



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • FEBRUARY 23, 2015

Council Chambers**Regular Meeting****6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Brad Casteel	Ward 1	Present	
Willie Ray	Ward 2	Present	
Tina Veal-Gooch	Ward 3	Late	6:10 PM
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Charlie Bassett, Jim Powell, Eric Schlotter, Charles Kreidler, Kevin Schutte, Robby Robertson, David Orr, Lisa Thompson, Dan Shiner, Karey Parker, and Jerry Sparks.

Legal Counsel: None.

II. INVOCATION AND PLEDGE BY COUNCILMEMBER DR. BRIAN MATTHEWS

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, March 9, 2015 at 6:00 p.m.
Monday, March 23, 2015 at 6:00 p.m.
Monday, April 13, 2015 at 6:00 p.m.
Monday, April 27, 2015 at 6:00 p.m.

Parks & Recreation Events:

Thursday & Friday, February 26th & 27th - ADA Fishing Derby - Spring Lake Park
Saturday, March 7th - 9:00 a.m. until noon - Texarkana Arbor Day & Tree Planting - TWU South Regional Wastewater Treatment Facility, 4000 S. State Line
Thursday - Sunday, March 19th-22nd - Huggins Baseball Tournament at Spring Lake Park

For a complete list of Parks & Recreation activities and information call 903-798-3978 or visit the city website: <http://tx-texarkana.civicplus.com>

Mayor Bruggeman stated that the Special Joint Governing Body meeting held on February 11, 2015 with the Texarkana Arkansas Board of Directors was very successful and time well spent.

Mayor Bruggeman announced that the special worship service "Rock the House" event scheduled for Sunday March 1, 2015 at 6:00 p.m. at First Baptist Church has been cancelled and postponed to a later date.

Mayor Bruggeman also announced that the Kiwanis Club of Texarkana will be having their 57th annual "Pancake Day" at Texarkana College's Truman Arnold Center on March 7, 2015 from 7:00 a.m. to 2:00 p.m.

Appointments to Boards & Commissions

There were no appointments made by council.

Presentations

Red Cross Fire Prevention Presentation by Clare Francavilla.

KTB award presentation for February residence and business of the month.

Residence - Carter and Stephanie Floyd - Ward 5

Business - St. James Episcopal Church - Ward 3

Please Note: Due to inclement weather conditions, Mayor Bruggeman postponed the award presentation to the March 9, 2015 council meeting.

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC (LIMIT 5 MINUTES EACH)

Items scheduled for "Public Hearing" or have been heard at a previous "Public Hearing" are not to be addressed at the "Open Forum".

No citizen spoke at open forum.

V. ITEMS FOR CONSIDERATION

Consent Items

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on February 9, 2015 at 6:00 PM.

6:25 p.m.

Action Items

2. Motion to adopt option(s) for "Vacation Buy Out at Termination" amending Resolution No. 2015-004.

During the January 26, 2015 city council meeting, Council Member Casteel expressed concerned with wording used in Chapter 3, Section 3.02 regarding the payment of accrual leave balances (Buy Out) to an employee at separation. The proposed policy requires five years of continuous service to be eligible. A recommendation was made to bring eligibility options for vacation buy out to council for consideration. The options are as follows:

Option 1: Retain the current policy of one year of continuous service.

Option 2: Adopt the proposed policy of five years of continuous service.

Option 3: Raise the benefit from 120 hours to 240 hours and establish vacation pay as a retirement benefit, payable when the employee retires from the Texas Municipal Retirement System (TMRS).

Option 1 and Option 3 were adopted and passed by council with a vote of four (4) ayes, and two (2) nays.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Veal-Gooch, Matthews, Paddock, Davis
NAYS:	Casteel, Ray
EXCUSED:	Bruggeman

3. Resolution No. 2015-004 adoption of recommended revisions to Human Resources Handbook.

Public Hearing: January 26, 2015

Second Briefing: February 9, 2015

Council Vote: February 23, 2015

Jim Powell presented three options for vacation buy out at termination for council consideration and discussion.

7:10 p.m.

RESULT:	ADOPTED AS AMENDED [5 TO 1]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Ray, Veal-Gooch, Matthews, Paddock, Davis
NAYS:	Casteel
EXCUSED:	Bruggeman

4. Resolution No. 2015-022 authorizing support for the Texarkana, Texas Housing Authority Robison Terrace Development.

Public Hearing:
Second Briefing:
Council Vote: February 23, 2015

Housing Authority of Texarkana Texas Executive Director Johnny Riley thanked the council for their consideration and support of this resolution.

7:13 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Ordinance No. 2015-023 amending Ordinance No. 2014-073 concerning Fiscal Year 2014-2015 City of Texarkana Texas budget to allow for a monetary donation of \$10,000 to be added to the police department budget account number 101-1702-52207 (Minor Tools and Equipment) for the purpose of using donation funds to purchase body cameras to be utilized by patrol officers.

Public Hearing:
Second Briefing:
Council Vote: February 23, 2015

7:16 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VI. FIRST BRIEFINGS

1. Ordinance No. 2015-021 amending the FY15 Budget for personnel adjustments, establishing the city's minimum salary level and adding a Health Inspector position.

Public Hearing: March 9, 2015
Second Briefing: March 23, 2015
Council Vote: April 13, 2015

City Manager Whitson briefed this item.

RESULT: MOVED FORWARD**Next: 3/9/2015 6:00 PM****VII. PUBLIC HEARINGS**

Motion to move Ordinance No. 2015-016 up for council vote.

7:30 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Ordinance No. 2015-016 creating the rank of Assistant Chief of Police by approving and authorizing the reclassification of two (2) non-tested Police Captain Positions to two Assistant Chief Positions and eliminating assignment pay for the Police Department Chief of Staff.

Public Hearing: February 23, 2015
Second Briefing: March 9, 2015
Council Vote: March 23, 2015

7:31 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Motion to move Resolution No. 2015-017 up for council vote.

7:33 p.m.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock
NAYS:	Davis
EXCUSED:	Bruggeman

2. Resolution No. 2015-017 authorizing the City Manager to issue a purchase order to Casco Industries, Inc. for the purchase of firefighting equipment (SCBA'S) through the HGAC Cooperative Purchasing Program in an amount not to exceed THREE HUNDRED EIGHT THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO/100 (\$308,810.00).

Public Hearing: February 23, 2015
Second Briefing: March 9, 2015
Council Vote: March 23, 2015

7:34 p.m.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock
NAYS:	Davis
EXCUSED:	Bruggeman

VIII. SECOND BRIEFING WITH UPDATES - NONE.

IX. SECOND BRIEFING WITHOUT UPDATES

Motion to move Ordinance No. 2015-012 up for council vote.

7:35 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Brad Casteel, Ward 1
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Ordinance No. 2015-012 rezoning Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street. Industrial-1 to Single Family-2. Verna Cellers, applicant. Alice Bursey Johnson, agent.

Public Hearing: February 9, 2015
Second Briefing: February 23, 2015
Council Vote: March 9, 2015

David Orr spoke in behalf of applicant Verna Cellers requesting council consideration to move this item up for council vote.

7:36 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Willie Ray, Ward 2
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

X. ITEMS FOR DISCUSSION

Staff Updates - None.

XI. ADMINISTRATIVE COMMENTS

1. Council

Council Member Matthews thanked all of the committee members who aggressively worked on the Human Resources Handbook. Council Member Matthews said dedication to that effort is greatly appreciated. City Manager Whitson responded that he is the executor of the policy and can make the decision to approve the revisions to the handbook. But, the City Council is the policy maker and revisions to the Human Resources Handbook is major policy. Therefore the handbook was brought before council for approval and to set policy for city staff.

Council Member Casteel asked when clean-up would begin of the rubble at the former Masonic Lodge location. City Manager Whitson responded that the delay could be due to a contractor coming from Greenville, but that he would contact and follow-up with Mr. La Grone.

Council Member Casteel asked for the status of the Grim Hotel project. City Manager Whitson responded that renovation is way out in the future and that the next deadline is application for tax credits which will be in May 2015. The city does not know if the current developer, who has shown interest in the property, will make the May deadline. So, staff is currently looking for a new developer to possibly generate some interest and competition in this project.

Council Member Paddock asked for a status of the public safety communications system. City Manager Whitson responded that the city has moved forward with an application to Arkansas to join Arkansas Wireless Information Network System or AWINS. AWINS' technical committee will soon be reviewing the city's application before the city can come before the Executive Committee. In addition, there was some miscommunication with the Texas Department of Public Safety (DPS) and Motorola, but that has been resolved and the city is waiting to receive the DPS proposal as another option.

Council Member Matthews asked how the painting project is going on the Interstate 30 water tower. City Manager Whitson responded that frigid temperatures is causing some delay.

2. Staff

City Manager Whitson stated as the legislature, which is now in session, continues to progress, he would be presenting council with upcoming resolutions asking for council to support or not support proposed legislation especially in the areas dealing with funding and revenue as they come forward.

XII. ADJOURNMENT

Motion to Adjourn

A motion was made to adjourn the meeting.
7:46 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

Briefing Sheet

Version:
Update Date: 2/10/2015 9:25 AM

Lead Department: Assistant City Manager **Action Officer:** Shirley Jaster, Assistant City Manager

Subject: KTB award presentation for February residence and business of the month.

Updates/History of Briefing:

Award winners are selected by Keep Texarkana Beautiful, KTB, and presented at the City Council meeting. A sign for the property is given to the recipient at the presentation. Pictures are taken of the winners with the Mayor and the Councilmember for the Ward.

