permitted.

C. No City employee shall directly or indirectly coerce or attempt to coerce, command or advise any such officer or employee as to where he might purchase commodities or to interfere in any other way with the personal right of said officer or employee.

D. All employees retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

E. Employees may express opinions on candidates or issues and participate in political campaigns only during off duty hours. No employee can take part in any political campaign while on duty, or within any period of time during which the employee is expected to perform services for which the employee receives compensation from the city.

F. The use of employee work time or equipment, supplies or funds to assist political parties or candidates for public offices is prohibited.

10.9 SEXUAL AND OTHER FORMS OF HARASSMENT

Statement of Policy

The City is committed to a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual and other forms of unlawful harassment. Therefore, the City expects that all relationships among persons in the office be businesslike and free of bias, prejudice and harassment. In keeping with this commitment, the City maintains a strict policy prohibiting harassment of employees based on race, color, sex, religion, national origin, age, disability or other protected status by other employees, vendors, contractors or guests.

Sexual Harassment Defined

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined in the Equal Employment Opportunity Commission's Guidelines as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to the following if they are unwelcome to any employee exposed to the behavior: unwanted sexual advances; subtle or overt pressure for sexual favors; sexual jokes; innuendoes; advances or propositions; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling, touching, pinching, assault, coerced sexual acts, or suggestive, insulting or obscene comments or gestures; display in the workplace of sexual suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature. This kind of behavior is unacceptable in the workplace and in any work-related setting outside the workplace such as during business trips and business-related social events.

It is also essential to understand that consenting romantic and sexual relationships between managers or supervisors in senior or supervisory positions and less-senior or lower-level employees, or between co-workers, may lead to unforeseen complications. The respect and trust accorded a more senior/supervisory person by a lower-level employee, as well as the position of the senior person to evaluate or otherwise supervise the lower-level person, could diminish the

extent to which the lower-level employee feels free to choose whether or not to engage in such relationships. It is not the City's intention to attempt to legislate social behavior within the City. We do, however, recognize that encouraging and developing close social relationships, including dating, with employees makes any supervisor's job more difficult. Therefore, supervisors must refrain from dating and developing close romantic and/or sexual relationships with employees under their supervision. If a social relationship of this nature does develop the supervisor/subordinate role will be immediately resolved. The resolution may include transfer to another department or another option as deemed most appropriate by the City Manager and Department Director. This option may include discipline up to and including termination.

Individuals Covered Under the Policy

This policy applies to all applicants and employees whether related to conduct engaged in by fellow employees, supervisors, managers, or someone not directly connected to the City (e.g., an outside vendor, consultant, client, and volunteers).

Reporting an Incident of Harassment

The City encourages reporting all perceived incidents of harassment, regardless of the offender's identity or position. Individuals who believe they have been the victims of harassment shall discuss their concerns with either their immediate supervisor or the City Manager.

Complaint Procedure

The City strongly encourages individuals who believe they are being harassed to promptly notify the offender that his or her behavior is unwelcome. Notifying the offender, however, is not a required first step. Any person who feels that he or she is being harassed must immediately report the offensive conduct to his or her direct supervisor. However, if the employee's direct supervisor is in any way involved in the alleged inappropriate behavior or is unavailable, the employee should report the conduct directly to the City Manager. If the City Manager is involved in the behavior, immediately contact the Mayor, and the City Attorney. The complainant may also report the incident(s) to the EEOC.

Notification of Appropriate Staff

As noted above, individuals who believe they have been the victim of harassment or believe they have witnessed harassment shall discuss their concerns with either their immediate supervisor or the City Manager or designee. If a supervisor receives information regarding harassment, the supervisor is obligated to report it immediately to the City Manager or designee.

Timeliness in Reporting Harassment

The City encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Therefore, while no fixed reporting period had been established, early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of harassment.

Investigatory Process

Any reported allegations of harassment will be investigated promptly. The investigation may include individual interviews with the complaining employee, the alleged offender involved and, where necessary, with individuals who may have observed the alleged conduct or may have relevant knowledge. The complaint and investigation will be handled with sensitivity and, to the extent practical and appropriate under the circumstances, confidentiality will be maintained throughout the investigatory process.

Protection Against Retaliation

The City will not tolerate retaliation against an individual for reporting harassment or assisting in providing information relevant to a claim of harassment. Retaliation is a serious violation of this policy and will be treated with the same strict discipline as would the harassment itself. Acts of retaliation shall be reported immediately in accordance with this policy and will be promptly investigated.

Responsive Action

Misconduct constituting harassment will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling, and disciplinary actions such as warnings, reprimands, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, compensation adjustments, or termination, as the City may believe appropriate under the circumstances. If the party to a complaint does not agree with its resolution that party may file written comments with the City Manager.

False Complaints

False and malicious complaints of harassment, as opposed to complaints which, even if erroneous, are made in good faith, may result in appropriate disciplinary action.

10.10 SMOKE FREE WORKPLACE

Employees will not smoke or use any tobacco products in any City vehicle or City building and will not smoke or use any tobacco product in any city, county, state or federal building where same is prohibited. Employees will not smoke, or in any way use smokeless tobacco products, when actively engaged in public contact work or when within 50 feet of an entrance or exit to any City building.

10.11 EMPLOYEES SERVING ON BOARDS AND COMMITTEES

Unless required by State Statute, City charter, or other applicable law, no employee shall serve as a member of any advisory, quasilegislative, quasi-judicial, or administrative Board or Committee of the City.

City Boards and Committees carry out important functions which must be accomplished without bias, prejudice, or conflicts of interest, especially on matters affecting employees. Employees likewise provide valuable service to the City, and proper channels of communication exist for

them to express their preferences and concerns. Employee membership on official boards and committees of the City tend to violate the organizational structure/chain of command, compromise the neutrality of city boards and committees, and detract from the employee's dedication and commitment to perform assigned duties.

SECTION 11 USE OF COMMUNICATION AND COMPUTER SYSTEMS

11.01 Policy Statement

This policy contains guidelines for the use, access, and disclosure of communications (including, among other things, telephone, mail, photocopiers, e-mail, voice mail, desk and laptop computers, pagers, mobile phones, faxes or facsimiles, internet and intranet) sent or received by employees using any City provided communication or computer systems (systems).

11.02 Confidentiality and Acceptable Systems Usage

A. The City systems are intended for City business only. All information transmitted or stored in City systems is the sole and exclusive property of the City. Such information may not be disclosed to any person outside City government nor may any such information be removed from City premises without the express permission of the City Clerk and pursuant to public record laws. Employees are strictly prohibited without prior authorization from accessing, reading and copying data or information stored in the systems and from accessing, reading and copying communications not directed to them. All systems messages are City of High Springs records. No message or communication is private.

B. Management's Right to Access Information.

Our computer, telephone, and communication hardware and software systems have been installed and are used to facilitate business communications. Although each employee has an individual password to access these systems, they belong to the City and the contents of all communications are accessible by management for any business purpose. The City reserves the right to monitor, and will periodically monitor, its systems in order to ensure compliance with this Policy. Employees are strictly prohibited from placing personal passwords on any City system for the purpose of preventing such monitoring. Employees should not consider any materials transmitted or stored in City systems to be private.

11.03 Personal Use of the City Communication and Computer Systems

A. General Usage

Because personal communications can be accessed without prior notice, employees should not use City systems to transmit any messages, or to access any information, which they would not want a third party to see. Although incidental and occasional personal use of City systems is permitted, any such personal use will be treated the same as all other communications under this Policy. However,

employees are at all times restricted to de minimis use in accessing or downloading information from the Internet for personal use.

B. Wireless Policy (Phone and Tablet)

All City-provided mobile phone services and equipment are subject to the approval of department directors or their designee

1. Usage Policy

The City of High Springs audits all City-provided mobile phone services (voice minutes used, text messages sent/received, and data service use) which include a review of the monthly billing by the individual's supervisor.

Most wireless transmissions are not secure. Therefore, individuals using wireless services should use discretion in relaying confidential information. Reasonable precautions should be made to prevent equipment theft and vandalism to City issued mobile phones.

2. Personal Use of City-Provided Mobile Phones

The City of High Springs issues mobile phones or provides a monthly mobile phone stipend to allow efficient and cost effective execution of City business. Any extra costs incurred, above what the City would normally pay, for such personal use to be reimbursed to the City according to paragraph 5 below.

3. Shared and Vehicle-Installed City-Provided Mobile phones

Where a City-provided mobile phone is assigned to more than one individual, all individuals who make or receive personal calls on such phones shall make a record of such calls to assist in reconciling the mobile phone bill.

4. City paid monthly stipend for use of personal Mobile Phones (Exempt Employees only)

At the City Managers discretion employees who would otherwise be provided with a City issued mobile phone can request to receive a monthly stipend for using their personal mobile phone for City business. The monthly stipend is paid through the payroll system as a taxable benefit, and the amount of the monthly stipend is based on one of three plan options as determined appropriate by the employee's director, or designee:

A. Phone only	$45 / month
B. Data plan	$60 / month
C. Phone with data	$85 / month

Stipend amounts for data plan and phone with data factor in a device replacement cost.

Employees who receive a monthly stipend agree to purchase a device that meets the City's technical standards, adhere to the City's Smart Phone policy and use their personal phone for City business (Smartphone Policy "APPENDIX B.")

5. Reimbursing the City for Personal Calls

Individuals who use City-provided mobile phones for personal use (calls or text messages) are responsible for reimbursing the costs associated with the personal use. The amount of the reimbursement to the City will be equal to the increase in monthly charges to the City caused by the personal calls.

11.04 Prohibited Use and Content of Communications

Employees may not use City Systems in any way that may be seen as insulting, disruptive, offensive or harmful to morale. Examples of prohibited, non-business purposes include, but are not limited to:

A. Conveying insensitive, improper, derogatory, insulting, threatening or harassing language or remarks, or sexually-explicit messages, cartoons, jokes, or other potentially offensive material.

B. Sending propositions, love letters or any other message that could be construed to be harassment or disparagement of others in violation of our policy against harassment.

C. Writing personal letters, resumes or other documents unrelated to City business;

D. Running computer games or other personal software or copy such software.

E. Using City Systems as a forum for gossip or personal communication.

This section or others set forth in this chapter are not intended to restrict or impede the use of the System as a part of a legal and authorized law enforcement or internal personnel investigation or inquiry.

11.05 Password and Encryption Key Security and Integrity

All Systems passwords and encryption keys must be available to the City at all times. Additionally, employees may not use passwords that are unknown to their supervisor, nor may they install encryption programs without first turning over encryption keys to their supervisor. Further, employees are prohibited from the unauthorized use of passwords and encryption keys belonging to other employees.

11.06 Software, Personal Disks and Networking

Computer software, whether purchased, developed, or modified by the City, may not be downloaded, copied, reproduced, altered or appropriated by employees without prior City authorization. Any such computer software is the property of the City and may not be copied or appropriated by employees for personal use during employment with the City or upon separation. Employees shall be aware that the illegal duplication of computer software may result in the filing of criminal copyright charges by the owners of the copyrights. Copyright infringement is punishable by fines and/or imprisonment.

11.07 Photocopier

The photocopier is acquired, maintained and operated at City expense. Use for other than City business is prohibited. A supervisor may approve occasional *de minimis* use.

11.08 Additional Security Requirements

A. Employees shall be aware that the Internet does not guarantee the privacy and confidentiality of transactions or e-mail transmissions. Therefore, sensitive material transferred over the Internet or e-mail may be at risk of detection by a third party. Employees must exercise caution and care when transferring such information.

B. Any authorized files or software that are downloaded from the Internet or acquired from outside sources, including any files that have been accessed or manipulated on home computers or received as attachments to e-mail, must be scanned with a virus detection software before installation, execution or use of the file or software on to any City computers. All appropriate precautions shall be taken to detect a virus and, if necessary, prevent its spread.

C. Alternative Internet Service Provider connections to the City internal network are not permitted unless expressly authorized and properly protected by a firewall or other appropriate security device(s).

D. Employees shall notify their immediate supervisor upon learning of violations of this policy. Violations could result in discipline up to and including termination.

11.09 Social Networking Sites

The City recognizes the use of social networking sites such as Facebook, Twitter, or any other similar program has grown in popularity in recent years. The employee acknowledges and recognizes that the use of any website to post or distribute any information considered detrimental or harmful to the City, its employee, its citizens or any other person or entity is grounds for immediate termination. This includes all postings that are made, including those both during and after normal work hours. Examples of such inappropriate postings include photographs of the employee and other employees engaged in sexual activity, under the influence of alcohol or drugs, or engaged in other unbecoming behavior; comments reflecting negatively about the City, peers, supervisors, leadership or others; and all other content that opposes the mission and purpose of the City.

