(E-12)

Maria Sutherland

From: Julian Deleon
Sent: Thursday, April 09, 2015 6:46 AM
To: Maria Sutherland
Cc: Garrett Anderson; Parke Sutherland; Sharon Schuler; Brenda Giles; Terry Heston
Subject: Donaldson Park Discussions

Maria—

Please add to the agenda, "Future Plans for Donaldson Park" Council member Anderson (request)

I have some recollection of Councilman Anderson requesting this. I think it is a good idea to have this discussion now, prior to budget.

Budgetary, this may not be the year, funds are just not there, the MLK Complex was about $320K with the parking lot, PA system, and basketball court flooring improvements. We can discuss Donaldson Park for next fiscal year. The parking lot there at Donaldson Park is shot. The multipath needs to be finished. The boat ramp could be improved.

Nonetheless, the visioning process and layout is necessary now to budget accordingly.

I also want to discuss the options of redirecting all events there, rather than closing off roads, and creating the inconvenience on the mall for staff and the public with MOT and massive over time, with cones, clean up. The park already has a dumpster, has electric, plenty of parking at the Park and City Hall. The new open staging area is perfect for any type of public band or performance. It is also well lighted.

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RESOLUTION NO. 15-07

A RESOLUTION BY THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, UPDATING THE PERSONNEL RULES AND REGULATIONS MANUAL FOR THE CITY OF AVON PARK AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park provides a Personnel Rules and Regulations manual for reference by City staff and employees and requires the City Council to approve any changes made to said policy,

WHEREAS, the City Manager and Administrative Services Director, have the overall responsibility for implementation and supervision of personnel regulations, and have provided updates to Sections with underlined sentences; as shown in attachment A - Personnel Rules and Regulations manual.

NOW, THEREFORE, BE IT RESOLVED, that so referenced updated Personnel Rules and Regulations Manual for the City of Avon Park be adopted and approved by City Council.

EFFECTIVE this April 13, 2015 by the Avon Park City Council, Highlands County, Florida.

_____
Sharon Schuler, Mayor

ATTEST:

_____
Maria Sutherland, City Clerk

Motion made by _____, seconded by _____.

The vote was _____ for and ____ against with _____ abstentions and _____absent.

The Resolution was approved and adopted April 13, 2015, at a regular meeting of the City Council of Avon Park, FL. 33825

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CITY OF AVON PARK

PERSONNEL RULES AND REGULATIONS

This manual was approved by City Council
Resolution No. 15-07
On April 13, 2015

B. Department Heads are responsible for the efficient and effective operation and the direct supervision of the employees assigned to their department or area of responsibility and for the proper and effective administration and enforcement of these Rules. Department Head may delegate these duties, but the ultimate responsibility shall remain with the Department Head.

1.04 OVERALL EMPLOYMENT POLICY

The overall employment policy of the City shall include:

A. There shall be no illegal discrimination in employment, employment opportunities or job actions on the basis of race, color, religion, age, sex, national origin, legally-recognized disability, or marital status unless one or more of the above constitute a bona fide occupational qualification within the meaning of the law. No job applicant or present employee will be illegally discriminated against or given preference because of any of the above characteristics, unless otherwise required by law.

B. 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 person's 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.

C. The City will take affirmative recruitment actions to expand employment opportunities for groups that are underutilized in the City workforce, but not in any way, which violates applicable law.

1.05 COLLECTIVE BARGAINING AGREEMENT (CBA) AND EMPLOYMENT CONTRACTS

Where these Rules or departmental rules and regulations are in conflict with the express terms of any CBA, or Specific Department Policy, such as Police and ~~Fire General Orders~~, the terms of the CBA, and Department policies shall take precedence. The terms of employment contracts take precedence over these rules and regulations.

1.051 PRE-EMPLOYMENT CONDITIONS AND TERM FOR NEW HIRES

A. **Tobacco Products:** Employees hired after 4/4/2015, who use tobacco products will pay a $25 contribution per month towards the cost of their health insurance coverage, if they use tobacco products or start using tobacco products during any time period during their employment with the City.

B **Waiver of Jury Trial:** All employees hired after 4/4/2015 are required, as a condition of hire and employment by the City, to agree to waive any right to a jury

trial and to agree that any legal disputes that would otherwise be tried before a jury would be tried as a bench trial before a judge. All employees hired after 4/4/2015 will be required to sign a jury trial waiver in a form prepared by the City.

1.06 RESPOSIBLE FOR UPDATES

A. The City Manager and/or the Administrative Services Director shall be charged with the responsibility to see that the Personnel Rules and Regulations are kept up-to-date, and made available to Department Heads for their employees through the City's web-site on www.avonpark.cc, or by the employee requesting a hard-copy from Human Resources.

B. The Personnel Rules and Regulations may be amended by Resolution only. The City Manager may also recommend to the City Council waiver of any portion of this Personnel Rules and Regulations where appropriate. The final decision on waiver rests with the City Council.

1.07 DEPARTMENT POLICIES

A. Departmental policies and standard operating procedures will be in writing and submitted to and reviewed by the City Manager.

B. Departmental policies and standard operating procedures approved will serve as supplements to this City policy. In the event of conflict, the PRR shall prevail unless the departmental rule has been specifically approved as an exception by the City Manager.

C. Approved changes in departmental policies and standard operating procedures shall be distributed to the affected employees after approval.