Executive Summary and Background Information:

Residence- Carter and Stephanie Floyd – Ward 5
Business- St. James Episcopal Church- Ward 3

Potential Options:

- “None”
-

Fiscal Implications:

none

Staff Recommendation:

Advisory Board/Committee Review:

KTB board

Board/Committee Recommendation:

KTB Board selected winners

Advisory Board/Committee Meeting Date and Minutes:

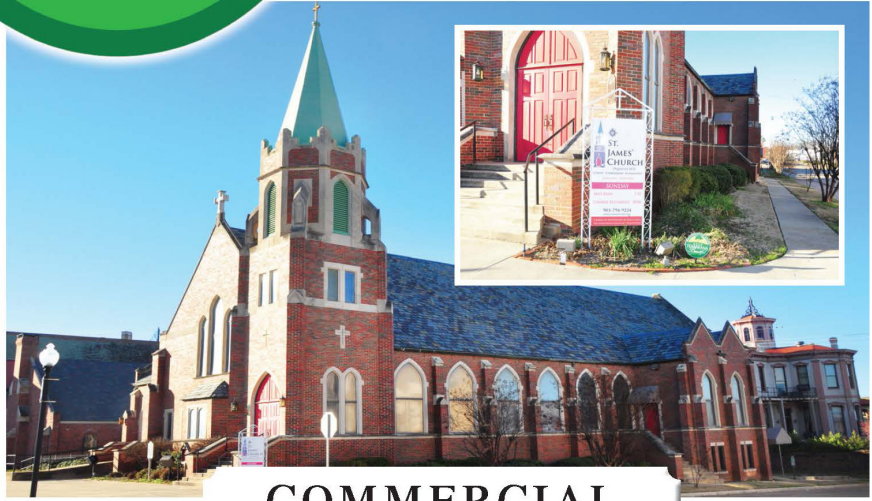
“NOT APPLICABLE”

Attachments

- a. February 2015 KTB McDonalds (PDF)



February LANDSCAPING AWARDS



COMMERCIAL

St. James Episcopal Church | 413 Olive Street



RESIDENTIAL

Carter and Stephanie Floyd

Packet Pg. 10



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • FEBRUARY 9, 2015

Council Chambers**Regular Meeting****6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Brad Casteel	Ward 1	Present	
Willie Ray	Ward 2	Late	6:19 PM
Tina Veal-Gooch	Ward 3	Present	
Brian Matthews	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Charlie Bassett, Jim Powell, Chris Black, Karey Parker, Dan Shiner, Kevin Schutte, Lisa Thompson, Robby Robertson, Charles Kreidler, David Orr and Jerry Sparks.

Legal Counsel: None

II. INVOCATION AND PLEDGE BY COUNCILMEMBER BRAD CASTEEL

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Wednesday, February 11, 2015 - Special Council Meeting with Texarkana, Arkansas Board of Directors & Leadership Texarkana at Texarkana College, Truman Arnold Center – 11:00 a.m.

Monday, February 23, 2015 at 6:00 p.m.

Monday, March 9, 2015 at 6:00 p.m.

Monday, March 23, 2015 at 6:00 p.m.

Monday, April 13, 2015 at 6:00 p.m.

Monday, April 27, 2015 at 6:00 p.m.

Parks & Recreation Events:

Thursday & Friday, February 26th & 27th - ADA Fishing Derby - Spring Lake Park

For a complete list of Parks & Recreation activities and information call 903-798-3978 or visit the city website: <http://tx-texarkana.civicplus.com>

Mayor Bruggeman reminded council of the invitation to “ROCK THE HOUSE” to be held at First Baptist Church on Moores Lane in Texarkana on Sunday, March 1st at 6:00 p.m. This event will be a

Minutes Acceptance: Minutes of Feb 9, 2015 6:00 PM (Consent Items)

special worship service hosted by Tim Montgomery of Heritage Church, Kenneth Reid of Mt. Grove Baptist Church, Isaac Pitre of Christ Nations Church and Jeff Schreve of First Baptist Church.

Mayor Bruggeman recognized and welcomed Texas High School students from Mr. Littman's government class at tonight's meeting.

Appointments to Boards & Commissions

Council Member Matthews made the following recommendation:

Mayor Bob Bruggeman to the Bi-State Intergovernmental Advisory Committee to replace former Council Member Bill Miller.

Council Member Paddock made the following recommendations:

Building Code Revision

Bruce Powers

Industrial Development Corporation

Steve Mayo

Patton Tidwell

David Crenshaw

Brian Daugherty

Landon Huffer

Permit and License Appeal Board

Steve Kelley

Isaac Pitre

TIRZ Advisory Board

Stacy Yates

Josh Andrus

Council Member Veal-Gooch made the following recommendations:

Building Code Revision

Jeff Whitten

David Williams

Troy Nipper

Joe Crews

Electrical Board

Vince Columbus

Derrell Nantze

Jason Lott

Derick Troweler

Plumbing Board

Matthew Hackworth

Joe Crews

Kip Townsend

Cody Peek

Rick Boyette

TIRZ Advisory Board
Kelly Mitchell
Jason Thomson
Cory Floyd

Motion to make appointments to various boards and commissions.

(6:13 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Presentations

1. KTB awards presentation for December residence and business of the month

Winners for the December 2014 Keep Texarkana Beautiful awards were:

Residence Recipient - Phillip Jimmerson (Ward 6) and Business Recipient - Fan Fare Gifts (Ward 5).

Mayor Bruggeman, Council Member Paddock and Council Member Davis presented the awards.

2. 2014 Waste Management Annual Report presented by Public Sector Solutions Manager Doug Sims
3. Public Safety Communications Update presented by City Manager John Whitson
4. Juvenile Diabetes Presentation by Student Kayce Welch

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC (LIMIT 5 MINUTES EACH)

Items scheduled for "Public Hearing" or have been heard at a previous "Public Hearing" are not to be addressed at the "Open Forum".

Will Ellis addressed council concerning improvements in law enforcement.

Pastor Donald Ryan addressed council concerning the Beverly Community Center and his withdrawal of the application for the Request for Proposal process.

V. ITEMS FOR CONSIDERATION

Consent Items

(7:18 p.m.)

Minutes Acceptance: Minutes of Feb 9, 2015 6:00 PM (Consent Items)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 26, 2015 at 6:00 PM.

Council Tally Sheet for Ward 5 Appointment

2. Resolution No. 2015-020 approving and authorizing the City Manager to enter into a joint election agreement with Pleasant Grove Independent School District for the election to be held on May 9, 2015.

Public Hearing:

Second Briefing:

Council Vote: February 9, 2015

Action Items

3. Resolution No. 2015-019 approving and authorizing the City Manager to enter into a joint election agreement with Texarkana Independent School District for the election to be held on May 9, 2015.

Public Hearing:

Second Briefing:

Council Vote: February 9, 2015

Council Member Veal-Gooch asked for this item to be pulled from consent and put on action. Mayor Bruggeman asked the City Secretary for a roll call vote.
(7:19 p.m.)

RESULT:	ADOPTED [5 TO 0]
MOVER:	Josh Davis, Ward 6
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Matthews, Paddock, Davis
ABSTAIN:	Veal-Gooch
EXCUSED:	Bruggeman

4. Ordinance No. 2015-016 creating the rank of Assistant Chief of Police by approving and authorizing the reclassification of two (2) non-tested Police Captain Positions to two Assistant Chief Positions and eliminating assignment pay for the Police Department Chief of Staff.

Public Hearing: February 23, 2015
 Second Briefing: March 9, 2015
 Council Vote: March 23, 2015

Mayor Bruggeman announced that this item will be moved to the first briefing section of our agenda.

RESULT:	MOVED FORWARD	Next: 2/23/2015 6:00 PM
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5. Ordinance No. 2015-015 amending Ordinance No. 2014-073 concerning fiscal year 2014-2015 City of Texarkana Texas Budget to allow for a monetary donation of \$10,000 to be added to the police department budget account number 101-1702-52207 (Minor Tools and Equipment) for the purpose of using donation funds to purchase body cameras to be utilized by patrol officers.

Public Hearing:
 Second Briefing:
 Council Vote: February 9, 2015

Charlie Bassett discussed this item.
 (7:22 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Resolution No. 2015-018 authorizing the development of the Texarkana, Texas Housing Authority Robison Terrace Development.

Public Hearing:
 Second Briefing:
 Council Vote: February 9, 2015

Housing Authority of Texarkana, Texas Executive Director Johnny Riley discussed this item.
 (7:28 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Brian Matthews, Ward 4
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VI. FIRST BRIEFINGS

1. Resolution No. 2015-017 authorizing the City Manager to issue a purchase order to Casco Industries, Inc. for the purchase of firefighting equipment (SCBA'S) through the HGAC Cooperative Purchasing Program in an amount not to exceed THREE HUNDRED EIGHT THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO/100 (\$308,810.00).

Public Hearing: February 23, 2015
 Second Briefing: March 9, 2015
 Council Vote: March 23, 2015

Chris Black briefed this item.

RESULT:	MOVED FORWARD	Next: 2/23/2015 6:00 PM
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2. Ordinance No. 2015-016 creating the rank of Assistant Chief of Police by approving and authorizing the reclassification of two (2) non-tested Police Captain Positions to two Assistant Chief Positions and eliminating assignment pay for the Police Department Chief of Staff.

Public Hearing: February 23, 2015
 Second Briefing: March 9, 2015
 Council Vote: March 23, 2015

Dan Shiner briefed this item.

RESULT:	MOVED FORWARD	Next: 2/23/2015 6:00 PM
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VII. PUBLIC HEARINGS

Motion to move Ordinance No. 2015-010 up for council vote.

(7:41 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Ordinance No. 2015-010 granting a Specific Use Permit to allow the one additional use of a hair salon on Tracts 26B and 27A, MEP & P HRS, A-421, located at 3901 Texas Boulevard. Real Jo Kent, applicant.