Section 12 DISCIPLINARY ACTION

12.01 Administration

A. It is the intent of the City of High Springs to follow a policy of progressive discipline for employees and supervisors that emphasizes personal choices that lead to good decision making and accountability. However, the City recognizes that each instance differs in many respects from somewhat similar situations and the City retains the right to treat each occurrence as an individual event without creating a precedent for other cases which may arise in the future. While it is the City's intent to normally follow progressive discipline, some conduct or behavior by its nature may warrant immediate dismissal.

B. Coaching and counseling are the expected methods for supervisors to use in discussing a problem with an employee in the areas of work performance, conduct, safety or work habits.

C. The objective of such counseling and coaching is to help an employee recognize that a problem exists, to develop effective solutions to the problem, while, at the same time, reinforcing and building the employee's commitment to the City.

12.02 TYPES OF OFFENSES

There are two (2) groups of example offenses for which employees may be disciplined up to and including termination and the guidelines for recommended penalties for those examples for unacceptable conduct are set forth below. Nothing herein shall be construed to limit disciplinary action to the sample offenses enumerated below, and suspension without pay, demotion or termination may be for any just cause as determined by the City Manager.

This paragraph provides recommended, but not mandatory penalties to apply to the specific example offenses listed here; however, the penalty utilized shall be discretionary with management in all matters of discipline and nothing herein shall require that a particular form of discipline be utilized in any case prior to the utilization of another form of discipline.

GROUP 1 OFFENSES

First Offense – Verbal or Written Reprimand
Second Offense – Up to ten (10) days suspension without pay
Third Offense – Up to and including termination

1. Not performing or refusal to perform assigned tasks, wasting time or leaving assigned work area during working hours without permission.

2. Taking more than allowable times for meal or rest periods.

3. Unacceptable productivity or incompetency.

4. Sleeping on the job unless authorized to do so.

5. Reporting to work or working while unfit for duty, either mentally or physically, unless the condition is a legally recognized disability in which case the matter will be dealt with in accordance with applicable law.

6. Violating a safety rule or practice or not wearing required safety clothing or equipment.

7. Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the work of others, or other disorderly conduct.

8. Failure to report the loss of City equipment or other City property entrusted to the employee's custody.

9. Failure to keep the City and department notified of the employee's current proper address and telephone number.

10. Gambling or engaging in any other game of chance in any fashion that brings disrepute upon the City.

11. Violation of published City or departmental policies, rules, standards, orders, operating procedures or regulations.

12. Unexcused tardiness or absence.

13. Failure to report an on-the-job accident or personal injury.

14. Violation of the Code of Conduct.

GROUP II OFFENSES

First Offense – Up to and including termination

1. Conviction of a criminal offense.

2. Excessive tardiness and/or absenteeism.

3. Abuse of leave privileges.

4. Use of official position for personal advantage.

5. Deliberately or negligently misusing, destroying, losing or damaging any City property or property of an employee.

6. Falsification of personnel, City, or Departmental records, including employment applications, accident records, work records, purchase orders, time sheets, or any other report, record, or document.

7. Making false claims or intentional misrepresentation in an attempt to obtain sickness or accident benefits, workers' compensation, or any other benefit.

8. Insubordination or the refusal to perform work assigned, or to comply with written or verbal instructions of a supervisor.

9. Unless authorized, the use, possession or display of firearms, explosives, or weapons on or in City property.

10. Removal or theft of City property or any employee's property from City locations without proper authorization.

11. Failure to return at the end of an authorized leave of absence.

12. Concerted curtailment, restriction of production, or interference with work in or about the City's work stations including, but not limited to, instigating, leading, or participating in any walkout, strike, sit down, stand-in, slowdown, or refusal to return to work at the scheduled time for the scheduled shift.

13. Absent without permission or leave (AWOL).

14. Acceptance of a gift, service, or anything of value in the performance of duty or under any other circumstances where the employee knew or should have known it was given with an expectancy of obtaining a service or favored treatment.

15. Possession, use, sale, attempt to sell, or procure illegal controlled substances at any time whether on or off City property or whether on or off duty; and possession, use, sale or attempt to sell or procure alcoholic beverages while on duty, on City property, or while operating or riding in or on City equipment.

16. Refusal to fully and truthfully cooperate in an investigation conducted by or at the direction of the City.

17. On or off the job conduct which adversely affects the ability of the employee to perform his duties and/or adversely affects the efficient operation of the City government or any department, division, or area of City government.

18. Discourteous, insulting, abusive, or inflammatory language or conduct toward the public or co-workers.

19. Improper racial or sexual comments, harassment or acts directed to any City employee or the general public.

20. Threatening, intimidating, coercing or interfering with, fellow employees or supervisors at any time.

21. Provoking or instigating a fight or fighting while on duty.

22. Unauthorized personal use of the exempt tax number for any reason.

23. Accepting a bribe or gratuity, committing an illegal act or accepting a gratuity while performing the normal duties as a City employee.

24. Failure to report in writing an offer of a bribe or gratuity to permit an illegal act.

25. Communicating or imparting confidential information either in writing or verbally to any unauthorized person.

26. Failure to possess and maintain a current and valid state motor vehicle operator's license, if driving a vehicle is required by the City as an essential part of the employee's job.

27. Failure to report a DUI or license suspension when the employee drives a vehicle as a condition of their normal job.

28. Loss of a license or certification required by the City, the State, or other entity to perform the job for which the employee is assigned.

The above list does not include all of the reasons for which an employee may be subjected to disciplinary action, but as stated earlier, is intended to provide examples of inappropriate conduct.

12.03 Disciplinary Action:

A. An employee may be given an oral warning/counseling, written warning, demotion, suspension or may be terminated when the employee's work or misconduct so warrants.
B. In all cases the employee shall be notified of the action taken and the effective date of the action.
C. Employees may be disciplined for actions including, but not limited to, violations of the Code of Conduct contained in these rules. In addition to the general offenses listed, infraction of departmental directives or rules and regulations will subject the employee to disciplinary action.
D. Where disciplinary action may result in demotion, reduction in pay, suspension or dismissal, the Department Director/Supervisor shall first notify the City Manager before taking action.

12.04 Types of Discipline

The following shall serve as a guide in aiding supervisors and employees in the disciplinary process:

A. Oral Warning/Counseling

Whenever an employee's performance, attitude, work habits, or personal conduct at any time falls below a desirable level, supervisors shall inform the employee promptly and specifically of such lapses and give counsel and assistance. If

appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary measures.

This type of discipline shall be applied to an infraction of a relatively minor degree or to situations where the employee's performance needs to be discussed. The oral instruction shall be given in private. The employee shall be informed that the supervisor is ensuring an oral instruction, that the employee is given an opportunity to correct the condition and that, if the condition is not corrected, the employee may be subject to more severe disciplinary action. This puts the employee on formal notice that he/she is not meeting standards.

B. Written Reprimand

In situations where an oral warning/counseling has not resulted in the expected improvement, a written reprimand may be issued defining the nature of the infraction under the rules.

This reprimand will be issued in the event the employee continues to disregard an oral instruction and repeats the offense or for first time violations of a more serious nature. The notice shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further discipline. Written reprimands must be issued within a reasonable time after the occurrence of the violation claimed by the supervisor unless there is cause for a reasonable delay due to employee or supervisor unavailability. The written reprimand will be given to the employee and a copy shall be placed in the employee's personnel file. The employee's immediate supervisor usually initiates a written reprimand.

A written reprimand documents what employee actions are not acceptable and what changes in performance or demeanor are expected. It is used when a serious problem occurs or a problem is made serious by reoccurrences. The employee will sign this form acknowledging understanding and willingness to comply with the proper policies and procedures. Any failure to sign will be noted and both documents filed appropriately. A copy of the form will be given to the employee and a copy placed in his/her personnel file. An employee reprimand is not grievable; however, a rebuttal from the employee may be attached to the employee reprimand.

C. Demotion

Any Department Director, with the approval of the city manager, may demote an employee to a lower pay grade with a decrease in salary and job responsibilities, as appropriate, for such time as is necessary to correct deficiencies in job performance or job qualifications. The duration of such demotion and reduction in pay and responsibilities may be temporary or permanent, as appropriate under the circumstances. A permanently demoted employee is entitled to advance under the pay plan as any other employee based upon job performance.

D. Suspension

A Department Director may recommend suspension for an employee without pay for violation of department rules or other disciplinary reasons. All suspensions must be in writing by the Department Director in accordance with administrative policies.

The length of suspension without pay may vary according to the severity of the incident and will be determined by the Department Director in a recommendation to the City Manager based on the facts of the case. This form shall be signed by the employee acknowledging receipt of a copy. Any failure to sign will be noted and both documents filed appropriately.

E. Terminations

1. Voluntary Terminations (Resignation)

Employees who wish to depart the City service in good standing shall file with the Department Director a written resignation stating the reasons for voluntarily terminating and giving the date of termination. Unless waived by the City, non-exempt employees shall give a minimum of two weeks written notice and exempt employees shall give a minimum of 30 days, in order to resign from City service in good standing. Failure to comply with this provision may be cause for denying such employee future employment with the City and may cause loss of leave payouts. PTO time shall not be considered to be a part of this notification period.

2. Involuntary Terminations

Employees who are involuntarily terminated from the City shall be given written notice of their termination by the Department Director in accordance with administrative policies promulgated by the City Manager.

Any employee may seek review of termination under this section by proceeding directly to step 3 of the grievance procedures.

a. Layoffs

The City Manager or designated Department Director may lay off any employee of the City whenever such action becomes necessary by reason of a shortage of work or funds, the abolishment of a position or other changes in organization.

12.05 PREDETERMINATION HEARING

An employee will be offered a pre-determination hearing prior to any involuntary termination. All such decisions must have the concurrence of the City Manager.

Prior to any involuntary termination of employment, the affected employee will receive written notice of proposed action, which shall include a statement of the reasons for such action. The affected employee will thereafter have the opportunity to respond in writing to the proposed action and the reason therefore, and to respond orally to such matters before the person having the responsibility for making the decision.

Following completion of the pre-determination hearing and concurrence of the City Manager, the person responsible for the decision will notify the affected employee in writing of the decision.

12.06 Name Clearing Hearing:

When a non-permanent City employee (e.g., part-time, temporary, probationary) is terminated and the employee contends that in relation to the termination, false statements that are damaging to the employees reputation have been made public, the employee will have an opportunity to clear his/her name by responding to the statements. These procedures will not serve as an appeal of any disciplinary action or to gain reinstatement.

12.07. Absences

No employee, temporary or regular, may absent himself from his job without notifying the immediate supervisor in accordance with City policies. Failure to comply with this requirement may result in disciplinary action. Failure to notify the immediate supervisor of absence for three consecutive working days shall constitute a voluntary termination without appropriate notice effective the last day worked.

12.08 Exit Interviews

It is the policy of the City to determine why employees leave the City. An exit interview will be scheduled by the City Manager for the purpose of determining the cause and possible solutions to turnover of City personnel.

SECTION 13 Grievance Policy

13.01 Policy

All employees serve at the will and pleasure of the City throughout the course of their employment and may be terminated at any time, with or without cause. The City, nevertheless, wishes to alleviate employee concern about arbitrary termination or discipline. While recognizing that all employees of the City are at will and can be separated with or without cause, this grievance procedure is nonetheless established to provide full opportunity to an employee to bring a disciplinary matter that he or she may have to the attention of management.

The City will try to resolve problems as they arise. However, it is recognized that grievances may arise. The submission of a grievance by an employee shall not adversely affect the employee or his/her employment with the City. Newly hired probationary employees have no right to file a grievance in connection with a discharge or other discipline imposed during his or her probationary period, except a name clearing hearing for discipline of a stigmatizing nature. Oral warnings are also not subject to the grievance process. Accordingly, and in the interest of fostering good labor relations, any regular City employee who is discharged for misconduct or otherwise disciplined may question the discharge or other disciplinary action through the grievance procedure.

13.02 Definition of a Grievance

A grievance is any disciplinary dispute or conflict between the aggrieved employee and other party(s) involved in a conflict that does not include matters regulated by federal, state or municipal law. Grievances handled under this procedure shall be restricted to matters in which the designated city administrator has the authority and discretion to resolve.