1.08 MEMOS, POLICIES AND REGULATIONS

All prior memos, policies, procedures and regulations inconsistent with this PRR are null and void.

1.09 MANAGEMENT RIGHTS AND RESPONSIBILITIES

The City fully recognizes its responsibility to see that the City is run in a smooth and efficient fashion. To that end, the City reserves and retains exclusively all of its normal and inherent rights with respect to the management of its operations, whether exercised or not, including, but not limited to, its right to determine, and from time to time re-determine, the number, locations and type of its various operations, functions and services, the methods, procedures and policies to be employed; to discontinue the conduct of any operation, function or service, in whole or in part; to transfer its operations, functions or services from or to, either in whole or in part, any of its departments or other divisions; to select and direct the working force in accordance with requirements determined by the City; to

C. The City will institute changes in the Classification Plan as are made necessary by changes in the duties and responsibilities of existing positions or by a change or reorganization of the City's departments.

D. The Department Head will maintain the plan of their specific department, and recommend to the Administrative Services Director and City Manager, appropriate changes in position allocations or in the Classification Plan.

7.04 ALLOCATION OF NEW POSITIONS

A. Whenever a new position is established or duties of an old position changed, the Department Head with the assistance of Administrative Services Director shall prepare and submit a comprehensive job description describing the proposed duties of the position.

B. The City Manager, with the assistance of the Administrative Services Director and the Department Head shall analyze the duties of a position, assign the position to an existing class or establish a new class. A Fair labor Standards Act classification will also be established.

7.05 TEMPORARY TRANSFERS/WORK OUT OF CLASSIFICATION

A. A regular full-time employee assigned for thirty (30) calendar days or more to a position in a higher pay grade shall have a rate increase retroactive to the first day of the transfer and the temporary pay grade shall be given. When the employee is reassigned to his original position, he shall be at the step he would have before the assignment.

B. When a regular full-time employee temporarily works in a lower paid job classification, he shall receive the rate of pay for his regular job classification.

C. A routine assumption of duties that occurs in the absence of another above that which he/she is assigned, shall be paid an additional one ($1.00) dollar an hour for work in the higher position for all time spent in the position after serving an initial sixteen (16) hours in the higher position. This is based upon consecutive workdays only.

7.06 AMINISTRATIVE STIPEND FOR TEMPORARY ASSIGNMENTS

An administrative stipend will be paid to an employee who is temporarily assigned responsibilities of a higher level position or other ~~significant~~ duties not part of the employee's regular position <u>and schedule</u>. The sum of stipend and base salary shall not exceed the maximum salary of the higher level position.

5. Any approved uncompensated leave of absence, including leaves under the FMLA.

6. For approved bereavement leave beyond that paid under Section 18.

7. Employees who become sick on vacation leave may use medical leave for such period of illness (full days only), but may be required to present a doctor's certificate and will be given another vacation day or pay at the option of the City. Such time will be charged to sick leave. The use of sick leave does not alter the planned date of return to work as approved before the leave.

D. Vacation pay may be used to supplement workers' compensation approved leaves and unpaid military; providing the total compensation received from all sources by the employee, including workers' compensation, shall be no more than forty (40) times the employees straight time hourly rate of pay or the number of hours in their regular straight time schedule for employees on a Section 7(K) schedule.

16.08 PAYOFF UNUSED LEAVE HOURS

A. Employees shall be paid accrued but unused vacation pay upon termination of their employment.

B. In no event, will an employee be allowed to take vacation in conjunction with termination, i.e., to extend the termination date.

C. In the event of an employee's death, his beneficiary or estate, in the absence of a designated beneficiary, shall be paid for accrued vacation.

D. The employee or his heirs shall be entitled to an immediate lump sum payment for all vacation time earned but not taken at the employee's last rate of pay, up to a maximum of twice the employee's annual accrual.

E. As funds become available, and as part of the City Council budgetary approval process, the City Manager may recommend and budget an annual accumulated leave benefit payout program. In all cases vacation leave payouts will be made at 100% of the face value, and sick leave will be paid at 50% of the face value. The following requirements shall apply:

i. In order to participate in this program and receive a pay out, each employee is required to have a minimum of 80 hours of combined leave between vacation, sick and compensatory leave after the pay out is made. This provision is provided to make sure all employees have a minimum leave balance should they have an extended leave of absence.

ii. During the active but previous eighteen months, the employee will have taken at least 40 hours of vacation leave or

compensatory leave. This is required to ensure that employees are getting vacation time or leave time away from work.

iii. If budgeted or funds become allocated by the City, all employees may elect a pay out of up to 100 hours of vacation leave, and up to 100 hours of sick leave per authorized iteration of this program.

iv. This program may be authorized by the City Manager for multiple iterations of this repeated process as long as funds are available within the active fiscal year, from either budgetary saving sources, or specifically allocated or dedicated program funds.

v. The program can be evaluated during different times in the fiscal year. The reason evaluations are necessary is to ensure that projected revenues materialize and/or department expenditures are contained prior to the implementation of any leave pay outs.

16.09 SCHEDULING OF VACATION

The Employer shall make reasonable efforts to comply with the desires of employees consistent with the requirements of its operations to give preference by classification to the most senior employees in scheduling vacation requests provided, employees who schedule their vacations ahead of time and have them approved by the Department Head, cannot have their vacation time superseded by more senior employees.