Public Hearing: February 9, 2015
 Second Briefing: February 23, 2015
 Council Vote: March 9, 2015

Minutes Acceptance: Minutes of Feb 9, 2015 6:00 PM (Consent Items)

Reala Jo Kent spoke at this public hearing and asked for council to consider moving this item up for vote at tonight's meeting.

(7:42 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Matthews, Ward 4
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Motion to move Ordinance No. 2015-011 up for council vote.

(7:43 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

- Ordinance No. 2015-011 amending PD-03-8(O) for site plan approval to allow a parking area and signage on Tracts 26B and 27A, MEP & P HRS, A-421, located at 3901 Texas Boulevard. Reala Jo Kent, applicant.

Public Hearing: February 9, 2015
 Second Briefing: February 23, 2015
 Council Vote: March 9, 2015

Reala Jo Kent spoke at this public hearing and asked council to consider moving this item up for vote at tonight's meeting.

(7:44 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Christy P. Paddock, Ward 5
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

- Ordinance No. 2015-012 rezoning Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street. Industrial-1 to Single Family-2. Verna Cellers, applicant. Alice Bursey Johnson, agent.

Public Hearing: February 9, 2015
 Second Briefing: February 23, 2015
 Council Vote: March 9, 2015

No citizen spoke at this public hearing. Shirley Jaster stated there is no additional information for council on this item.

RESULT:	MOVED FORWARD
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Next: 2/23/2015 6:00 PM

VIII. SECOND BRIEFING WITH UPDATES

1. Resolution No. 2015-004 adoption of recommended revisions to Human Resources Handbook.

Public Hearing: January 26, 2015
 Second Briefing: February 9, 2015
 Council Vote: February 23, 2015

Jim Powell updated council with more information on this item.

RESULT:	MOVED FORWARD
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Next: 2/23/2015 6:00 PM

IX. SECOND BRIEFING WITHOUT UPDATES - NONE.

X. ITEMS FOR DISCUSSION

Interstate Welcome Sign - Gateway Monument Presentation by Shirley Jaster

Shirley Jaster showed a presentation with live footage of how the welcome sign would look to traveling vehicles if it was located at either Kings Highway or University Avenue. Several photos were shown of welcome signs in other Texas cities. There are some TxDOT restrictions on signage with respect to wording on the sign and size of the sign. For an exception to these two specific areas, staff would have to make a request to TxDOT in Austin. Council consensus is for staff to make a request for the exceptions to the welcome sign and to have as first location choice Kings Highway and second location choice University Avenue.

XI. ADMINISTRATIVE COMMENTS

1. Council

Council Member Matthews asked for the status of the boards and commissions process. City Manager Whitson responded that the company providing the software just sent out an email stating the new update is available. Staff has only seen the beta version and will contact the company to verify the updated release. After final review, staff will be looking to implement the automated boards and commissions process for citizens.

Council Member Davis said he had received three phone calls from concerned business owners about the annual fire inspection fee. It was expressed to Council Member Davis that this service should be included in the taxes collected from the business owner by the city. To his recollection, City Manager Whitson responded that the fee schedule requires the business owner to be charged a fee for fire inspection *if* the business requires re-inspection. If they are prepared for the inspection, then there is no fee. If they are not prepared and the city has to come back to re-

inspect, then a fee is charged. The objective is to get the business owner to keep their business in compliance year round and not to rely on the city to come inspect and find the problems, then have the city come back, for free, after correcting the problems. Council Member Davis asked City Manager Whitson to re-verify that the inspection fee is charged on the **re-inspection** of the business and not on the initial inspection of the business.

Mayor Bruggeman asked who on the council would be attending the Special Joint Meeting with Texarkana, Arkansas Board of Directors on Wednesday, February 11th. Every council member confirmed attendance except Council Member Casteel who will not be able to attend.

2. City Staff - None.

XII. ADJOURNMENT

Motion to Adjourn

A motion was made to adjourn the meeting.
(8:38 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Brad Casteel, Ward 1
AYES:	Casteel, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

City of Texarkana, Texas

Briefing Sheet

Version: B

Update Date: 1/7/2015 2:25 PM

Lead Department: Human Resources **Action Officer:** Jim Powell, Director of Human Resources
Subject: Resolution No. 2015-004 adoption of recommended revisions to Human Resources Handbook.
Briefing: 2/23/2015 **Public Hearing:** 1/26/2015 **Second Briefing:** February 9, 2015 **Council Vote:** 2/23/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

It was determined in August, 2013, that the current Personnel Policy Manual was difficult to navigate and, in some instances, hard to interpret. A few HR issues needed to be addressed for the first time. A significant overhaul of the document was initiated in early 2014. A draft was developed by June, 2014. The draft was reviewed and edited by an evaluation committee, attorney Louise Tausch and senior staff.

Potential Options:

- None
-

Fiscal Implications:

Various reductions in personnel related expenditures.

Staff Recommendation:

Adoption of Human Resources Handbook

Advisory Board/Committee Review:

Employee Review Committee
 City Attorney Review
 Senior Staff Review

Board/Committee Recommendation:

Each review recommended approval with suggested revisions incorporated.

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

- a. Goals and Perspectives (DOCX)
- b. Res. No. 2015-004 (DOC)
- c. HR HANDBOOK EDITION (PDF)
- d. Change Summary Doc (DOCX)
- e. HR HANDBOOK PRESENTATION 1 2015 A (PDF)
- f. HR HANDBOOK PRESENTATION 2015 PIO (PDF)
- g. Recommendation for Vacation Pay Options (DOCX)
- h. Recommendation for Overtime Calculation Revision (DOCX)

Staff Coordination

Human Resources	Jim Powell	Department Head Review	Completed	
	12/23/2014 1:06 PM			
Parks, Recreation & Health		Robby Robertson	Review	Completed
	01/06/2015 2:43 PM			
Police	Dan Shiner	Review	Completed	01/06/2015
2:46 PM				
Information Technology		Bobby Bean	Review	Completed
	01/06/2015 2:57 PM			
Building Code Administration		Lynn Henry	Review	Completed
	01/06/2015 3:15 PM			
Fire Department	Eric Schlotter	Review	Completed	01/06/2015
4:12 PM				
Public Works Department		Kyle Dooley	Review	Completed
	01/06/2015 4:18 PM			
Planning and Community Development		David Orr	Review	Completed
	01/06/2015 5:50 PM			
Finance Department	Charlie Bassett	Review	Completed	01/07/2015
3:37 PM				
Water Utilities	Jennifer Evans	Review	Skipped	01/12/2015
6:38 PM				
Assistant City Manager		Jennifer Evans	Review	Skipped
	01/12/2015 6:38 PM			
City Attorney	Jennifer Evans	Review	Skipped	01/12/2015
6:38 PM				
Public Information Officer		Jennifer Evans	PIO Review	Skipped
	01/12/2015 6:38 PM			
City Manager	John Whitson	City Manager Review	Completed	02/05/2015
10:27 AM				
City Council	Jennifer Evans	Meeting	Completed	01/12/2015
6:00 PM				

Meeting History

01/12/15	City Council	MOVED FORWARD	Next: 01/26/15
01/26/15	City Council	MOVED FORWARD	Next: 02/09/15
02/09/15	City Council	MOVED FORWARD	Next: 02/23/15

City of Texarkana, Texas

Jim Powell updated council with more information on this item.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☐ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

(Insert Text Here/or say "NONE")

Resource Impact:Staff time required if item is approved: **Other Potential Impacts:**

List or say "NONE APPLICABLE"

Public Information Plan:

☐ Newspaper Notice (Required by Statute)	☐ Public Hearing (Required by Statute)
☐ Public Forum/Input Session	☐ Press Release
☐ E-News Distribution	☐ Website Notice
☐ Social Media (Twitter, Facebook, etc.)	☐ Special Mailing
☐ Flyers Posted	☐ Banners Posted
☐ Survey	☐ Automated Phone Call
☐ None Required	☐

Other:

RESOLUTION NO. 2015 -004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING RECOMMENDED REVISIONS TO THE HUMAN RESOURCES HANDBOOK; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Human Resources Handbook has been formulated by the Human Resources Director as a part of a comprehensive review and revision of policy related to employment, personnel actions, leave, compensation, benefits, conduct and work environment; and

WHEREAS, the Human Resources Director reviewed policy recommended by the Texas Municipal Human Resources Association, written and approved by Lynn, Ross and Gannaway, L.L.C.; and

WHEREAS, the Human Resources Director reviewed current policy from the City of Cedar Hill, Texas, Mesquite, Texas, Longview, Texas and Pearland, Texas before proposing revisions to the Human Resources Handbook; and

WHEREAS, an employee evaluation committee representing the Police, Fire, Health, Public Works, Parks, Fleet, Water, and Finance Departments participated in a review of the draft policy document submitted by the Human Resources Director; and

WHEREAS, the completed evaluation committee review was submitted to attorney, Louise Tausch of Atchley, Russell, Waldrop & Hlavinka, L.L.P. for vetting; and

WHEREAS, the completed Human Resources Handbook was submitted to senior staff for final review and completion; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: The recommended revisions to the Human Resources Handbook are hereby approved and adopted in their entirety to read as set forth in Exhibit “1” attached hereto and made a part hereof by reference.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

CITY OF TEXARKANA



HR HANDBOOK

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Welcome from the City Manager

Add text here.

Introductory Statement

Effective Date: 03-01-2015

Revision Date:

The HR Handbook is designed to provide information about working conditions, employee benefits, and policies affecting employment. These policies apply to all employees of the City of Texarkana unless specified otherwise. It describes many of your responsibilities as an employee and outlines the programs developed by the City to benefit employees. It is your responsibility to review the manual and comply with the policies as well as all other rules, guidelines and regulations implemented in accordance with these policies.