13.03 Procedure for filing a Grievance

An employee may file a grievance to register a complaint, to solve a problem, to redress an alleged wrong, or to modify or question any disciplinary action including, but not limited to, suspension or dismissal. Oral warnings are not subject to this process. In order to assure every employee a method in which he/she can get a particular grievance considered rapidly, fairly and without reprisal, the following steps are provided:

Step 1

The employee shall orally discuss and explain the grievance with the immediate supervisor who may call higher-level supervision into the discussion in an effort to achieve a prompt and satisfactory resolution. The immediate supervisor will make a decision and notify the employee within five (5) business days after the discussion with the employee. The employee must initiate step 1 within five (5) business days after the effective date of the action or event being questioned.

Step 2

If the employee feels that the matter has not been settled or adjusted satisfactorily by the immediate supervisor, the matter may be submitted in writing to the Department Director within five (5) business days of the employee receiving notice of the supervisor's decision. Within five (5) business days after receiving the written grievance, the Department Director must reply to the grievance in writing.

Step 3

If the grievance is not resolved to the satisfaction of the employee by the decision of the Department Director, the employee may submit the issue, in writing to the City Manager within five (5) business days after the Step 2 written answer is received or termination pursuant City policy. The City Manager may, at his/her discretion, schedule a supplementary meeting with the

employee and/or Department Director. The employee will be notified in writing within five (5) business days of the decision of the City Manager, unless the time is extended pursuant to 13.04. The City Manager may seek the counsel of any other City official or employee for information, interpretations, comments and guidance in arriving at a fair, equitable and just decision of the issue for both the employee and the City. The decision of the City Manager in this grievance procedure shall be final and binding, unless otherwise provided for in labor agreements.

13.04 General Provisions of Grievance Procedures

The time limits of this grievance procedure may be extended by the City Manager due to illness, PTO, business trips, emergency or other reasonable cause. If an extension is required, the employee will be notified. Under this grievance procedure, the employee and the City have the opportunity to call witnesses and be represented by legal counsel. If the grieving employee's immediate supervisor is a Department Director, the procedure shall follow the procedure outlined above, omitting step 2. In cases where a grievance involves a Department Director, said grievance shall proceed directly to Step 3.

Any grievance not submitted and processed by an employee within the time limits provided above shall be considered abandoned and barred for all purposes. Any grievance not answered by the City within the time limits provided above shall be considered denied. The employee may then proceed to the next step.

The aggrieved employee and any other employee(s) required to participate in a grievance hearing during their scheduled working hours shall be compensated at their regular rate of pay; however, no compensation shall be made for participation during an employee's non-work hours.

An employee electing to use this grievance procedure expressly waives any further statutory, constitutional, or common law right to pursue a matter being grieved in any other form to the extent permitted by law.

Decisions shall not be construed to be precedent setting in any other case(s).

SECTION 14 Guns, Weapons and Dangerous Materials

It is City policy to strictly prohibit any employee, vendor or member of the public from carrying any sort of weapon or dangerous device into our offices or workplace areas. Employees are permitted to bring legal weapons in their vehicles into our parking lots if they remain locked and secured within such vehicle and the employee maintains a current and legal permit to carry the weapon. Such legal weapons may not be used for any inappropriate or illegal use. No material, whether liquid, solid, gas or combination, which can or does cause harm to person or property shall be brought on or near City property by any employee. Any violation of this policy will result in immediate termination of such employee as well as other legal action, including criminal prosecution, when appropriate.

SECTION 15 Drug Free Workplace Policy

15.01 Purpose

The City holds the safety and health of its employees and the public in highest regard. Employees are expected and required to report to work on time and in appropriate mental and physical condition. In addition, public employees are entrusted with public resources and by the nature of their jobs affect the health, safety and welfare of citizens.

Drug and alcohol abuse is a tremendous problem in our society from a legal, economic, social, medical, political and managerial perspective. Substance abuse results in increased absenteeism, tardiness, on-the-job accidents and is a potential danger to fellow employees and the public. In accordance with the Federal Drug-Free Workplace Act of 1988, unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, illegal drug, or use of alcoholic beverages is prohibited.

In order to comply with the Drug-Free Workplace requirements, the City has established a drug free workplace policy. Action will be taken against employees for violation of such policy.

15.02 Policy

It is a standard of conduct that no City employee shall report to work with the presence of illegal drugs or alcohol in his or her body. It is also a violation of City policy for any employee to possess, sell, trade, or offer for sale illegal drugs or drug paraphernalia, or otherwise engage in the use of alcohol, intoxicants, or illegal drugs on the job, on City property, or in City vehicles. The off-duty manufacture, possession, use, purchase, or distribution of illegal drugs or mind-altering or controlled substances is also prohibited. Nothing in this policy precludes the appropriate use of legally prescribed medications. However, it is a violation of City policy for any employee to use prescription drugs illegally or to misuse or abuse such drugs. If you are taking prescription or nonprescription drugs which could affect your ability to perform your job in a safe and efficient manner, you must notify your supervisor of this fact when you report to work. It is the employee's responsibility to determine and know the effect of any legal drugs he or she ingests.

This policy is implemented pursuant to the drug-free workplace program requirements under Florida Statute 440.102 and Administrative Rule 59A-24 of the State of Florida Agency for Health Care Administration. Any employee determined to be in violation of this policy is subject to disciplinary action, up to and including termination, even for the first offense.

15.03 Definitions

A. "Legal Drug" – Prescribed drug or over-the-counter drug which has been legally obtained and is being used solely for the purpose for which it was prescribed or manufactured.

B. "Illegal Drug" – Any drug which is not legally obtainable, which may be legally obtainable but has not been legally obtained, or which is being used in a manner or for a purpose other than as prescribed or manufactured.

15.04 Drug Testing

A. Applicants

All job applicants will undergo illegal drug testing as a condition for employment. Any applicant with a positive test result will be denied employment for a period of twelve (12) months. Any applicant who refuses drug testing will not be considered for employment.

B. Employees

The City will maintain screening practices to identify employees who use illegal drugs or abuse alcohol, either on or off the job. It is a condition of employment for all employees to submit to a drug screen as follows:

1. When involved in, causing, or contributing to an accident while at work, while on City property, or while in a City vehicle. "Accident" includes injury to person(s) and/or damage to vehicles, equipment or property (As defined by City drug testing matrix).
2. When there is reasonable suspicion to believe an employee is using or has used illegal drugs or is abusing or has abused alcohol. Circumstances that are considered reasonably suspicious include:

    a. Direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
    b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
    c. A report of drug use provided by a reliable and credible source and independently corroborated.
    d. Evidence that an employee has tampered with a drug test during his or her employment with the City.
    e. Evidence that an employee has used, possessed, sold, solicited or transferred drugs while working or while on City premises or while operating a City vehicle, machinery or equipment.
3. As a follow-up to an employee assistance or drug rehabilitation program. Testing will be conducted at least once a year for a two-year period after completion of the program. Advance notice of a follow-up testing date will not be given.
4. At other times and under such circumstances as deemed appropriate by the City or current state and/or federal standards. Employees will be given adequate notice of any addition/change/deletion in the City's drug testing requirements.

Any employee who refuses substance testing will be terminated and forfeit workers compensation medical and indemnity benefits. The City will be responsible for determining the local facility to be used as the collection site. Upon notification the employee must report to the collection site with a valid picture ID. If the collection site staff discovers that the employee has not followed collection procedures or has altered the specimen in any way, the employee is in violation of this policy. Employees or job applicants may confidentially report to the City's medical review officer the use of prescription or nonprescription medications both before and after being tested.

Employees or job applicants who receive a positive confirmed test result will be notified in writing. The employee may obtain the results of a screen by contacting the City Manager's Office.

15.05 Drugs Tested For

The City may test, but is not limited to, any or all of the following:

Drugs Trade or Common Name

Amphetamines Biphetamine, Desoxyn, Dexedrine
Cannabinoids (THC) - Marijuana, Pot, Grass
Cocaine-Coke, Flake, Snow, Crack
Phencyclidine HCI-PCP, Angel Dust
Methaqualone HCI-Quaalude
Opiates- Paregoric, Morphine, Tylenol with Codeine
Barbiturates Phenobarbital, Amytal, Nembutal, Seconal
Benzodiazepines Librium, Valium, Halcion, Restoril
Synthetic Narcotics Methadone-Polophine, Methadose Propoxyphene, Darvocet, Darvon-N, Dolene

15.06 Over-The-Counter and Prescription Drugs Which Could Alter or Affect Drug Test(s) Results

This information is a notice of the possible influence that prescription drugs, over the counter and other controlled substances, may have on the outcome of a drug test. If necessary, any question about the outcome of a drug test will be addressed by a licensed physician. It is always the responsibility of the employee to know the content and effect of any substance ingested.

Alcohol - All liquid medication containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example: Vick's Nyquil is 25% (50 proof) ethyl alcohol; Comtrex is 20% (40 proof); Contact Severe Cold Formula Night Strength is 25% (50 proof); Listerine is 26.9% (54 proof).

Amphetamines-Obetrol, Biphetamine, Desoxyn, Didrex, Ionamine, Fastin.

Cannabinoids-Marinol (Dronabinol, THC).

Cocaine -Cocaine HCL topical solution (Roxznne).

Phencyclidine Not legal by prescription.

Methaqualone Not legal by prescription.

Opiates Paregoric, Parapectolin, Donnagel PG, Morphine, Tylenol with Codeine, Emprin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine

DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.

Barbiturates Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Florinal, Fioricet, Esgic, Butisol, Mebral, Butabarbital, Butalbital, Phenrinin, Triad, etc.

Benzodiazepines Ativan, Azene, Clonopin, Dalmine, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.

Methadone Dolophine, Metadose.

Propoxyphene Darvocet, Darvon N, Dolene, etc.

This is not an exhaustive list of substances that may affect a drug test.

15.07 Challenges to Test Results

Employees or job applicants who receive a positive confirmed test result may contest or explain the result to the City's medical review officer (MRO) within five (5) working days after receiving written notification of the test result (contact information available in the City Manager's Office). If the explanation or challenge is unsatisfactory to the MRO, the MRO shall report a positive test result back to the City. Within five (5) working days after receiving the notice of a positive test result, an employee or job applicant may also submit information to the City explaining or contesting the test result and why the result does not constitute a violation of this policy. If the individual's explanation or challenge of the positive test result is unsatisfactory to the City, a written response as to why the explanation is unsatisfactory, along with the report of positive result, will be provided to the employee or applicant.

All such documentation shall be kept confidential pursuant to the confidentiality provisions outlined below, and shall be maintained by the City for at least one (1) year. The employee also has the right, within 180 days of the employee's challenge to the drug test result, to have the original specimen retested at another Agency for Health Care Administration certified laboratory. Arrangements and cost will be the employee's responsibility. An employee or job applicant may undertake an administrative challenge by filing a claim for benefits with a Judge of Compensation Claims pursuant to Chapter 440, Florida Statutes, or, if no workplace injury has occurred, the employee may challenge the test result in a court of competent jurisdiction. When an employee undertakes a challenge to the result of a test, it shall be the employee's responsibility to notify the laboratory, and the sample shall be retained by the laboratory until the case is settled.

15.08 Employee Assistance Program

The City does not maintain an Employee Assistance Program (EAP). The employee may contact the City's health care provider for available services. The employee is responsible for the full cost of these services. Conscientious efforts to seek such help will not jeopardize the employee's job if they have not previously tested positive for alcohol or drug use.

It is the employee's responsibility to seek assistance from an assistance program before alcohol and drug problems lead to disciplinary action. The employee may be granted leave with a conditional return to work, depending on successful completion of the agreed upon treatment regimen, including follow-up testing.

15.09 Grounds for Termination or Discipline

The following are considered violations of the City's drug free workplace policy and are subject to discipline, including termination and loss of Workers Compensation benefits, even for the first offense:

A. Violation of any aspect of the City drug and alcohol policy
B. Refusing to take a City required drug or alcohol test
C. Failing a City required drug or alcohol test (a positive test result)
D. Bringing illegal drugs or alcohol onto City premises or property or in City vehicles
E. Possessing illegal drugs or drug paraphernalia
F. Using, consuming, transferring, selling or attempting to sell or transfer any form of illegal drug while on City business or at any time during the workday, whether on City property or not;
G. Being under the influence of alcoholic beverages or illegal drugs at any time while on City business or at any time during the workday, whether on City property or not (including City vehicles). An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of alcohol or if the employee has a blood-alcohol level of .04 or higher (.02 or higher below age 21). Additionally, a violation of these policies may be reason for referral for prosecution consistent with local, state or federal criminal law. Disciplinary action against an employee by the City does not preclude the possibility of criminal charges against the individual. The filing of criminal charges similarly does not preclude action by the City.

15.10 Other Employee Responsibilities

Each employee shares responsibility for maintaining a safe work environment and shall report co-workers who use alcohol or other drugs in the workplace. Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five (5) days after the conviction.

15.11 Confidentiality

City administration will handle all information, interviews, reports, statement memoranda and drug-test results, written or otherwise, received pursuant to our drug-testing program as confidential communications. Under no circumstances will the results of an employee test be discussed with anyone except for personnel or legal counsel authorized to deal with this confidential information and in accordance with this policy or in determining compensability under chapter 440, F.S. (Workers Compensation).

Should an employee fail a drug test, his/her supervisor will be told the employee did not successfully complete the drug and alcohol test, but will not be told the cause of the failure to pass the test.

An employee has the right to appeal any disciplinary decisions resulting from a verified positive drug or alcohol test in accordance with the City Grievance Policy.

15.12 Medical Review Officer

Employees and applicants have the right to consult the City medical review officer (MRO) for technical information regarding prescription and nonprescription medication. The MRO will be designated by the City Clerk's Office.

15.13 DRUG TESTING MATRIX

Type of Incident	No Injuries	Employee Injured	Citizen Injured
Traffic crash with no damage.	**No**	**N/A**	**N/A**
Traffic crash with employee driving. Damages at or over $100.	**Yes**	**N/A**	**N/A**
Traffic Crash w/employee not driving. Damages over $100.	**Yes**	**N/A**	**N/A**
Traffic crash w/injuries. Employee not driving.	**N/A**	**Yes**	**Yes**
Traffic crash with injuries. Employee driving.	**N/A**	**Yes**	**Yes**
Employee injured on duty. Medical assistance required.	**N/A**	**Yes**	**N/A**
Employee injured on duty. No medical assistance needed (to be determined by supervisor).	**N/A**	**No**	**N/A**
City equipment damaged by employee. Damage over $100.	**Yes**	**N/A**	**N/A**
Property damaged by employee. Damage over $100.	**Yes**	**N/A**	**N/A**
Citizen injured by employee. Medical attention required.	**N/A**	**N/A**	**Yes**

Citizen injured by employee. No medical attention required.	**N/A**	**N/A**	**N/A**
Employee injured by citizen.	**N/A**	**Yes**	**N/A**
Employee under the influence. Reasonable suspicion.	**Yes**	**N/A**	**N/A**
Animal bite.	**No**	**Yes**	**N/A**
Pre-employment drug test.	**Yes**	**N/A**	**N/A**
Use of Deadly Force.	**Yes**	**Yes**	**Yes**
Pursuit resulting in crash with damages less than $100.	**No**	**Yes**	**Yes**

SECTION 16 BLOODBORNE PATHOGEN POLICY AND EXPOSURE CONTROL PLAN

The purpose of this policy is eliminate or minimize occupational exposure to blood and other potentially infectious materials which could result in exposure and transmission of hepatitis B virus (HBV), the human immunodeficiency virus (HIV), or other potentially dangerous pathogens to the City employees who may incur occupational exposure to such pathogens in the performance of their duties.

The City reserves the right to change this policy at any future time. A current copy of the "City of High Springs Bloodborne Pathogen Policy and Exposure Control Plan" shall be maintained by the City Manager and a copy of said policy shall be attached hereto and incorporated herein as "APPENDIX C."

SECTION 17 UNION CONTRACTS.

The policies and procedures governing City police department employees are contained in the City of High Springs Police Department's written directives. The collective bargaining agreements between the City of High Springs and the authorized collective bargaining agent are contained in the Agreement between City of High Springs and the bargaining agent.

The policies and procedures governing City General employees are contained in the City of High Springs Personnel Manual unless otherwise stated in the agreement between General Employees and AFSCME (American Federation of State, County and Municipal Employees). The bargaining agreements between the City of High Springs and the authorized collective bargaining agent are contained in the Agreement between City of High Springs and the bargaining agent.

SECTION 18 FIRE DEPARTMENT PERSONNEL POLICY

The personnel policies and procedures governing the City fire department employees and volunteers are contained in the City of High Springs Personnel Policy Manual.

Section 19 Public Employee Oath

19.01 Purpose

The purpose of this chapter is to comply with the clear requirements of Florida Statue 876 which reads in pertinent part as follows:

F.S.S. 876.05. Public employees; oath

(1) All persons who now or hereafter are employed by or who now or hereafter are on the payroll of the state, or any of its departments and agencies, subdivisions, counties, cities, school board and districts of the free public school system of the state or counties, or institutions of higher learning, and all candidates for public office, except candidates for federal office, are required to take an oath before any person duly authorized to take acknowledgments of instruments for public record in the state in the following form:

I, _____, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of _____ and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

(2) Said oath shall be filed with the records of the governing official or employing governmental agency prior to the approval of any voucher for the payment of salary, expenses, or other compensation.

- and -

F.S.S. 876.06. Discharge for refusal to execute

If any person required by ss. 876.05-876.10 to take the oath herein provided for fails to execute the same, the governing authority under which such person is employed shall cause said person to be immediately discharged, and his or her name removed from the payroll, and such person shall not be permitted to receive any payment as an employee or as an officer where he or she was serving.

19.02 Implementation

A Current Employees

Each current employee shall take the forgoing oath when issued a copy of these Policies and Procedures by:

1. Signing an original before a notary. The original shall be made part of the employee's file maintained in the Human Resources Department.

B. New Employees

All new employees shall sign and take the oath as a part of the hiring process and as a perquisite to employment.

Receipt of Personnel Policies and Procedures

The Personnel Policies and Procedures (sometimes called the Employee Handbook and referred to as the Manual) is a compilation of City of High Springs personnel policies, practices and procedures currently in effect.

The Manual is designed to introduce employees to the organization, familiarize each with City policies as they pertain to each as an employee, provide general guidelines on work rules, disciplinary procedures and other issues related to your employment and to help answer many of the questions that may arise.

This manual is not a contract. The Manual is intended solely to describe the present policies and working conditions at the City of High Springs. The Manual does not purport to include every conceivable situation; it is merely meant as a guideline and, unless laws prescribe otherwise, common sense shall prevail. Of course, Federal, state and/or local laws will take precedence over City polices, where applicable.

Personnel Policies are applied at the discretion of the City. The City reserves the right to change, withdraw, apply or amend any of its policies or benefits, including those covered in this Manual, at any time. The City may notify employees of such changes via e-mail, posting on the city's Intranet, Portal or website, or via a printed memo, notice, amendment to or reprinting of this Manual, but may, in its discretion, make such changes at any time, with or without notice.

By signing below, you acknowledge that you have received a copy of the City Personnel Policies and Procedures, and understand that it is your responsibility to read and understand the contents and that you commit to comply with the policies and procedures contained and to any revisions made. Furthermore, you acknowledge that this Manual is not a contract of employment.

_____ _____

Signature Date

_____

Please print full name

Sign and date two duplicate originals, one which is bound in this (your) copy of the Manual and the second which will be made part of your personnel file. Both signed in the presence of:

Witness:

_____

APPROVED AND ADOPTED BY THE CITY COMMISSION OF HIGH SPRINGS BY RESOLUTION 2015-_____, THIS _____ DAY OF _____, 2014.

_____
Mayor

Attest:

_____
Jenny L. Parham,
City Clerk

Commission Agenda Item Request Form

MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING

MEETING DATE: **JANUARY 8, 2015**

SUBJECT: **CONSIDER REQUEST FOR USE OF THE CIVIC CENTER BY OLEN BARBER.**

AGENDA SECTION: **NEW BUSINESS**

DEPARTMENT:

PREPARED BY: **CITY CLERK**

RECOMMENDED ACTION:

COST: **NO COST – POSSIBLE LOSS OF RENTAL REVENUE**

Summary

MR. BARBER HAS PREVIOUSLY BEEN GRANTED PERMISSION TO USE THE CIVIC CENTER AT NO CHARGE ON MONDAY NIGHT FOR A SENIORS PROGRAM. MR. BARBER IS REQUESTING CONTINUED USE FOR JANUARY 5, 12, 19 & 26.

ATTACHMENTS: **REQUEST FROM OLEN BARBER**

REVIEWED BY CITY MANAGER:

City Manager request./ Civic Center.

obarber@windstream.net

Tue 12/16/2014 5:51 PM

To:Jenny Parham <jparham@highsprings.us>;

Cc:obarber@windstream.net <obarber@windstream.net>;

I have been running a Seniors Program at the High Springs Civic Center on Monday nights since the Providence Civic Center closed for remodeling. The City Commission has authorized the use of the High Springs center through December 29, 2014.
At this time we do not have a completion date for the Providence center and I need to request an extension on the use of the High Springs center. To avoid and interruption in our program I need to get approval to continue using the center on Monday nights through January 2015. This will give me the time get the issue back before the City Commission for consideration.
Would you ask the City Manager for approval to use the Civic Center until the City Commission is able to hear my request.
The dates and times requested is Monday nights form 5 to 11PM, January 5, 12, 19 and 26.
Thank you
Olen Barber

Commission Agenda Item Request Form

MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING

MEETING DATE: **January 8, 2015**

SUBJECT: **Commissioners' Rules of Procedures**

AGENDA SECTION: **Unfinished Business**

DEPARTMENT:

PREPARED BY: **Sue Weller**

RECOMMENDED ACTION: **Review and Approve Revisions to Commissioners' Rules of Procedures**

Summary

The Commissioners' Rules of Procedures were previously revised but never went through a final review and adoption.

ATTACHMENTS: **City Attorney's marked-up copy of the City Commissioners Rules of Procedures**

REVIEWED BY CITY MANAGER:

RULES OF CIVILITY

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The City of High Springs encourages citizen participation in the democratic process and recognizes and protects the right of freedom of speech afforded to all. As the Commission conducts the business of the City, rules of civility shall apply. Commissioners, City officials and members of the public are to respectfully communicate according to the Commissioners' Rules of Procedure. Persons shall speak only when recognized by the Presiding Officer and, at that time, shall refrain from engaging in personal attacks and derogatory or offensive language. Comments from citizens being made at a time other than during the period titled "Citizens Requests and Comments" should be related to the topic of the agenda item~~focused on the issue at hand~~. Outbursts will not be tolerated and those who do not conduct themselves in a respectful and/or lawful manner shall be subject to removal as outlined in the Commissioners' Rules of Procedure. It shall be the responsibility of each individual to demonstrate civility. To ensure the integrity of the public meeting process and open government, Commissioners are encouraged to refrain from accepting or sending any text communications via cell phone or any other device during the course of the commission meeting.

To assure public confidence in the integrity of local government and its effective and fair operation, it is the policy of the City of High Springs to uphold, promote and demand the highest standards of civility and ethics from all of its officials, whether elected or appointed. Accordingly, members of the City Commission, Boards, Committees and Charter Officers shall, at all times, maintain the utmost standards of personal integrity, truthfulness, honesty, civility and fairness in carrying out their public duties.

PREFACE

The City of High Springs conducts municipal government, performs municipal functions, renders municipal services and exercises any power for municipal purposes according to the City Charter, except as otherwise provided by law. Any conflict or need for clarification arising out of the following Rules of Procedure shall be resolved, where applicable, by provisions of the City Charter which shall prevail, except as otherwise provided by law. Any Amendments to the City Charter which may require revisions to the Rules of Procedure shall be administratively prepared by the ~~City Manager/~~City Clerk and adopted by the City Commission.

These Rules of Procedure are adopted by the City Commission to guide the Commission through its primary operations and functions. They are designed to provide the structure needed to conduct City business while also maintaining the flexibility needed to efficiently and effectively carry out the public business as circumstances may dictate.

SECTION I - GENERAL PROVISIONS

RULE 1: COMMISSION MEETINGS

All meetings of the City of High Springs Commission shall be open to the public in accordance with the Florida Government in the Sunshine Law, Section 286.011, F.S., and any other applicable laws.

(a) The exception shall be those meetings statutorily exempt, such as executive collective bargaining sessions - Section 447.605(1), F.S.; meetings regarding risk management claims - Section 768.28(15), F.S.; and litigation meetings pursuant to Section 286.011(8) F.S. The Commission shall follow all statutory requirements for exempt meetings.

(b) Because of the need to comply with seating capacity requirements of the fire code, there may be occasions when entrance by the public to the Commission Chambers or other meeting rooms shall be

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limited.

(c) Regular meetings of the Commission will be conducted in a public building. If possible, special and emergency meetings will also be conducted in public buildings.

(d) For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in City Commission meeting rooms. Other signs, placards, or banners shall not disrupt meetings or interfere with others' visual rights.