It is important to understand that no HR Handbook cannot anticipate every circumstance or question. Due to changes in state and federal employment laws, portions of these policies may be superseded by such new legislation and it is the intent of the City to monitor and follow any such legislation. The City reserves the right to revise, supplement, or rescind any policy or portion of the HR Handbook from time to time as it deems appropriate, at its sole and absolute discretion. When there are revisions, supplements or other changes to the manual, managers, supervisors and employees will be notified of such changes as these occur.

The language used in any statement, policy or procedure herein, is not intended to create, nor is it to be construed to create, a contract between the City and any one or all of our employees.

Should you have any questions as to the interpretation or understanding of any policy, procedure or practice, please visit the Human Resources Department. The Human Resources Department administers the City's personnel functions and employment policies in accordance with applicable federal and state law. As a matter of policy, all personnel records and policy administration shall be the responsibility of the Human Resources Department.

Objectives of Policy

Effective Date: 03-01-2015

Revision Date:

The objectives of the HR policies are as follows:

- (A) To promote good and uniform personnel practices and administration in the management of the City's human resources;
- (B) To develop a program of recruitment, advancement and tenure, that will make municipal employment attractive as a career and encourage each employee to render the employee's best services to the citizens of the City;
- (C) To provide compensation based upon individual merit and the relative duties and responsibilities of positions in the service of the City;
- (D) To promote high morale by the consistent administration of these policies; and
- (E) To provide that tenure of employees covered by these policies shall be subject to good conduct, satisfactory performance, necessity for the position, and availability of funds.

Amendment of Policies

Effective Date: 03-01-2015

Revision Date:

Amendments to the HR Handbook must be approved by the City Manager. The City Manager is responsible for the implementation of the personnel policies.

This handbook has been approved by the City Council of the City of Texarkana. Amendments of substance require approval by the City Council.

General and final authority for personnel administration rests with the City Manager, with the exception of matters reserved to the City Council by state law or the City Charter. Authority may be delegated to appropriate staff members to act in the City Manager's behalf in the administration of this handbook; however, the final authority on personnel decisions shall be reserved to the City Manager. Operational changes to any policy, practice, or process will require approval by the City Manager.

No City of Texarkana supervisor is authorized to modify this handbook for any employee or to enter into any agreement, oral or written.

Application of Policies

Effective Date: 03-01-2015

Revision Date:

The HR Handbook policies shall apply to all City employees, provided that the provisions may be varied in the case of an employee with a written employment agreement approved by the City Council. All employees must become familiar with and abide by these policies. The City reserves the right to revise or rescind any policy at any time. The City also reserves the right to make final decisions as to the interpretation and intent of all information contained in the HR Handbook.

The City reserves the right to interpret, change, suspend, or cancel, with or without notice, all or any part of these policies, or procedures contained herein.

This HR Handbook sets forth policies applicable to all City employees. However, the Texas Local Government Code, Chapter 143 and City Charter will supersede any provision of this manual as it relates to disciplinary action, dismissal, and any other personnel matters affecting Texarkana, Texas Police Officers and Fire Fighters.

Management Authority

Effective Date: 03-01-2015

Revision Date:

General and final authority for personnel administration rests with the City Manager, with the exception of matters reserved to the City Council by State law or the City Charter.

Management Authority. The City may modify, revoke, suspend, interpret, terminate, or change any or all of its policies and procedures, in whole or in part, at any time. The issuance of these policies and procedures does not constitute a contract between the City and its employees for any duration of employment. There is no specified length of employment, and either the City or the employee can terminate the employment relationship at any time, for any reason.

Policy administration rests with City management and City management reserves sole authority to administer City operations.

Departmental Policy and Procedural Requirements. Individual City departments may develop policies and procedures that are consistent with City policies and procedures. Department policies and procedures that are operational and that do not relate to those in this handbook, or other approved operational manuals, do not need to be reviewed and approved by the Director of Human Resources or other appropriate departments. All others, however, are subject to approval by the appropriate City department. All employment related department policies must be reviewed by the Director of Human Resources. Department Directors are responsible for obtaining the necessary review and approval prior to issuing such departmental policies and procedures. Departmental policies and procedures will not become effective unless they have been reviewed and approved in accordance with this policy.

Miscellaneous. Policies and procedures apply to all employees of the City, both on and off duty where applicable, unless otherwise indicated, restricted by proper authority, or prohibited by State and/or Federal law.

Only the City Manager has the authority to enter into an employment agreement, promise, or commitment contrary to these policies and procedures, and all such agreements, promises, and/or commitments entered into by the City Manager must be contained in an express written employment contract signed by both the City Manager and the affected employee.

Any statement in a policy and/or procedure found to be illegal, incorrect, and/or not applicable will not affect the validity and intent of the remaining content of such policy or procedure.

Titles utilized do not govern, limit, modify, or affect the scope of meaning or intent of any provision.

Any conflicts, questions, or ambiguities in City or departmental policies and procedures will be decided by the City Manager.

The City Manager may delegate rights and powers granted under these policies and procedures to the Human Resources Director or to others as deemed appropriate in the City Manager's sole discretion.

Chapter 1

1.01 Equal Employment Opportunity

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To affirm the City's position regarding non-discrimination in matters relating to employment in the organization.

POLICY:

To help ensure that equal employment and advancement opportunities are available to all individuals, employment decisions at the City will be based upon merit, qualification, and abilities. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. The City does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, ethnic affiliation, age, disability, military/veteran status, sexual orientation, gender identity or any other characteristic protected by law.

In accordance with the Americans with Disabilities Act as Amended (ADAAA), the City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

In compliance with Genetic Information Nondiscrimination Act (GINA), the City prohibits discrimination and retaliation based on genetic information in employment opportunities or practices.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring those issues to the attention of their immediate supervisor, Department Director, or the Human Resources Department. Employees can raise concerns and make reports without fear of reprisal or retaliation. Anyone found to be engaging in discrimination or retaliation will be subject to disciplinary action, up to and including termination of employment.

The City will not tolerate derogatory remarks or actions by employees regarding race, color, religion, gender, national origin, ethnic affiliation, age, disability, military/veteran status, sexual orientation, gender identity, or any other characteristic protected by law.

1.02 Americans with Disabilities (ADAAA)

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To ensure compliance with the Americans with Disabilities Act and Americans with Disabilities Act as Amended (ADAAA), the City offers equal employment opportunity to qualified individuals and strictly prohibits discrimination against qualified individuals on the basis of disability.

POLICY:

The City will provide reasonable accommodation for the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to perform the essential functions of the position at issue. The City's obligation under this policy is limited to providing reasonable accommodations that will not result in undue hardship to the City.

However, the employer is **not** required to lower quality or quantity standards to make an accommodation. In addition, the employer is **not** required to provide personal use items such as glasses, contact lens, wheel chairs or hearing aids as an accommodation. The City of Texarkana will comply with all Federal, state, and local laws relating to the employment of applicants and employees with disabilities and reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of the job in question.

An individual, who can be reasonably accommodated for the job in question, without undue hardship to the City, will be given the same consideration for that position as any other applicant or employee.

All employees are required to comply with safety standards. The City will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of their position unless doing so causes a direct threat to the individuals or others in the workplace which cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to the City. Essential functions of the job refer to those job activities that are determined by the City to be essential or core to performing the job; these functions cannot be modified. Any employee that poses a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision can be made in regard to the employee's qualifications for the position.

A. Definitions

In implementing this policy, the City of Texarkana will be guided by the most recent applicable definitions stated in the ADAAA or in case law construing the ADAAA, and applicable state and local law. In the event of any conflict between the definitions in the ADAAA and the definitions in this policy, the legal definitions will be prevailing.

1.02 Americans with Disabilities (ADAAA)

Effective Date: 03/01/2015

Revision Date:

The following discussion is provided for general guidance of applicants and employees in understanding the policy of the City of Texarkana.

1. **“Disability”** refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment or has a record of such an impairment is also deemed a “disabled individual”. An individual may also be deemed “disabled” if that person is *regarded as* having such impairment. However, in the “regarded as” instance, the situation is more complicated. Under amendments to the ADAAA in 2008, if the condition is transitory and minor, defined as having an actual or expected duration of 6 months or less, then the condition does not qualify as a disability.
2. Generally, ameliorative measures such as medications and medical devices *will not* be considered in making a disability determination, although ordinary eyeglasses or contacts *may* be taken into consideration. So, for example, the mere fact that a person wears ordinary eyeglasses will not qualify that person as “disabled.” On the other hand, the fact that a person has a hearing aid or takes medications to address the impairment will not disqualify that person as being “disabled” if the person otherwise meets the definition of “disabled.”
3. **“Major life activity”** may include things such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating or working. A “major life activity” may also include bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive systems.
4. **“Direct threat to safety”** refers to a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
5. A **“qualified individual with a disability”** refers to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
6. **“Reasonable accommodation”** refers to making existing facilities readily accessible to and usable by individuals with disabilities, including but not limited to; job restructuring, part time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

1.02 Americans with Disabilities (ADAAA)

Effective Date: 03/01/2015

Revision Date:

7. **“Undue hardship”** refers to an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include but not limited to: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the City; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire City; and (8) the relationship of the particular facility to the City. These are not all of the factors but merely examples.
8. **Essential job functions** refers to those activities of a job that are the core to performing the job in question and must be performed with or without an accommodation; these functions cannot be modified for the job position.