RULE 2: REGULAR COMMISSION MEETINGS

All regular meetings of the City of High Springs Commission will be conducted at 6:30 P.M. at the City Hall Commission Chambers - City of High Springs, 110 NW First Avenue High Springs, Florida, unless advertised otherwise. Regular Commission meetings are scheduled on the second and fourth Thursday of the month. The City Commission shall provide notice of its meetings in accordance with the requirements of Florida law.

From time-to-time, regular meetings may be adjusted by the Commission to accommodate a holiday schedule. The City Clerk shall provide notice prior to the change to the public, City Manager, City Attorney, City Commission and the media. ~~Prior notice of such change shall be provided to the public, City Manager/City Clerk and media.~~

RULE 3: SPECIAL COMMISSION MEETINGS

A special meeting may be called by the Mayor (also referred to as Presiding Officer) or, in his/her absence, at the call of the Vice Mayor, or at the request of a majority of the Commission.

(a) The call for a special meeting shall contain the time, place and business to be conducted. The notice of special meeting shall be located at a designated area at City Hall. An agenda outlining the business to be conducted will be available prior to the meeting. The City shall use best efforts to provide the public with notice. No other business than that listed on the agenda shall be conducted.

(b) Each Commissioner will be given written notice served personally or left at his/her usual place of business and/or residence or by other electronic means, including but not limited to e-mail. If this means of contact is not achieved, notice will be provided orally, either in person or by telephone contact.

(c) Special meetings may be scheduled on days or evenings in addition to the second and fourth Thursday of the month. Meeting times should preferably be in the evening hours of weekdays.

(de) If there is no longer a need for a special meeting, the entity that called the meeting is authorized to cancel such meeting.

RULE 4: EMERGENCY COMMISSION MEETINGS

An emergency meeting may be called orally or in writing by the Mayor, the Vice Mayor, or at the request

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of a majority of the Commission.

(a) The call for an emergency meeting if in writing shall contain the time, place, and business to be conducted. An agenda outlining the business to be conducted will be available prior to or at the meeting. No other business than that listed on the agenda shall be conducted. Emergency meetings may be held, when practicable, upon the most reasonable notice allowable under the circumstances to the public.

(b) Each Commissioner, the City Manager, /City Clerk, the High Springs Police Department, and the City Attorney shall be given the most reasonable notice allowable under the circumstances. Such notice can be provided orally, in person or by telephone contact or by other electronic means, including but not limited to e-mail. If this means of contact is not achieved, a copy of the call for the emergency meeting may be delivered (which may be by facsimile transmission) to the person's residence, place of employment, or other location; whichever site is most likely to ensure the person's receipt of the notice.

(c) Emergency meetings may be scheduled on days or evenings in addition to the second and fourth Thursday of the month.

~~(d) There will not be a separate agenda item titled "Citizens Requests and Comments".~~

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(de) If there is no longer a need for an emergency meeting, the entity that called the meeting is authorized to cancel such meeting.

RULE 5: COMMISSION WORKSHOPS

(a) Workshops are conducted in Commission Chambers, unless advertised otherwise, and are scheduled as needed. Meeting times should preferably be in the evening hours of weekdays. The Commission may initiate workshops that are public meetings to improve communication, to gain information and to create a stronger working relationship among the elected officials of the general city government. ~~Public attendance and participation is encouraged.~~ No formal action will occur at workshops.

(b) A workshop may be called orally or in writing in the same manner as special meetings and emergency meetings.

(c) An agenda outlining the business to be conducted will be available prior to the meeting. The City shall use best efforts to provide the public with notice.

(d) Public attendance and participation is encouraged and the Commission may allow for flexible rules for public comment.

RULE 6: QUORUM

Pursuant to Section 2.08(b) of the City Charter, a majority of the Commission shall constitute a quorum for the transaction of business by the Commission. No action of the Commission, except as provided in Section 2.07 of the City Charter shall be valid unless adopted by the affirmative vote of at least three (3) members of the Commission, , unless by statute, ordinance or other regulation, an extraordinary majority

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(~~i.e~~i.e. 4/5ths) of the Commission is required for approval.

RULE 7: ELECTION OF MAYOR

The City Manager~~/City Clerk~~ shall preside over the election of the mayor in accordance with Section 2.04(a) of the City Charter. Procedures for electing the Mayor are as follows:

(a) The City Manager~~/City Clerk~~ calls for nominations for a Mayor. Nominations do not require a second. A roll-call vote is conducted by the City Clerk~~City Manager/City Clerk~~ if there is more than one nomination.

(b) The Mayor will then follow the same procedure to elect the Vice-Mayor.

RULE 8: PRESIDING OFFICER

The Presiding Officer (i.e. Mayor) shall be responsible for enforcing the Rules of Procedure and conducting meetings in a manner which preserves order and decorum, prevents attacks on personalities or the impugning of members' motives, and confine debate or comments to the question under discussion. The Presiding Officer shall endeavor to conduct the meetings in a fashion that draws a balance between the informality and congeniality possible in a small community while also maintaining the decorum and formality necessary to transact business in an orderly fashion. The Presiding Officer shall:

(a) Open the meeting at the appointed time and call the meeting to order, having ascertained that a quorum is present;

(b) Announce the business to come before the Commission, in accordance with the prescribed order of business (i.e. the agenda);

(c) Recognize all Commissioners who seek the floor under correct procedure. All questions and comments are to be directed through the Presiding Officer and restated by her/him, and she/he declares the results of all votes;

(d) Preserve order and call to order any member of the Commission who violates any of these procedures; and, when presiding, decide questions of order, subject to a majority vote on a motion to appeal;

(e) Expedite business in every way compatible with the rights of members;

(f) On certain occasions the presiding officer may believe that a crucial factor relating to such a question has been overlooked and that his/her obligation as a member to call attention to the point outweighs his/her duty to preside at that time. If the presiding officer wishes to place a motion, the gavel must be relinquished.

Based upon these Rules & Procedures, the gavel will be relinquished in the following order:

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1. Vice Mayor;
2. Other Commissioners based upon seniority of tenure;
3. ~~City Manager/City Clerk~~;

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Once a motion has been made and second received, the Presiding Officer shall hear comments from the other members of the Commission. Following the comments from other members of the Commission, the Presiding Officer shall be permitted to provide her/his input on the motion.

(g) Declare the meeting adjourned when the Commission so votes, or at any time in the event of an emergency affecting the safety of those present.

RULE 9: RULES OF ORDER

Robert's Rules of Order, ~~N~~newly ~~R~~revised, so long as they do not conflict with city ordinances, state statutes, these rules or the City of High Springs Charter, may be used as a guide in conducting commission meetings.

RULE 10: CLERK OF THE COMMISSION; PARLIAMENTARIAN; MINUTES

The City Attorney~~Manager/City Clerk~~, or her/his Assistant City Attorney/Designee~~Deputy Clerk~~, serves as parliamentarian, and advises the Presiding Officer as to correct rules of procedure or questions of specific rule application. The parliamentarian calls to the attention of the Presiding Officer any errors in the proceedings that may affect the substantive rights of any member, or may otherwise do harm. The ~~City Manager/~~City Clerk or his/her designee shall be responsible for recording all Commission meetings and workshops and shall make correct minutes of the proceedings of each Commission meeting and workshop.

RULE 11: APPEARANCE BEFORE THE COMMISSION

The City Commission recognizes the importance of– providing an opportunity for its citizens and taxpayers to express their opinions on the operation of City government and the Commission encourages citizen participation in the local government process pursuant to Section 286.0114, F.S. The City Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a timely and proper manner. To that end, the Commission may allow public comment on agenda items, at all regular, special, emergency, and workshop meetings, that do not afford citizens the right to comment.

(a) No citizen shall speak until duly recognized by the Presiding Officer, and she/he shall immediately cease speaking and relinquish the podium when requested by the Presiding Officer.

After being recognized, the person should:

1. Step up to the speaker's podium and give her/his name;

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2. State the topic or position (for/against) of the item under discussion;

3. Unless further time is granted by the Commission and/or the Presiding Officer, limit the address to three minutes; and

4. Address all remarks and questions to the Commission as a body, and not a member thereof, except through the Presiding Officer.

(b) The Commission may discuss the matter, refer it to the City Manager, ~~/Clerk~~City Clerk, or City Attorney for review and comment, question the speaker, and/or take other appropriate action.

(c) Speakers should make comments concise and to the point, and present any data or evidence they wish the Commission to consider. No person may speak more than once on the same subject unless granted permission by the Presiding Officer.

(d) No person other than a member of the Commission, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Presiding Officer. No question may be asked except through the Presiding Officer.

(e) It shall be prohibited for any person to disturb or interrupt any meeting of the City Commission or otherwise fail to comport with the Rules and Procedure herein. The use of obscene or profane language, physical violence or the threat thereof, or other loud and boisterous behavior which the Presiding Officer or Commission shall determine is intended as a disruption of the meeting and a failure to comply with any lawful decision or order of the Presiding Officer or of the Commission, shall constitute a disturbance and that person is declared out-of-order, she/he should immediately relinquish the podium. If the person does not do so, she/he is subject to removal from the Commission Chambers or other meeting room and may be arrested by the High Springs Police Department, subject to Section 810.08(1), F.S.

(f) The Presiding Officer, subject to concurrence of the majority of the Commission, is authorized to establish speaker time limits and otherwise control presentations to avoid repetition.

RULE 12: SERGEANT-AT-ARMS

The City Manager~~/City Clerk~~, or her/his designee, shall be sergeant-at-arms of the Commission meetings. The City Manager~~/City Clerk~~ shall carry out all orders and instructions given by the City Commission for the purpose of maintaining order and decorum at the Commission meeting.

RULE 13: REQUIRED ATTENDANCE OF OFFICIALS

In addition to Commissioners, City officials whose regular attendance shall be required at meetings of the Commission are the City Manager, /City Clerk, City Attorney, or their designees. Unless expressly excused by the Commission, a representative of the High Springs Police Department shall be present to provide security and assistance in maintaining order.

RULE 14: PUBLIC RECORDS

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Requests for copies of public records regarding a meeting of the City Commission should be made through the ~~City Manager/~~City Clerk's office. The cost shall be in accordance with Florida's public records law. For more information, please see the City of High Springs's Public Records Policy.

RULE 15: COMMISSION MAIL

All mail addressed to the Mayor and any Commissioner shall be handled as follows:

(a) All mail addressed to the Mayor or Commissioner will be opened by the public records custodian, or designee, and stamped with the date received on the front page and copied for public records review within 24 hours (weekdays) of receipt of the mail.

(b) Each Commissioner will receive the original of items addressed to her/him without an official title unopened. If the addressee determines that the mail should be public record, he/she will provide a copy to the ~~City Manager/~~City Clerk for records retention purposes.

RULE 16: SEATING ARRANGEMENT

Commissioners shall occupy respective seats in the Commission Chambers to be based on seniority, with the Mayor in the center of the dais, the Vice Mayor seated to the Mayor's right, and remaining Commissioners seated to the Mayor's left, in order of seniority (if equal in seniority, then Commissioners will be seated alphabetically).

RULE 17: PRESS CONFERENCES

All press conferences officially sponsored by the City of High Springs will be open to all media representatives and to the general public. Press conferences will be conducted in a location that is publicly accessible. Press releases are to be issued by the City Manager or designee. It is the responsibility of the City Manager to keep the Commission apprised of such releases.

SECTION II - PREPARATION OF AGENDA; ORDER OF BUSINESS

RULE 18: PREPARATION OF AGENDA

The ~~City Manager/~~City Clerk is responsible for the preparation of the agenda. The Mayor or any Commissioner may place an item on the agenda. The City Manager, /City Clerk or City Attorney may also place an item on the agenda.

As a general practice, all supporting documentation must be provided to the ~~City Manager/~~City Clerk prior to agenda review on the Wednesday in the week prior to the meeting by 12:00 p.m. or the item(s) may not be included on the agenda.

RULE 19: AGENDA MATERIAL

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A copy of the agenda and supporting materials will be prepared for Commissioners, the public and the media by 5:00 PM on the Monday prior to the regular Commission meeting or Public Hearing except when legally observed holidays or exigent circumstances delay copying and distribution. The agenda, as well as lengthy reports that are part of agenda documentation, shall be available for review in the ~~City Manager/~~City Clerk's office. The ~~City Manager/~~City Clerk shall make every effort to have the agenda and supporting materials available on the City's website prior to meetings.

RULE 20: ORDER OF BUSINESS OF MEETING

The business of all regular meetings of the Commission should be transacted as specified below. However, the Presiding Officer may, by simple majority vote or consensus of the Commission, re-arrange items on the agenda to more expeditiously conduct the business before the Commission.

(a) Call to Order

(b) Invocation and Pledge of Allegiance

The Commission may maintain a clergy rotational roster, which may be used to rotate among the local clergy the presentation of the invocation at the regular meetings. Members of the Commission or citizens may also be designated to present the invocation. The Presiding Officer shall lead the pledge or delegate to another party.

(c) Approval of the Agenda;

Except for items advertised for public hearings, items may be added to, or removed from, the agenda. Agenda items may be reordered.

A motion to approve the agenda will have the following effects:

1. Approves any amendments to the Agenda;
2. Adopts the Agenda.

(d) Special Presentations:
Items under this section include Proclamations, Special Award Presentations, Scheduled Citizen or Group Presentations.

The number of proclamations read during the regular meeting may be limited.

Any citizen may request that an item be placed on the agenda under this section. Those who wish to agenda an item should submit a written request (stating the general nature of the matter) to the ~~City Manager/~~City Clerk before the agenda packet deadline. (Currently the deadline is the Wednesday~~Thursday~~ before~~following~~ the next~~previous~~ City Commission Meeting.)

Scheduled presentations are a maximum of fifteen (15) minutes in length. The City Commission shall not take final action at the same meeting on items addressed under this section. Final action can only be

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taken if the City Commission waives its Rules of Procedure.

(e) Unfinished Business:

(f) Citizens Requests and Comments:

During this time, anyone from the audience can come to discuss an issue that is not on the agenda and will be allowed up to five (5) minutes. All remarks will be made to the Mayor/Presiding Officer and no abusive or defamatory language will be tolerated.

(g) New Business;

The Commission may assign issues that require additional examination to an advisory board or committee. If assigned, the advisory board or committee will provide a report to the City Commission when the examination of the issue is complete.

(j) City Attorney Report/Update:

(k) City Manager Report/Update:

(l) Commissioner Comments and Concerns:

During this section, each Commissioner will have the opportunity to make comments or discuss any items of concern and answer questions from citizen comments. The Commission shall not take final action at the same meeting on items addressed under this section. Final action can only be taken if the City Commission waives its Rules of Procedures. The Commission can direct staff to place any item requiring final action on an upcoming Commission Workshop or Meeting or the Commission may assign the issue to an advisory board or committee for additional examination. The exceptions are items of an emergency nature.

(m) Adjournment

No meeting should be permitted to continue beyond 11:00 P.M. without the approval of a majority of the Commission. A new time limit must be established before taking a Commission vote to extend the meeting. In the event that a meeting has not been closed or continued by Commission vote prior to 11:00 P.M., the items not acted on are to be continued to 8:30 a.m. on the following day, unless state law requires hearing at a different time or unless the Commission, by a majority vote, determines otherwise.

SECTION III - COMMISSION PROCEDURES

RULE 21: PUBLIC HEARING:

Public hearings shall be held on the second and fourth Thursday of the month unless otherwise determined by the Commission. The procedures to be followed for public hearings are generally as follows:

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(a) The City Manager or designee should describe the agenda item to be considered, and provide the staff recommendation. The Presiding Officer should then inquire as to whether any Commissioners have questions for administration. After Commissioners' questions are answered, the Presiding Officer requests any Commissioner to put forth a motion.

(b) Following public comment (if any), the Presiding Officer closes the public hearing and inquires if any Commissioner wishes to put forth a motion. Following the motion and its second, discussion occurs among Commissioners.

(c) The Presiding Officer inquires if there is any further discussion by the Commissioners and any final comments or recommendations from administration.

(d) The Presiding Officer inquires of the Commissioners as to whether they are ready for the question. The Presiding Officer calls the question and restates the vote.

(e) For quasi-judicial hearings/proceedings, the Presiding Officer will abide by procedures in the City's Land Development Regulations.

RULE 22: VOTING:
The votes during all Commission meetings should be transacted as follows:

Voting on ordinances and resolutions shall be by roll call and shall be declared by the Presiding Officer and recorded in the minutes.

Every Commissioner~~member~~ who was in the Commission chambers when the question was put must give their vote, unless the member has publicly stated that he/she is abstaining from voting due to a conflict of interest, pursuant to Section 112.3143 or Section 286.011, Florida Statutes. If any Commissioner declines to vote "aye" or "nay" by voice, their vote shall be counted as an "aye" vote.

Pursuant to Section 2.08(b) of the City Charter, the passage of any motion, policy or resolution shall require the affirmative vote of at least three (3) members of the Commissioner. In case of a tie in votes on any proposal, the proposal shall be considered lost.

Any Commissioner shall have the right to express dissent from or protests against any ordinance, resolution or policy of the Commission, and to have the reason therefore entered in the minutes.

RULE 23: RULES OF DEBATE:

Every Commissioner~~member~~ desiring to speak should address the Presiding Officer and upon said recognition by the Presiding Officer, should be confined to the question under debate.

(a) A Commissioner~~member~~ once recognized should not be interrupted when speaking unless to call said Commissioner ~~member~~ to order. The member should then cease speaking until the question of order is determined, without debate, by the Presiding Officer. If in order, said member will be at liberty

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to proceed.

(b) The Commissioner~~member~~ making the motion should be entitled to the floor first for debate.

(c) The following motions are not debatable:

To Adjourn;	To lay on the table;
To take from the table;	To call the question;

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(d) Commissioner may speak again on a topic after all Commissioners have had an opportunity to speak.

RULE 24: CONFLICT OF INTEREST AS SPECIFIED IN 112.3143 OR SECTION 286.011, FLORIDA STATUTES;

Pursuant to F.S. 112.3143, or any amendment thereto, no Commissioner shall vote in an official capacity upon a matter which would inure to his or her special private gain or loss; which the Commissioner knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in F.S. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the Commissioner. The Commissioner in conflict shall, prior to the vote being taken, publicly state to the assembly the nature of the Commissioner's interest in the matter from which he or she is abstaining from voting and, within fifteen (15) days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum (Form 8B) filed with the City Clerk, who shall incorporate the memorandum in the minutes of the meeting.

RULE 25: ORDINANCES:

An enacted ordinance is a legislative act that prescribes general, uniform, and permanent rules of conduct relating to the corporate affairs of the city. Commission action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty. All ordinances shall be introduced in writing, and scheduled for public hearing after advertisement.

(a) Emergency Ordinances. Pursuant to F.S. 166.041(3)(b), the Commission may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements F.S. 166.041(3)(a). The emergency ordinance shall contain a declaration describing that the emergency exists and describing it in clear and specific terms. It shall become effective upon adoption or at such other date as may be specified in the ordinance. Every emergency ordinance except emergency appropriations shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent re-enactment of the ordinance under regular procedures, or if the emergency still exists. However, no emergency ordinance shall be enacted which establishes or amends the actual zoning map designation of a parcel or parcels of land or that changes the actual list of permitted, conditional, or prohibited uses within a zoning category.

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(b) If a Motion to pass an ordinance fails, the ordinance shall be considered lost.

RULE 26: RESOLUTIONS:

Generally, an enacted resolution is an internal legislative act that is a formal statement of policy concerning matters of special or temporary character. Commission action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing. A resolution may be put to its final passage on the same day on which it was introduced.

RULE 27: MOTIONS:

An enacted motion is a form of action taken by the Commission to direct that a specific action be taken on behalf of the city. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before debate.

RULE 28: RECONSIDERATION:

A motion to reconsider shall be allowed at any time during a meeting, except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject at the same meeting. A motion to reconsider may be made:

(a) At the same meeting during which an action was taken, provided that the motion to reconsider is made by a member of the prevailing side on the original motion.

(b) At a subsequent meeting by any Commissioner.

Upon passage of a motion to reconsider, no substantive action on the matter may be taken at that meeting so that the public and media may be on notice of the matter to be reconsidered. The subject matter shall be scheduled at the next regular Commission meeting for any action the Commission deems advisable.

RULE 29: RESCINDING ACTION PREVIOUSLY TAKEN

Commission action may be rescinded by a majority vote. The motion may be made by any Commissioner after a motion to reconsider has been adopted.

RULE 30: COMMISSION APPOINTMENTS TO BOARDS AND COMMITTEES

Members of the City Commission serve on various boards and committees (e.g., North Central Florida Regional Planning Council, etc.). Appointments are reviewed and made each year as soon after the City Election as practicable.

(a) If there is no nominee or volunteer for a vacancy, the Chair will appoint a Commissioner to serve.

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(b) A listing of appointments will be disseminated to the City Commission in advance of the appropriate meeting so that each Commissioner can determine his/her interest in serving on various boards/committees.

RULE 31: CITIZEN ADVISORY BOARDS/COMMITTEES

Citizen advisory boards and committees may be created and dissolved by resolution, ordinance or other act adopted by the Commission. Committee members are appointed by the Commission after advertising vacancies at least (2) two weeks prior to appointment in a local newspaper. Citizen advisory board openings shall also be posted on the City's website. All members shall serve at the pleasure of the Commission.

The mission of advisory boards shall be to examine various policy issues referred by the Commission, staff or as determined in the work plan. Boards shall provide guidance to the Commission in the development of policy recommendations. Boards shall not attempt to manage the administrative operations of the City. The Boards will not be involved in directing staff.

(a) The ~~City Manager/~~City Clerk's office shall furnish the chair of each advisory board copies of all resolutions or ordinances that pertain to that advisory board or committee. Such information shall be delivered to the advisory board or committee chair within one (1) week after adoption by the Commission, or as soon thereafter as possible.

(b) Appointment to citizen advisory boards shall be by voice vote or written ballot during a regular Commission meeting.

(c) All appointed advisory boards and other bodies shall be subject to Florida's Sunshine laws and shall meet in public buildings after required public notice is given.

(d) All –advisory boards and committees shall provide the minutes taken at each meeting. Communications to the Commission from such boards, committees and bodies shall be received in the mail of the Commission Chair.

All Chairpersons of advisory boards may provide updates to the City Commission at its regularly scheduled meetings during Committee Reports/Committee Appointments/City Announcements. All requests for presentations shall be submitted to the Office of the City Manager~~/City Clerk~~.

Appointees personal and business affairs conducted within the City of High Springs must be in substantial compliance with all City regulatory and taxing authorities' rules and regulations. Appointees deemed to be in chronic violation of any City rule, regulation, or policy may be disallowed from membership on citizen advisory boards or committees by a majority vote of the Commission.

(e) Citizen advisory boards and committees are required to adhere to the "Guidelines for Citizen Advisory Boards & Committees" as approved by the City Commission. These guidelines are

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incorporated herein.

(f) Citizen advisory boards and committees created by or in response to federal or state statutory requirements shall conduct business consistent with these guidelines unless otherwise provided for by such federal or state statutory requirements.

RULE 33: NON-AGENDA INQUIRIES AT COMMISSION MEETINGS

(a) At regularly scheduled City Commission meetings, the Commission shall provide a comment period for citizens and taxpayers of the City to speak on non-agenda items. This public comment period is denoted on the agenda as "Citizens Requests and Comments"." The remarks of each speaker shall be limited to five minutes, unless more time is granted by the Presiding Officer of the Commission.

(b) The purpose of the public comment portion of the meeting it to receive citizen input pertaining to matters over which the City Commission has jurisdiction or control. This period of time is for comments and not for questions directed to the City Commission or staff for immediate answer. Questions directed to the City Commission may be referred to staff to be answered within a reasonable period of time following the date of the meeting.

(c) Citizens are encouraged to call the appropriate City department during regular business hours. If you have contacted the department and for some reason results were not satisfactory, please call the director of the department or the City Manager's office.

RULE 34: SUSPENSION AND CONSTRUCTION OF RULES

These rules may be amended or temporarily suspended at any meeting of the Commission with an affirmative vote of a super-majority of the Commission. These rules are for the efficient and orderly conduct of Commission business only. No violation of such rules shall invalidate any action of the Commission when approved by a majority vote required by law and in compliance with the City Charter.

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GUIDELINES FOR CITIZENS ADVISORY BOARDS & COMMITTEES

1. Advisory Boards and committees are to be designated as standing or special. Standing advisory boards or committees shall be permanent in nature and special advisory boards or committees shall be temporary in nature.

2. A sunset date will be specified for special committees.

3. Transition Between Members. By-laws, enacting ordinances, guiding document, etc. will include language, which provides for members (whose terms have expired) to continue serving until the appropriate appointments are made.

4. Term Length for serving on any standing committee will be a minimum of two years unless otherwise specified (e.g. State Statute may require term lengths of less than two years, board/committee enacting ordinance provisions).