B. Administrative Procedures ~ How to request an accommodation

An applicant and/or employee may request an accommodation using **Form 18, Request for ADAAA Accommodation Form** found in the back of the Personnel Handbook, on the HR website, or in the Human Resources department. Any request for accommodation must be reasonable, not cause an undue hardship, not be a threat to safety, and enable the applicant or employee to perform the essential functions of the position. Each request will be evaluated on the aforementioned criteria. All requests are confidential. The review and coordination of any request for accommodation for a disability will be limited to those who have a right to know.

The Human Resources Department is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

The Human Resources Director is designated as the ADAAA Coordinator responsible for the receipt, review and response of requests for accommodation from the applicant or employee.

The applicant or employee will be provided the status of the request within five (5) working days. Extensions may be required contingent upon the complexity of the request. A need for extension will be provided in writing by the ADAAA Coordinator to the applicant or employee.

Should the applicant or employee disagree with the findings of the ADAAA Coordinator, the applicant or employee may appeal the decision of the ADAAA Coordinator within five (5) working days to the City Manager or designee. The request for appeal must be provided in writing. The decision of the City Manager or designee will be final.

1.03 Employment At-Will

Effective Date: 03/01/2015

Revision Date:

Employment with the City is for no fixed or definite term. All employment by the City has been and continues to be at-will, except for those positions that may have a written contract approved by the City Council, OR for employees covered by **Chapter 143 of the Texas Local Government Code**. That means that both the employee and/or the City have the right to terminate employment at any time, with or without notice, and with or without cause. Civil Service employees are governed by Chapter 143 of the Local Government Code. This Handbook does not constitute a contract of employment. Nothing in this handbook is intended to alter the at-will status of employment with the City.

Although adherence to these policies is considered a condition of employment, nothing in these policies alters an employee's status and shall not constitute nor be deemed a contract or promise of continued employment. Employees remain free to resign their employment at any time for any or no reason, with or without notice, and the City retains the right to terminate any employee at any time, for any or no reason, with or without notice.

1.04 Recruitment

Effective Date: 03/01/2015
Revision Date:

Policy: The City hires employees based on their knowledge, skills and abilities, experience, and other qualifications as they relate to the duties and responsibilities of a position without regard to race, national origin, religion, color, sex, age, citizenship, political affiliation, disability, genetics, military/veteran's status, sexual orientation, gender identity or any other characteristic protected by law. City residents shall be given preference for employment, if all other considerations are equal. It is the desire and intent of management to provide promotional opportunities for employees of the City by offering assistance to interested employees in developing career plans and making applicable training and educational opportunities available.

Recruitment Requirements: The recruitment process is initiated by a Department Director submitting a **Form 1, Personnel Request (Attachment A)** to the Director of Human Resources. Job vacancies will normally be posted internally for the benefit of any qualified employee. External recruitment may also be conducted during an internal posting.

After making a decision to hire, the hiring department must submit the appropriate paperwork to the Director of Human Resources, along with the applicable **Form 3, Personnel Action Form (PAF)**. Offers for City employment will be communicated by the Director of Human Resources upon receipt of the hiring recommendation and all related paperwork.

The recruitment method for vacant director level positions may be determined by the City Manager on a case by case basis.

1.05 Job Posting and Applications

Effective Date: 03/01/2015
Revision Date:

Job Posting: Jobs will be posted on the official city website through **NeoGov**, the job board in the Human Resources Department, distributed on the City-wide email system and other methods as necessary. The jobs may also be posted on departmental bulletin boards. Each job posting will normally remain open for a minimum of one (1) week and will include the job title, department, job summary, essential duties, closing date, and minimum qualifications. In general, notices of job openings are posted. The City reserves its discretionary right not to post a particular opening based on the position, promotion from within; or other extenuating circumstances.

Applications: Anyone seeking employment, promotion, transfer, or reemployment with the City must complete and submit an official City application for the position desired. Current City employees must complete a **Form 2, Request for Consideration**. All information set forth on an application is subject to verification. Applications will normally be considered active until the vacancy is filled. Applications for employment will be considered by the Director of Human Resources.

Internal Applicants: All employees, including part time and seasonal, may apply for internal job postings and will be subject to the same tests as external applicants. An applicant's current supervisor may be contacted to verify performance, skills, and attendance, and the personnel file may also be reviewed. Staffing limitations or other circumstances that might affect a prospective transfer may be discussed. Employees who have been on disciplinary probation or have been suspended in the previous **twelve (12) month** period are not eligible to apply for posted jobs.

1.06 Hiring Process and Disqualification

Effective Date: 03/01/2015

Revision Date:

Hiring Process: Applicants for employment shall be required to submit to an oral interview and may be required to submit to a post-offer physical examination, drug and alcohol examination, and may be required to submit to pre-employment testing and investigation. The hiring of civil service employees is governed by Chapter 143 of the Texas Local Government Code and the City's Local Civil Service Rules, to the extent that the process differs from that contained in this Policy.

Disqualification: Applicants will be disqualified from consideration for one or more of the following:

- Failure to meet the minimum qualifications necessary for performance of the duties for the position;
- If they previously worked for the City and were involuntarily terminated, or resigned in lieu of termination;
- If employment will result in a violation of the City's Nepotism Policy;
- Failure to meet minimum age requirement of 18; or for Civil Service applicants failure to meet the state mandated age requirement for licensing;
- False statements or material omissions on the application form or during the application process;
- Failing any of the City's background and employment requirements including, but not limited to, drug testing, physical exam, driver's license check.
- The applicant commits or attempts to commit a fraudulent act at any stage of the selection process;
- The applicant is not legally permitted to work in the United States;
- The applicant is unable to perform the essential functions of the job applied for with or without a reasonable accommodation; or
- Any other reason deemed to be in the best interests of the City.
- Any other reason prescribed by the Civil Service Commission, in the Local Civil Service Rules or Departmental Rules, Orders, and Directives.

1.07 Employment Relations

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To outline expected employee relations that create a working environment where services are provided to citizens in an efficient, effective, and economical manner.

POLICY:

High productivity and efficiency are a result of individual job satisfaction. To work together successfully, employees must realize that harmonious relationships are not entirely a matter of rules, but are the outgrowth of daily decisions and professional behavior.

Employees are expected to establish and maintain effective professional working relationships with fellow employees, supervisors, elected and appointed officials, citizens, consultants, contractors, and others doing business with the City.

To create a positive work environment, employees and supervisors shall communicate openly and directly. If employees have concerns, they are strongly encouraged to voice them openly and directly to their supervisor or Department Director.

1.08 Work Ethic

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To define ethical conduct for employees and representatives of the City.

POLICY:

The City will comply with all applicable laws and regulations and expects its directors, officers, volunteers, and employees to conduct business in accordance with the letter and spirit of relevant laws and refrain from dishonest or unethical conduct.

Employees shall, during both working and non-working hours, act in a manner which will inspire public trust in their integrity, impartiality, and devotion to the best interests of the City, its customers, and citizens.

To ensure ethical and impartial business, it is prohibited for City employees to:

1. Offer, or solicit money, property, service, or other items of value by way of gift, favor, inducement, or loan with the intent that the offer would influence or the recipient would be influenced by such conduct in the discharge of public duties. Employees **may not** use their official position, uniform, or badge to secure, demand, or coerce special advantage in business, personal gain, or other benefit derived from such relationship.
2. Use any City-owned facility, building, equipment, materials, or vehicle for their personal use or benefit, or for the personal use or benefit of any other individual. No employee shall have unauthorized possession of City property.
3. Invest or hold a financial interest, directly or indirectly, in any business entity, transaction, or business endeavor that would create a conflict between the City employee's duty to uphold the public trust and the individual's private interest.
4. Gifts may be accepted, but **shall not** create a personal benefit to a specific employee.

In general, the use of good judgment, based on high ethical principles, will be the guide with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter must be disclosed to the immediate supervisor and/or the Department Director. The Department Director shall immediately inform the Human Resources Director for the purpose of precluding any real or apparent conflict of interest.

1.09 Employment Classifications

Effective Date: 03/01/2015
Revision Date:

PURPOSE:

To define the classifications of employment in the City of Texarkana

POLICY:

The provisions of this section shall be applicable to all persons in an employment relationship with the City of Texarkana, Texas. Therefore, it is necessary that we define the different classifications of employees which are acknowledged by the City of Texarkana, Texas in accordance with the Fair Labor Standards Act.

- A. **Orientation Period.** A full-time or part-time employee during the performance orientation period of initial employment, promotion, or transfer. Newly hired employees are not subject to progressive levels of discipline and are not eligible to use the City's Employee Appeals Policy during the Orientation Period.
- B. **Probation Period.** Employees hired for Civil Service positions during the initial one to one and one half years of employment as determined by the Local Civil Service rules.
- C. **Regular full-time.** An employee in a budgeted position with an officially scheduled work week of 40 hours or more each workweek (except for certain Fire and Police shift personnel who have different work cycles) who has successfully completed the initial orientation period. Generally, regular full-time employees are eligible for the City's full benefits package, subject to the terms, conditions, and waiting periods of each benefit program. Regular full-time employees are required to participate in the Texas Municipal Retirement System (TMRS).
- D. **Regular part-time.** An employee in a budgeted position with an officially scheduled work week of 20 or more hours but less than 40 hours who has successfully completed 6 months of active service with the City. Regular part-time employees who regularly work more than 20 hours per week accrue certain benefits on a pro rata basis and, who work at least 1000 hours in a year, are required to participate in Texas Municipal Retirement System.
- E. **Temporary/Seasonal.** An employee who is employed for only a specific time period, for a special assignment, or as an interim replacement. Employment assignments in this category are of a **limited duration**. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary and seasonal employees retain that status unless and until notified of a change in writing by the Director of Human Resources. Temporary employees who are placed with the City but who are actually employed by a temporary staffing agency must look to the temporary staffing agency to determine what benefits are

1.09 Employment Classifications

Effective Date: 03/01/2015
Revision Date:

provided. Such employees are not eligible for benefits from the City and are not eligible for participation in TMRS.