5. Attendance:

a. Reports/notices of absences are to be made to the board or committee Chair (or staff liaison if the Chair is unavailable).

b. The board or committee liaison will provide written notice of attendance violations to the City Manager who will report to the City Commission ~~Commission Chair~~. Unless otherwise provided for in the enacting ordinance creating the advisory board or committee, the Commission will be responsible for removing members who do not meet the attendance requirement.

c. Absence from ~~three~~four (34) consecutive regular meetings of the advisory board or committees shall operate to vacate the seat of a member, unless such absence is excused by the City Commission by resolution setting forth the fact of such excuse duly entered into the minutes.

6. Elections of Officers: All advisory board and committee officers (i.e. Chair, Vice Chair, etc) shall be elected by the membership of the advisory board or committee, unless otherwise specified.

7. Meeting Frequency:

a. At a minimum, all boards and committees shall meet once per year.

b. The names of those boards or committees that do not meet this minimum requirement shall be submitted to the City Manager's Office.

c. Recommendations to dissolve committees or other recommended action will be submitted to the City Commission for consideration.

d. Any advisory board or committee whose officers are elected/appointed as prescribed in federal and/or state statute shall be exempted from Guideline 6.

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8. Parliamentary Procedure: As appropriate, Robert's Rules of Order may be used as a guide in conducting board and committee meeting.

9. The Rules of Civility as outlined in the Rules of Procedure apply to all Citizen Advisory Boards and Committees.

Commission Agenda Item Request Form

MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING

MEETING DATE: **January 8, 2015**

SUBJECT: **Police Department**

AGENDA SECTION: **New Business**

DEPARTMENT:

PREPARED BY: **Sue Weller**

RECOMMENDED ACTION: **Direct City Manager to explore options for availability of properties for relocation of Police Department and designs for new Police Department building**

Summary

In anticipation of the future growth of our City we should plan ahead for the future needs of our Police Department. The identification and purchase of an appropriate piece of property would be the first step. As a part of this process the City should begin exploring design options for a new Police Department building.

ATTACHMENTS:

REVIEWED BY CITY MANAGER:

Commission Agenda Item Request Form

MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING

MEETING DATE: **JANUARY 8, 2015**

SUBJECT: **CONSIDER AMENDMENT TO SECTION 5 OF THE CITY MANGER'S EMPLOYMENT CONTRACT.**

AGENDA SECTION: **NEW BUSINESS**

DEPARTMENT: **CITY MANAGER**

PREPARED BY: **CITY CLERK**

RECOMMENDED ACTION:

COST: **NO ADDITIONAL COST**

Summary

AT THE DECEMBER 11, 2014 CITY COMMISSION MEETING, THE CITY COMMISSION APPROVED A TWO YEAR CONTRACT WITH CITY MANAGER ED BOOTH. WITH THE PASSAGE OF ORDINANCE 2014-08, AMENDING THE PERSONNEL POLICY AND PROCEDURES MANUAL, SECTION 5 OF THE CITY MANAGER'S CONTRACT WILL NEED TO BE AMENDED TO REFLECT THE CHANGE OF VACATION/SICK TO PTO, PAID TIME OFF. SECTION 5 IS ALSO AMENDED TO ALLOW ANY UNUSED ACCRUED PTO TO ROLLOVER TO THE FOLLOWING YEAR. UPON TERMINATION OF EMPLOYMENT, NO UNUSED PTO WILL BE PAID OUT TO THE CITY MANAGER.

ATTACHMENTS: **SECTION 5 OF CITY MANAGER'S CONTRACT**

REVIEWED BY CITY MANAGER:

Section 4: Health, Disability and Life Insurance Benefits

The Manager waives any and all benefits related to health insurance, disability insurance, and life insurance which are provided to all other employees of the City.

Section 5: Vacation and Sick Leave

The Manager shall accrue ~~up to fifteen (15) days of paid vacation leave and twelve (12) days of paid sick leave per annum~~ 240 hours of paid time off (PTO) per year. Paid ~~vacation leave~~ time off shall accrue to the Manager at ~~one and one-quarter (1.25) days per month of employment; and sick leave shall accrue to the Manager at one (1) day per month of employment~~ 9.23 hours per pay period. ~~The Manager shall be entitled to immediately receive three (3) additional vacation days in December 2015, and December 2016. The Manager expressly waives his right to use any carryover paid vacation or sick~~ The Manager shall be allowed use of the accrued leave until the end of the employment contract. No accrued leave shall be paid to Manager upon termination of employment.

Section 6: Retirement

The Employee shall be provided with retirement benefits under the City's qualified 457 defined contribution plan offered through ICMA Retirement Corporation in the form of a money purchase plan to which the City shall contribute the percentage amount set by the Florida Retirement System for Senior Management Member Class of the Manager salary. Alternatively, the Manager may elect to participate in the Florida State Retirement Investment Plan. If the Manager so elects, the City and Manager shall each contribute, at a minimum, the appropriate amount according to the Manager's Senior Management Member Class.

Section 7: General Business Expenses

The City shall provide the Manager with a computer, software, fax/modem, and any other such device as required by the Manager to perform his job and maintain communications while in his City designated office. The Manager shall maintain his own cell phone and subscription plan for same.

Section 8: Termination of Employment

1. It is understood and agreed that the Commission will be the sole judge as to the effectiveness and efficiency with which the Manager performs his employment. The Manager serves at the pleasure of the Commission.

2. The Manager may be removed from his position *without cause* at any time by a majority of the full Commission at any regular meeting of the Commission. In the event the City terminates this Agreement pursuant to this provision, the City shall provide, as separation payments (severance pay) to the Manager, all salary and benefits for a period of eight (8) weeks from the date of the City's notification of termination of the Manager. Additionally, any such compensation (vacation

Commission Agenda Item Request Form

MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY NOON ON THE WEDNESDAY PRIOR TO THE COMMISSION MEETING

MEETING DATE: **JANUARY 8, 2015**

SUBJECT: CONSIDER RESOLUTION 2015-A, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS ADOPTING A PUBLIC RECORDS POLICY FOR THE CITY OF HIGH SPRINGS WHICH GOVERNS PUBLIC RECORDS REQUESTS FOR CITY EMPLOYEES; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

AGENDA SECTION: **NEW BUSINESS**

DEPARTMENT: **CITY CLERK**

PREPARED BY: **CITY CLERK**

RECOMMENDED ACTION: **ADOPTION OF RESOLUTION 2015-A.**

COST: **NONE**

Summary

THE COMMISSION WILL CONSIDER A RESOLUTION ADOPTING A PUBLIC RECORDS POLICY. THIS PUBLIC RECORDS POLICY WILL ESTABLISH GUIDELINES AND PROCEDURES FOR PUBLIC RECORDS REQUESTS FOR ALL CITY EMPLOYEES.

ATTACHMENTS: **RESOLUTION 2015-A**

REVIEWED BY CITY MANAGER:

RESOLUTION 2015-A

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS ADOPTING A PUBLIC RECORDS POLICY FOR THE CITY OF HIGH SPRINGS WHICH GOVERNS PUBLIC RECORDS REQUESTS FOR CITY EMPLOYEES; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of High Springs desires to have an updated policy establishing guidelines and procedures for public records requests; and

WHEREAS, responding to a public records request is an important governmental service and there is responsibility to act accordingly; and

WHEREAS, the City of High Springs is committed to providing a high level of service, in an open and transparent setting to assist the public in their right to inspect and obtain copies of City records;

WHEREAS, to more fully and effectively carry out the City's powers and responsibilities, the City Commission, by resolution wishes to adopt this "Public Records Policy."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF HIGH SPRINGS, FLORIDA AS FOLLOWS:

SECTION ONE: The City of High Springs Public Records Policy is hereby adopted in its entirety to read as set forth in **Exhibit A**.

SECTION TWO: If any word, phrase, clause, paragraph, section or provision of this Resolution or the application hereof to any person or circumstances is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the resolution which can be given without the valid or unconstitutional provisions or application, and to this end the provisions of this Resolution are declared severable.

SECTION THREE: All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FOUR: This Resolution shall become effective immediately upon final adoption.

PASSED in regular session of the High Springs City Commission this 8th day of January, 2015.

CITY OF HIGH SPRINGS

_____
Sue Weller, Mayor

ATTEST, BY THE CLERK OF THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA:

_____
Jenny Parham, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
S. Scott Walker, City Attorney

CITY OF HIGH SPRINGS
PUBLIC RECORDS POLICY

I. Policy

This policy establishes the City of High Springs's guidelines and procedures for public records requests. It is the policy to retain public records in accordance with Florida law, Chapter 119, also known as the Public Records Act. The City of High Springs is committed to providing a high level of service in an open, transparent setting to assist the public in their right to inspect and obtain copies of City records.

II. Scope

A. This Policy shall apply to all City of High Springs employees. All City employees should understand that responding to a public records request is a governmental service and there is a responsibility to act accordingly. The public's right to access public records is "virtually unfettered." Without an exemption, records shall be produced no matter how inconvenient or burdensome.

B. Supervisors should inform all affected employees within their supervision of this policy and its requirements. Department Heads should know and train their employees on which public records are available in their department and what sensitive information those records may contain.

C. The City Clerk is the municipal officer charged with the responsibility of ensuring the City's public records program meets the mandates of the Public Records law. The City Clerk is the Public Records Custodian. This Public Records Custodian shall be responsible for arranging training and compliance with the Public Records Act. The City's Public Records Custodian will coordinate the City's response to all public records requests submitted to the City. Department Heads shall act as Public Records Custodian for their respective departments and will assist the City's Public Records Custodian where necessary.

III. Definitions

A. Actual cost of duplication: Defined by Florida Statutes Section 119.011(1), and as may amended from time to time by the Florida Legislature. The "actual cost of duplication" means the cost of the material and supplies used to duplicate the public record, but does not include labor cost or overhead cost associated with such duplication. See also subsection VIII. S. regarding extensive us of information technology and/or personnel costs.

B. Public records: Defined by Florida Statutes Section 119.011(12), as may be amended from time to time by the Florida Legislature. "Public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. The Florida Supreme Court has interpreted this definition to include "any material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type." Examples include computer records, e-mails, Facebook entries, tape recordings, text messages, voicemails, and instant messages are public records when they are made or received by a City employee in connection with official City business and are used to perpetuate, communicate, or formalize knowledge.

C. Public records request: This shall be defined as a request submitted to any City employee by any person, either orally or in writing, to inspect or copy the City's public records.

D. Redact: Defined by Florida Statute Section 119.011(13), as may be amended from time to time by the Florida Legislature. "Redact" means to conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record exempt or confidential information.

IV. Retention

A. Each City of High Springs employee is the custodian of any public record under his or her supervision and control, such as the public records located in an employee's office desk drawer or any City e-mail accounts under an employee's control. As such, each City employee who has public records in his or her custody is required to retain such records in accordance with the records retention schedules established by the Florida Department of State. For example, the current record retention schedule provides the administrative correspondence and memoranda, the record category which many e-mails will fall into, must be maintained until obsolete, superseded, or until their administrative value is lost. The records retention schedules, which may be amend from time to time are currently available online at http://dlis.dos.state.fl.us/recordsmgmt/gen_records_schedules.cfm.

B. Significant advances in information technology have allowed City employees to perform their job functions through the use of numerous electronic devices and systems. For instance, many City employees are equipped with mobile handheld devices on which they can access their City e-mail, send and receive text messages, access the internet, and receive voicemails. In addition, some City employees may use instant messaging, chat rooms, social networking pages, or other internet-based tools to accomplish their job that may create or receive public records. If public records are in fact created or received on such devices or systems, City employees are required to retain such records in accordance with Florida's public records law. All devices and systems used to conduct City business shall have the capability to retain public records created or received by such. For example, if a City employee's mobile handheld device is unable to retain copies of text messages in accordance with the state retention schedule so that they are available for inspection and copying, the City employee is prohibited from using the text messaging function to conduct City business.

C. City employees' email and other electronic records are periodically backed up by the City's information technology personnel. Generally, this is done in the event of disaster recovery. The City's information technology personnel are not the custodian of electronic public records for individual City employees or departments, and City employees shall not rely on information technology personnel to retain public records for which they are custodian.

V. Public Records on Personal Electronic Devices

A. City employees are prohibited from conducting City business on their personal computers other than through the use of an encrypted connection to the City's network, and they are prohibited from downloading City information or data onto their personal computers, personal storage devices or other personal electronic devices or systems. City employees are also prohibited from using personal e-mail accounts to conduct City business.

B. The City recognizes that a person or entity may communicate with a City employee regarding official City business on personal systems through no fault of the City employee. Such communications are not a violation of this policy; however, City employees shall request the person or entity to communicate with the City employee on the City IT Systems and, if possible copy the electronic communication onto the City IT Systems. In addition, due to work requirements, it may be occasionally necessary to use personal IT systems to conduct official City business.

Such occasional use is not a violation of this policy; however, City employees shall, if possible, copy all electronic information related to official City business onto the City IT Systems. In addition, if public records are in fact created or received, City employees are required to retain such records and make them available for inspection and copying in accordance with Florida's public records law.

C. To the extent that City employees conduct City business on personal electronic devices or systems outside of the boundaries of any City information system, such electronic information is fully owned by the City and such conduct will cause employees to lose any expectation of privacy in their personal electronic devices or systems. For example, in such a case, an employee's personal computer may be seized by the City to respond to a public records request or for discovery purposes during a lawsuit involving City business.

VI. Disposal of Public Records

Each Charter Officer shall ensure that public records are disposed of in compliance with Florida Statutes Sections 119.021(2) and 257.36 (2009), as may be amended from time to time, and Florida Administrative Code Rule 1B-24 (2008), as may be amended from time to time.

VII. Public Records of Terminated City Employees

When an employee's employment with the City is terminated, such employee shall deliver all public records, for which he or she is the custodian, to his or her successor, or, if there is none, to his or her supervisor.

VIII. Access to Public Records

A. When City employees receive a public records request, they shall permit the requested records to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian (or designee) of the public records. Inspection of records may be limited to the hours during which the office of the City employee is open to the public.

B. Any person who submits a public records request is not required to submit such a request in writing. Requests can be made verbally, in person, over the telephone, or by email or regular mail. The City may require the custodian to complete an appropriate form acknowledging and/or describing the request, <u>but not the individual making the request.</u>

C. Nor shall the employee require the requester to provide his or her name or other personal information, sign for the receipt of the records, or provide a reason for requesting the records. In addition, City employees are not required to give out information from public records or answer questions about public records. City employees are also not required to create new public records in response to a public records request or reformate the City's public records.

D. City employees may designate another employee of the City to permit the inspection and copying of public records, but they must disclose the identity of the designee to the person requesting records. For example, a manager may request for his or her executive assistant to supervise a citizen's inspection of the manager's public records, but he or she should disclose the name of the executive assistant to the person requesting records.

E. City employees must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other City departments or employees whether such a record exists and, if so, the location at which the record can be accessed. City employees should include in the acknowledgment any circumstances that may delay a response, i.e. required redaction. After verifying whether or not other City departments or employees have records pertaining to the public records request, the City employee shall notify the person requesting records if other City departments or employees have public records related to his/her request. In addition, the contact information of the other City department or employees who possess public records responsive to the public records request shall be provided.

F. Prior to allowing a person to inspect or copy a public record, City employees (or designees) must review the records to determine if any contents of the record are exempt from inspection or copying. If a City employee asserts that an exemption applies to a part of such record, he or she shall redact that portion of the record to which an exemption has been asserted and validly applies, and such employee shall produce the remainder of such record for inspection and copying. If requested by the person seeking to inspect or copy the record, the City employee shall state in writing and with particularity the reasons for the conclusion that the record is exempt.

G. Florida law also provides that certain public records are confidential. For example, medical records of City employees are confidential pursuant to Florida Statute Section 112.08(7). If a record is confidential, City employees shall not disclose the entire record (i.e. redaction is not necessary) unless the disclosure of such a record to certain entities or persons is permissible by law.

H. If the records contain both exempt and non-exempt information, redact that portion for which an exemption is asserted, whether or not it is impractical or burdensome. The City may not ordinarily charge for the cost to review the records for exempt information, but it may impose a special service charge if the volume of records or number of potential exemptions makes it a "time-consuming task."

I. When a public records request is made of an employee, the employee shall remain polite and gracious.

J. For this policy, reasonable time to provide access to public records is during normal working hours.

K. An employee shall not refuse to allow a person to inspect or copy public records because the request lacks specificity, nor may the employee insist on precision from the requestor. If a request is too vague to respond to, the employee should respond as follows:

> "This acknowledges receipt of your request for insert description of documents requested for the City of High Springs. The state public records law requires a person requesting to copy or inspect a public record to identify the record with sufficient specificity to enable the custodian to locate it and provide you with a cost estimate to product it. Please identify the requested documents with more specificity to so that the City may fulfill your request if such a record exists. This may include the date, author, subject, title or recipient of the document, or other details that may aid the City in locating the document."

L. In addition, if a City employee is providing documents for copying or inspecting in response to a vague public records request, the employee may attach the following:

> "The attached records are provided as a good faith response to your public records request. The request is open-ended, vague, and/or lacks specificity, therefore if you believe there may be other records in the possession of the City within the parameters of your request, please identify the records with sufficient specificity to enable us to locate it. This may include the date, author, subject, title or recipient of the documents, or any other details."

M. City employees shall not require public records requestors to provide or disclose their name, address, telephone number, email address or the like, unless the employee is required by law obtain this information prior to releasing the record. Records must be provided to an anonymous requestor.

N. The City shall not impose an automatic or arbitrary delay, no matter how short, in responding to a public records request. The only delay permitted pursuant to Florida law "is the reasonable time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt."

O. The City's goal is to respond to every requester within 24 hours acknowledging receipt of his or her request, and when possible fill requests within 24 hours.

P. If needed, an employee shall seek assistance from other employees or his/her supervisor to timely respond to a request.

Q. If a request is made for records in the possession or custody of a private contractor and not the City, an employee should offer to obtain the records from the contractor and provide them to the individual making the request.

R. An employee may not fail to respond to a request because of the perceived or stated motives/intentions of the requestor. An employee shall not inquire into the motives or purpose. A requestor is not required to show any legitimate interest in the records.

S. If a request extends over a long period of time and requires extensive use of information technology and/or personnel, the City may impose a special service charge and should provide the requestor with the following:

> "The nature or volume of your public records request requires extensive use of information technology resources and/or clerical

or supervisory assistance by the City insert name of department personnel, for which you will be required to pay a special service charge in a reasonable amount. Name of Employee is assigned to supervise the production and copying of these records. His/her labor costs are insert amount per hour, and the labor costs of the clerical assistants are insert amount per hour. These costs reflect the actual cost required for the extensive use of City personnel to respond to your request."

See also Subsection XI. C. for special service charge.

T. In the event of an extensive request, the City should strive to provide copies as they become available rather than waiting until all the documents are produced.

IX. Procedures

Upon receiving a public records request, the following procedures shall apply:

A. Notify the Public Records Custodian of the request and provide a copy of any written request and/or completed Public Records Request Form.

B. Upon receipt of the public records request, whether written or oral, the employee shall complete the Public Records Request Form to the extent possible based on information known. The employee shall then forward the completed Form to the Public Records Custodian for data input.

C. Acknowledge the request. The Public Records Custodian will direct and provide all correspondence to the requester unless the first employee who took the request can provide the records immediately or make other arrangements.

D. The Public Records Custodian shall document and maintain communication with the employee possessing the public record through to completion and will document and notify the department when all aspects of the public records request have been satisfied.

E. If litigation is pending or reasonably anticipated, records relating to that particular litigation should not be disposed of any manner, the City Manager and City Attorney should be provided notice.

F. When a public records request is received for emails or other records relating to a City Commissioner or City employee, the individual may be notified that such a request was received. This notice and opportunity to review records cannot delay responding to the public records request.

G. The City is required to provide access to public records; it is not required to provide information from the records.

H. The City is not obligated to provide records on a continuing basis to a requestor.

X. Public Records Custodians

A. The City shall designate a public records custodian(s), however all City employees are responsible for public records and should respond as outlined in this policy. Custodian refers to all agency personnel who have it within their power to release or communicate public records.

B. The following public announcement (or substantially similar) shall be posted in every location where the public is permitted access (including the City's web site):

Public Records Requests
Requests for public records in this office should be
Directed to the following custodian located in this building:
Name
Physical Location
Mailing Address
Phone Number
Email Address

C. All employees shall know who the records custodian is for public records located within their office and, if not the records custodian, shall know who to contact if they received a public records request.

D. If a requester approaches an employee in person who is not the custodian of a public record, and asks about a record, the employee should respond as follows:

"I am happy to respond to your request; however, I am not the records custodian and do not know if the record contains exempt information. Please have a seat and I will contact the records custodian to make sure it does not contain exempt information, and if it does, to redact those

portions that are exempt. After that, you may then inspect or copy the record."

E. An employee should not direct a requester to another location to request a public record that is located in the building in which the initial request is made. All public records should be kept in the building in which they are ordinarily used.

F. The Public Records Custodian and City Clerk shall be responsible for ensuring that all employees adhere to this policy.

G. Florida law does not require agencies to generate, create or convert records to another format. The City is obligated to provide the records the City has, not to create a record or change the format.

XI. Copy Fees

A. Any person may inspect public records in the presence of a City employee (or designee), and he or she may tab, clip, or in some other form, identify which documents he or she would like copied. The City employee shall compute the cost of the requested copies and collect all copy costs from the person requesting copies of public records prior to making any copies.

B. City employees shall charge for all copies of public records the rates allowable by Florida law, as may be amended from time to time; provided, however, that the first ten (10) copies per week, per person shall be without charge. Currently, the rates allowable by Florida law and this Policy are as follows:

Copy Types	**Cost**
First ten (10) copies	Free
Copies of not more than 14 inches by 8 1/2 inches	15 cents per one-sided copy, but no more than an additional 5 cents for each two-sided copy
Certified copies of a public record	$1 per copy
For all other copies	Actual cost of duplication

C. If the nature or volume or public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by the City employees involved, City employees shall charge, in addition to copy costs, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of

information technology resources or the labor cost of the City employees providing the service that is actually incurred by the City or attributable to the City for the clerical and supervisory assistance required, or both. See also Subsection VIII. S.

D. For the purpose of this section, "extensive" shall be defined as taking more than 15 minutes to locate, review for exempt or confidential information, copy and re-file the requested material. The special service charge shall be computed to the nearest quarter of an hour exceeding 15 minutes based on the current rate of pay and benefits for the pay grade of the person who performed the service and will be assessed when appropriate regardless of the number of individual copies made.

E. To assess the fee for employee hours spent, the City will ascertain the hourly rate of the lowest paid City employee position able to provide the duplication.

F. The requestor must be notified of any and all potential fees and charges associated with their public records request prior to inspection and copying. An estimate of the fees and charges may be provided to the requestor approval obtained prior to producing the request. Payment of all fees and charges assessed must be received prior to copies being made and provided to the requestor and prior to the use of extensive information technology resources or staff time to respond to a public records request.

G. If the actual costs are less than the estimated payment, the overpayment shall be refunded to the requester. If the actual costs are more than the estimated payment, the requester must remit the additional money upon release of the records.

XII. Exceptions

A. Not all information found in a public record is subject to release.

B. The following public documents are examples of records that may include sensitive material that is either exempt from the Public Records Act or some other statutory exemption:

1. 911 records;
2. EMS run logs (patient information);
3. Fire run logs (patient information);

4. Employee records (Florida retirement records, drug screens, medical records);
5. Attorney client communication;
6. Social Security numbers;
7. Medical records;
8. Bank account numbers
9. The home address, telephone numbers, social security numbers and photographs of active or former law enforcement, fire and code enforcement personnel.

C. As this list is not extensive, employees should seek guidance from the Public Records Custodian or City Attorney if they are unsure of what records may be exempt. The employee should also refer to Florida law and the Government-In-The-Sunshine Manual.

XIII. Training

A. All City of High Springs employees are required to attend training on public records. Current City of High Springs employees shall attend at least one public records training sessions within one year of the effective date of this policy.

B. New employees shall receive public records training upon hiring.

C. The City Clerk and City Attorney shall be responsible for implementation of these training requirements.

D. As Florida's public records laws are updated or amended, training will be provided for all City of High Springs employees.

XIV. Non-Compliance

A. Failure to comply with this policy may result in disciplinary action and possibly termination of employment.

B. Additionally, pursuant to Section 119.10, Florida Statutes, violations are punishable by fine not exceeding $500.00, and willful and knowing violations are subject to additional criminal penalties.

XV. City Attorney

If a City employee has any questions regarding this policy or any request for public records, the employee should confer with the designated Public Records Custodian, who if necessary shall contact the Office of the City Attorney. The Office of the City Attorney can assist with: (1) determination of what is a public record; (2) provide guidance on public records laws; (3) produce public records; and (4) providing assistance in determination of exceptions. Routine public records requests do not require clearance from the City Attorney's Office.