- F. **Volunteers** Volunteers are not employed by the City in any capacity. Volunteers elect to donate their time and services as a volunteer for the City without any expectation of compensation. Volunteers are generally not paid, are not entitled to any benefits, and are covered by worker's compensation.
- G. **Exempt Employee** – Some executive, professional, computer and administrative employees are exempt from the requirements of the Federal Fair Labor Standards Act (FLSA) that provide overtime pay standards. These exemptions are generally based on the responsibility, discretion, independent judgment and decision making authority required in the job. Exempt employees **are not** eligible to receive overtime.
- H. **Non-exempt Employee** - Employees in non-exempt jobs must be paid overtime pay for hours worked over forty (40) hours per week. This means that non-exempt employees' time worked must be recorded to be in compliance with FLSA. Firefighters work under the FLSA 7(K) overtime exemption.

1.10 Orientation Period

Effective Date: 03/01/2015

Revision Date:

All new employees hired to fill regular full-time or part-time positions must satisfactorily complete a performance orientation period of six months.

Employees covered by Chapter 143 of the Texas Local Government Code shall serve a probationary period as contained in Chapter 143.

Additionally, all current employees who are transferred, promoted, demoted, or reclassified to a supervisory position, as well as former City employees who are rehired, must satisfactorily complete a performance orientation period of 6 months. The orientation period assists the City in maintaining an effective, productive, and efficient workforce to provide quality services to the citizens. Employees must meet acceptable performance and other standards during their orientation period to be retained as employees. The orientation period may be extended for additional training as determined by the supervisor with approval from Human Resources. Employees are considered in the orientation period until they have actually performed their regular job duties for at least 6 months to establish their ability to meet acceptable standards of work performance and behavior for the employee's position.

Each employee serving in the orientation period is responsible for knowing, understanding, and meeting the expectations and standards for the position. In addition, each employee is also responsible for performing the job in a safe, productive, and effective manner within the established standards for the position. Furthermore, employees are expected to maintain acceptable standards of conduct in their employment. During the orientation period, it is the responsibility of the employee to correct any deficiencies or inadequacies in job performance, or conduct.

Seasonal/Temporary Employees. Seasonal and temporary full and part-time employees do not serve a performance orientation period and have no right of appeal when terminated.

Change in Assignment of Employee serving in the Initial Orientation Period. Employees serving in the orientation period may not request or make application for reassignment, promotion, or voluntary transfer during the orientation period without written approval from the Human Resources Director, or if requested by their Department Director. If the reassignment, promotion, or transfer is approved, the employee will serve a **6 month** performance orientation period in the new position beginning with the date of the position change.

Absences During Performance Orientation Period. During the performance orientation period, an employee is **eligible to use sick leave for qualifying absences**, and **may use vacation leave for specific events** approved in advance by the Department Director. Compensatory time off or recognized holidays during the performance orientation period may be used as approved per established City/departmental policy or practice.

1.10 Orientation Period

Effective Date: 03/01/2015
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Transferred or promoted employees serving in the orientation period retain eligibility for all types of leave established by City policy.

Orientation Performance Evaluations. All employees serving in the orientation period shall be **continually evaluated** and will receive a performance evaluation(s) in accordance with the “Performance Evaluation” policy. These reviews are designed to evaluate each employee’s performance and to communicate that performance to the employee. Formal evaluations shall be completed at **3 months and one week prior to 6 months**. The **6 month** written review shall include a supervisory recommendation to retain or terminate the employee. Newly hired employees who successfully complete their performance orientation period may receive a salary increase, if budgeted for that position.

Extensions to Orientation Period. The performance orientation period may be extended under the following circumstances:

At the end of the **6 month** initial period, the performance orientation period may be extended for up to an additional **6 months** when an employee’s performance has been marginal due to extenuating circumstances, additional training is warranted, or an employee’s absence from work for an extended period of time did not permit an opportunity for adequate assessment of performance. The decision to extend or not to extend an employee’s orientation period may not be appealed. If an extension is granted, the employee will be advised in writing and given the date on which the extended orientation period will be completed. Such extension will be at the sole discretion of the Department Director and the Director of Human Resources.

An orientation period may be extended for time spent on an approved Leave of Absence including leaves of absences due to injury or illness or approved Military Leave. The approved extension will normally equal the length of time away from work. Accordingly, each full-day absence incurred by an employee during the orientation period will normally extend the 6 month orientation period by an additional day.

Successful Completion of Orientation Period/“Regular” Status Granted. Employees have no guarantee of employment either during their orientation period or after they are granted “regular” status. An employee is granted “regular” status if the employee satisfactorily completes the performance orientation period. Only employees who meet acceptable performance, conduct, attendance and other standards during orientation will be retained as regular employees.

Failure of Orientation Period. An employee is considered to have failed the orientation period when it is determined that the employee’s fitness, job performance, quality or quantity of work, attendance, or combination thereof, does not meet minimum job

1.10 Orientation Period

Effective Date: 03/01/2015

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performance standards and expectations for the position. Failure of orientation period may occur at any time within the orientation period. An employee who does not successfully complete the orientation period will normally be terminated from the City's employment. If desirable and feasible, the employee may be administratively transferred to a more suitable position at the sole discretion of the City. A transferred or promoted employee who fails the orientation period may, at the sole discretion of the City, be reinstated to the former position provided there is a vacancy and if approved by the affected Department Director(s). Department Directors are responsible for ensuring the thorough written documentation of all cases of failure of the orientation period, including documentation of counseling, training, and other efforts to help employees during their orientation period. All such documentation must be reviewed by the Director of Human Resources before an employee in the orientation period can be terminated.

Termination of Employees in the Orientation Period Employees in the initial orientation period are at-will employees and may be terminated at any time during the orientation period, with or without notice or cause. An employee in the initial orientation period who is terminated has no right of appeal. These employees are not entitled to progressive levels of discipline. Employees in the initial orientation period are otherwise subject to all policies and procedures of the City.

Sexual and Other Unlawful Harassment Employees in the orientation period are subject in all respects to the City's Harassment and Discrimination Policy. Employees in the orientation period have no right of appeal, however, if it is believed that unlawful harassment or discrimination has occurred such conduct must immediately be reported as set out in City Policy.

1.11 Nepotism

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To clearly define the hiring, transfer and promotion standards when any relationship through blood, marriage, adoption, cohabitation or as roommates presents a conflict of interest or conflict of work related decisions for the City of Texarkana.

POLICY:

The employment of individuals related through blood, marriage, adoption, cohabitation or as roommates within the City may cause serious conflicts and problems with favoritism and employee morale within the organization. Employees who are related through blood, marriage, adoption, cohabitation or as roommates may work in the same department however, not in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. Further, no relative or any employee related through marriage, adoption, cohabitation or as roommates shall be placed in positions allowing for financial signature approval of any purchasing or payroll transactions for one another. Such employees shall not work in a capacity that poses or may pose a conflict of interest.

This policy applies to all employees. The City reserves the right to take prompt and appropriate action to eliminate the conflict or potential conflict including termination of employment.

No person related through blood, marriage, adoption, cohabitation or as roommates to the City Manager, Mayor, or any member of the City Council, shall be employed in a paid position in the City. The City prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, cohabitation or as roommates.

The City reserves the right to take prompt action if an actual or potential conflict of interest arises concerning employees related through blood, marriage, adoption, cohabitation or as roommates who occupy positions at any level (higher or lower) in the same line of authority that may affect employment decisions.

A. Definitions

1. Relatives: Individuals related through blood, marriage or adoption; these include but are not limited to persons related through the **first, second and third degree of consanguinity** (blood relations) and the **first and second degree of affinity** (marriage relations). See the **Nepotism Chart (Appendix A)** at the end of the chapters for visual detail.

1.11 Nepotism

Effective Date: 03/01/2015
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2. Cohabitants: Individuals living together in an intimate or sexual relationship but are not married, or declared to be married, including relationships that may be considered common law marriages.
3. Roommates: Individuals sharing the same residence.

B. Procedures

1. All applicants for employment at the time of hire must disclose the relationship with elected City officials or any individual working for the city in any capacity. If the applicant is hired, and it is later determined he/she failed to disclose information regarding a relationship with a City official or individual previously working for the City, the non-disclosure may result in disciplinary action up to and including termination.
2. When a relationship is created which is not allowed by City policy, it is the responsibility and obligation of the employees involved to promptly disclose the relationships to the Department Manager or Director. Failure to notify management may result in disciplinary action up to termination.
3. When a relationship is created which is not allowed by City policy, the affected employees will be provided thirty (30) calendar days to consider which employee will vacate his or her position. The affected employee may resign, apply for another position, voluntarily demote or transfer to a vacant position. After thirty (30) calendar days, the Department Manager or Director may decide which employee(s) to demote, transfer or terminate.

Application of Policy

Grandfather Clause: Employees hired before the effective date of this policy, who are found to be in violation of this policy, shall be allowed to continue working in their current positions. No person shall be hired, transferred or promoted after the effective date of this policy whose continued employment with the City would create a violation of this policy. In all cases of employment with the City, the City reserves the right to transfer or reassign any employee at any time with or without cause.

This policy applies to all full-time, part-time and temporary seasonal employees of the City.

1.12 Outside Employment

Effective Date: 03/01/2015
Revision Date:

PURPOSE:

To outline the conditions an employee of the City of Texarkana must meet before accepting another job or business opportunity outside his/her employment with the City.

POLICY:

The position an employee holds with the City of Texarkana shall take precedence over any other occupational involvement of the employee. The acceptance of another job or business opportunity, such as contracting or self-employment, while in the employment of the City is permissible as long as the following considerations are met:

1. Employee must submit a **Form 24, Request for Outside Employment** to the Department Director prior to the acceptance of outside employment and whenever the nature of such employment changes. If outside employment is approved, the request form will be forwarded to Human Resources and placed in the employee's personnel file.
2. Outside employment may not conflict with the best interest of the City and must be terminated if it adversely affects the employee's attendance or performance of duties. Approval of outside employment may be withdrawn at any time.
3. Outside employment must be suspended if the employee is on restricted duty, workers' compensation leave, sick leave, military leave, leave without pay, or family medical leave.

1.13 Employee Health Examinations/Fitness for Duty

Effective Date: 03/01/2015
Revision Date:

PURPOSE:

The City endeavors to provide a safe work environment for all employees. It is the responsibility of each employee to maintain the standards of physical and mental health fitness required for performing the essential functions of the position, either with or without reasonable accommodation.

POLICY:

A. Medical Exams for Current Employees. The Director of Human Resources, or an employee's Department Director (with the prior written approval of the Director of Human Resources) may require a current employee to undergo a medical and/or psychological examination to determine fitness for continued employment, as may be necessary in order for the City to provide a reasonable accommodation; following an injury or accident; and as otherwise permitted in accordance with applicable laws.

B. Medical Information from an Employee's Doctor. Under certain circumstances (e.g., FMLA Certifications), Human Resources may require employees to provide medical information from their health care provider. In such cases, employees are to inform their health care provider not to provide any genetic information when responding to such request.

C. Genetic Information. In accordance with the Genetic Information Nondiscrimination Act (GINA), the City will neither request nor require genetic information of an employee or his/her family member, except as specifically allowed by GINA. To comply with GINA, employees are directed not to provide any genetic information when responding to any City request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or embryo lawfully held by an individual or family member receiving assistive reproductive services.

E. Medical Records. Medical records and sensitive information regarding an employee's health will be kept confidential AND separate from other records as required by law. Limited information may be provided to supervisors and managers, first aid and safety personnel, government officials, Texas Workers' Compensation Commission, and as necessary for insurance and other business-related purposes.

F. Return to Work/Fitness for Duty. Before returning to work following a medical and/or psychological examination under this policy, the employee must coordinate his/her return through Human Resources. An employee who misses work due to medical

1.13 Employee Health Examinations/Fitness for Duty

Effective Date: 03/01/2015
Revision Date:

reasons may be required to provide a fitness-for-duty certification before returning to work.

G. Time Off From Work. Time away from work undergoing a City mandated fitness for duty examination will normally be coded to **paid administrative leave**, but may be retroactively changed to sick leave, Family Medical Leave Act leave, and/or other leave as circumstances warrant.

1.14 Employee Medical Psychological Examinations

Effective Date: 03/01/2015
Revision Date:

PURPOSE:

To outline the procedures requiring certain current or prospective employees to undergo a City-paid examination to ensure successful performance of essential job functions.

POLICY:

Applicants for specific jobs may be required to undergo and pass a pre-employment physical and/or psychiatric exam upon a conditional offer of employment. The examination will be conducted by a physician of the City's choice and paid for by the City. Employment will be contingent upon successful completion of the examination in relation to the standards of fitness required by the essential functions of the position. Where conflicts of medical/psychological opinion occur, the decision of the City's appointed physician/psychologist or psychiatrist shall be final and binding.

A Department Director, with agreement of the Human Resources Director, may require current employees to undergo a physical and/or psychological examination in order to determine fitness to perform the essential job functions for continued employment. Employees who are transferred, promoted, or demoted may be required to undergo an examination to ensure that they are capable of performing the essential job functions of the new position.

Any medical/psychological information concerning an employee will be maintained in separate, **confidential** medical files, apart from regular personnel records, in the Human Resources Department. Such records are not subject to open records. Only authorized employees may have access to such files. Any employee found to have discussed medical information about another employee with anyone else or to have released such information without authorization, is in violation of this policy and will be subject to disciplinary action, up to and including termination from employment.

1.15 Procedural Referral

Effective Date: 03/01/2015
Revision Date:

PURPOSE:

To outline the Procedural Referral process developed to assist employees experiencing problems or concerns which adversely affect their job performance.

POLICY:

If there is continuing or serious misconduct or disruptive behaviors by an employee, the Department Director may require a psychological evaluation of an employee. The employee may be referred to the Employee Assistance Program (**see Policy 5.08 Employee Assistance Program**), health insurance provider, or another professional organization or individual for evaluation. If psychological evaluation and successful treatment are made conditions of continued employment, or if a disciplinary action is delayed or reduced contingent upon evaluation and successful treatment, then such referral is considered procedural and full participation in the recommended course of action is required. Referral does not automatically preclude disciplinary action. Failure to fully participate will be cause to reinstate the original personnel action or to take the appropriate personnel action, up to and including termination.

All cases of procedural referral shall be discussed with the Human Resources Director or designated representative prior to referral. If the employee has sought treatment on his/her own initiative, then the Human Resources Director or designee may require proof of compliance with the treatment or the City may refer the employee to another provider as referenced above.

1.16 Personal Relationships

Effective Date: 03/01/2015
Revision Date:

PURPOSE:

To provide guidance in areas where personal relationships overlap with working relationships and avoid potential conflicts of interest in the workplace.

POLICY:

Personal relationship is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. Supervisors are strictly prohibited from having personal relationships with subordinates; dating or intimate, regardless of frequency. The City reserves the right to take prompt action if an actual or potential conflict of interest arises concerning individuals who occupy positions at any level (higher or lower) in the same line of authority that may affect employment decisions. If it has been determined that a supervisor is dating or intimate with a subordinate, the supervisor may be disciplined, up to and including termination. Any employee who is in violation of the personal relationship policy may be subject to discipline, up to and including termination.

Employees involved in a personal relationship with another employee may not occupy a position in the same department, work directly for, or supervise the employee with whom they are involved. The exception is for the employees who work in larger city departments: having different divisions or work schedules, and who have first disclosed that they were involved in a personal relationship. The aforementioned employees may be separated by reassignment into a different unit, division or work schedule. The alternative for any employee determined to be in a personal relationship is for one or both employees to leave employment of the department.

Where a conflict or the potential for conflict arises because of a relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. If such a dating relationship is established after employment, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Department Director or Human Resources immediately. Failure to immediately disclose the relationship constitutes violation of the personal relationship policy. Where a conflict or potential conflict arises because of the relationship affecting employment the individuals concerned will be given the opportunity to decide who is to be transferred to another position or terminated if no position is available. If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

**2.01 Personnel Files**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To outline the information maintained in the personnel file, employee's access to the file, and how an employee must keep personnel data and records current.

POLICY:

The City of Texarkana maintains an official personnel file in Human Resources on each employee including such information as the employee's job application, resume, performance evaluation forms, personnel action forms, and other employment records.

A. Restrictions & Confidentiality of File

Personnel files are the property of the City, and access to the information they contain is restricted. However, release of information contained in the personnel file is subject to the Public Information Act. Information contained in the personnel file, except information deemed confidential by law or other information that is excepted from disclosure under the Public Information Act, may be released pursuant to such Act. Additionally, direct or hiring supervisors and management personnel of the City who have a legitimate reason may review information in a file. Medical records are maintained separate from the personnel file and will not be released to the public, unless required by law. An employee or former employee may choose not to allow public access to information that relates to the employee's home address, home telephone number, or social security number, or that reveals whether the employee has family members, by signing a written **Form 25, Non-Disclosure Form** at the time of employment, termination, or retirement. An employee or former employee may also later choose to open or close access to such information.

B. Employee Access to File

Employees who wish to review their own file shall contact the Human Resources Department to schedule an appointment. With reasonable advance notice, employees may review their own personnel file in the Human Resources Department in the presence of a Human Resources employee. The employee may review the files and take notes or request copies of select pages, but shall not add or remove anything from their personnel file at that time.

C. Personal Data Changes

It is the responsibility of each employee to enter any changes in personal data, such as personal mailing addresses, telephone numbers, emergency contact, etc. through the **Employee Self Service (ESS)**. A link to ESS is available on the Human Resources webpage. Employees are also responsible for entering changes to insurance personal data through Benefit Connector. You may access **Benefit Connector** at <https://cityoftexarkana.bcenroll.net> and enter your Social Security Number, no dashes. Your password is the last four digits of the Social Security Number.

**2.02 Confidentiality of Medical Information**

Effective Date: 03/01/2015

Revision Date:

Federal law requires that the City maintain all employee medical information in separate, confidential files. Therefore, in addition to personnel files, the City maintains a separate medical file for each employee. The Director of Human Resources maintains these confidential medical files.

Examples of information that may be provided to the City by an employee or the employee's health care provider, and maintained in the confidential medical file, include:

- a note to justify an absence;
- a note to request a leave;
- a note to verify the employee's ability to return to work;
- medical records to support a claim for sick pay or disability benefits;
- insurance records;
- workers' compensation records; and
- medical history records

The City does not request genetic information from an applicant, employee, or health care provider. The City discourages health care providers from sending genetic information. Any genetic information inadvertently sent to the City will be placed in the employee's confidential medical file maintained by Human Resources.

It is important that employees understand that the records are confidential but that the confidentiality may be waived when the employee provides medical information to the supervisor or the Director of Human Resources. When an employee provides information to the supervisor, the supervisor is expected to share the information only on an "as needed" basis with other members of management.

In addition to protecting their own confidential medical information, employees must also respect the privacy and confidentiality of their coworkers' medical information. Employees are expected to use discretion and judgment when dealing with such information and are to refrain from passing along information, gossip, rumors or anything else that may constitute an invasion of a coworker's privacy or breach of confidence.

**2.03 Employment Reference Checks**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To establish the guidelines for employee reference checks and City response to reference checks by other entities.

POLICY:

To ensure that individuals who join the City of Texarkana are well qualified and have a strong potential to be productive and successful, it is the policy of the City for the Human Resources Department to check the employment references of the selected applicant prior to extending a job offer.

The Human Resources Department is designated to respond to reference check inquiries from other employers. All calls, contacts and written inquiries concerning current or former employees should be referred to the Human Resources Department.

**2.04 Attendance and Work Hours**

Effective Date: October, 2014

Revision Date:

Regular Work Hours. Nonexempt employees of the City, except for **Police and Fire Department Personnel**, normally work 40 hours in a seven-day workweek. Exempt employees may be required to work in excess of 40 hours in certain weeks. The work week begins at 12:00 A.M. on Monday, and ends at 12:00 midnight on Sunday. The regular workday normally begins at 8:00 a.m. and ends at 5:00 p.m., although employees in some departments may have different work hours. For example, most nonexempt Fire Department personnel work a 24-hour shift every third day, based on a 56-hour work cycle. In times of disaster or emergency, working hours shall be determined by the City Manager.

Adjustment to Work Hours. In order to assure the continuity of City services, it may be necessary for Department Directors to establish other operating hours for their departments. Work hours and work shifts must be arranged to provide continuous service to the public. Employees are expected to cooperate when asked to work overtime or a different schedule. Acceptance of work with the City includes the employee's acknowledgement that changing shifts or work schedules may be required, and indicates that the employee will be available to do such work.

Attendance Records. Employees are expected to be at their work stations and ready to work at their scheduled start time. Nonexempt employees are required to record the number of hours worked each day.

Attendance and Punctuality. To maintain a safe and productive work environment, the City expects employees to be reliable and punctual in reporting to work. Absenteeism and tardiness are disruptive and place a burden on the City and on co-workers. Either may lead to disciplinary action, up to and including termination of employment. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, the employee must **personally** notify the supervisor by telephone as soon as possible in advance of the anticipated tardiness or absence in accordance with departmental procedures. The employee must notify the supervisor if the absence or tardiness is approved Family Medical Leave, or sick leave and the date and time of anticipated arrival back to work. The employee must personally notify the supervisor on each day of absence for absences of a day or more unless the supervisor expressly waives this requirement. An employee who does not personally reach the supervisor by phone must leave a detailed message with the information described above. ***Emails and text messages are not acceptable forms of notice to the supervisor.***

In most instances, an employee who fails to properly notify the supervisor in advance of an absence or tardiness will be subject to disciplinary action up to and including termination. An employee who fails to notify his/her supervisor or designee of an absence of **two or more consecutive days will be presumed to have voluntarily resigned employment unless exigent circumstances exist, as determined by the City.**

**2.05 Breaks**

Effective Date: 03/01/2015

Revision Date:

POLICY

The City allows rest breaks as authorized by an employee's immediate supervisor during the course of each work day to prevent undue fatigue and comply with applicable laws.

PROCEDURE

Rest Breaks: Full-time employees may, depending on individual departmental work schedules and the discretion of their supervisor, take up to two fifteen minute, paid breaks each day, one during the first part of the work day and the other during the latter part of the work day. Breaks may not be combined. Time spent on rest breaks will be compensated as hours worked. An employee is expected to be punctual in starting and ending breaks and will be subject to disciplinary action for tardiness. Civil Service employees do not have designated breaks.

Meal Periods: Full-time employees (excluding most Police and Fire Department employees) are normally provided a one-hour unpaid meal break near the middle of the workday. Meal periods may be staggered by the Department Director in order to minimize departmental interruption. Supervisors will provide employees with the starting and ending times for their specific meal periods. Employees will be relieved from work responsibilities during unpaid meal breaks. Employees may not extend meal breaks beyond their assigned period. Employees may not add rest breaks to the beginning or end of their meal periods.

Break Time for New Mothers: Nursing mothers will be provided with reasonable unpaid break time to express breast milk for up to one year after the birth of a child in accordance with applicable law. If an employee needs time beyond the usual lunch and break times, the employee may use vacation or make up time as approved by supervisor. Employees and supervisors are expected to agree, in advance, upon a break schedule and how the time will be counted or made up. A private room will be provided for nursing mothers to use. Employees who have a private office may use it if they prefer.

Supervisor Responsibility: Supervisors are responsible for scheduling the time for employee rest and lactation breaks and should take into consideration the work load and nature of the job performed. Whenever necessary, the supervisor may change the frequency and length of rest breaks.

Practices Not Permitted: The following practices are not permitted uses of rest breaks:

- combining two daily breaks into one thirty (30) minute rest break;
- "banking" rest period time from day to day;
- saving rest period time to extend lunch periods or shorten the scheduled work day; or
- requesting compensatory time off or overtime pay; no work is to be performed during rest period time.

**2.06 Performance Evaluations**

Effective Date: 03/01/2015

Revision Date:

PURPOSE: The City uses a thorough performance evaluation system for assisting supervisors in communicating job expectations, measuring the employee's level of past performance, recognizing employee achievements and exemplary performance, and strengthening the supervisor-employee relationship. The performance evaluation system provides necessary information for management decisions including career development and training, assignments, advancements, transfers, disciplinary actions, retention, compensation, etc. The purpose of the performance evaluation system as outlined herein is to achieve optimum employee performance resulting in outstanding citizen service.

I. **Schedule.** Regular full and part-time employees are eligible for:

- A performance review before completing their orientation period; and
- Annual performance evaluation conducted between January 1st and March 31st.

Newly transferred or promoted employees who are serving their initial orientation period shall also receive a performance review before completing their orientation period.

Department Directors are not governed by the above schedule; the City Manager's office establishes a performance evaluation system for Director-level positions.

II. **Supervisory Responsibilities.** All performance evaluation information must be written where required and forwarded to the Director of Human Resources for retention in the employee's official personnel file. An evaluation is considered complete at the time the employee signs and dates the evaluation document or the supervisor and/or Department Director has a witness acknowledge the employee's refusal to sign the evaluation document.

Supervisors will strive to clearly communicate all elements of job performance, objectives and expectations, job description based assessment, general job assessment factors, strengths and areas of improvement, objectives and expectations for the next year. Each employee will sign and date a copy of the Performance Evaluation when it is reviewed, and the supervisor will forward a copy to the Director of Human Resources for filing in the employee's official personnel file and provide the employee a copy.

Supervisors will also review, with the employee, a copy of the employee's **current job description**. Supervisor will make any necessary revisions and attach to the performance evaluation before sending to Human Resources. If no revisions are necessary the Supervisor shall write "Approved" in the upper right corner of the first page, attach and send to Human Resources.

Department Directors are expected to ensure compliance with this policy and ensure that evaluating supervisors and managers under their direction are adequately trained in the performance evaluation process. Department Directors and/or mid-level

**2.06 Performance Evaluations**

Effective Date: 03/01/2015

Revision Date:

managers are encouraged to review all Performance Evaluation documents for validity prior to the department supervisor conducting the performance evaluation with the affected employee, in order to correct any obvious errors or rating bias.

III. **Director of Human Resources Responsibilities.** The Director of Human Resources will review all evaluation documents for obvious errors and return them to the Department Directors for any clarifications or procedural corrections. The Director of Human Resources is responsible for maintaining original evaluation documents in official personnel files, and for timely processing of evaluations for any compensation due.

IV. **Employee Responsibilities.** Employees are expected to be knowledgeable of their essential job functions and key result areas and maintain established performance standards and requirements as outlined. Employees are encouraged to address issues and concerns regarding their annual performance evaluation with their evaluating supervisor. If the employee is unable to resolve issues and concerns with the evaluating supervisor, the employee may address them with the Department Director; if the Department Director is the evaluating supervisor, the employee may go to the Human Resources Director to address concerns.

**2.07 Classification Guidelines**

Effective Date: October, 2014

Revision Date:

PURPOSE:

To describe the classification plan and outline the different types of movement on the plan.

POLICY:

All full-time positions authorized by the City Council shall be included in a position classification plan. Each position classification shall include jobs based on similar or comparable responsibilities, duties, type of work, and required qualifications.

The Classification Plan may be revised from time to time as changing circumstances and conditions require and upon recommendation by the City Manager and approval by the City Council. Such revisions may consist of the addition, deletion, abolishment, consolidation, division or amendment of existing position classifications.

Movement between classifications can fall into different classes. These classes are defined below:

A. Reclassification

Reclassification is a title and/or grade change based on significant change or expansion of job responsibilities and duties, or as a result of market review. It is approved during the budget process.

Reclassification is not an assessment of the personal merit or attributes of the employee. Neither a greater volume of the same work nor isolated occurrences of higher duties are justification for reclassification. Classification delTions are not based on an employee's job performance or a comparison to the volume of work that other employees perform.

B. Lateral Transfer

Lateral transfer is a transfer to another department within the same grade.

C. Promotion

Promotion is the assumption of expanded duties into a vacant position and higher pay grade. The salary increase would be the amount sufficient to reach the minimum of the salary range. Additional salary adjustment shall be at the discretion of the Department Director and Human Resources Director.

- (1) Open positions should be filled with City employees currently on the payroll when possible. This shall not prohibit the City Manager or other supervisory personnel from filling positions with persons not employed by the City.
- (2) Promotions shall be made upon the recommendation of the Department Directors with the approval of the City Manager.

**2.07 Classification Guidelines**

Effective Date: 03/01/2015

Revision Date:

- (3) Promotions shall be based on qualifications, proven performance, merit, and the ability to perform the duties and responsibilities of the position.
- (4) A promotion should not be deemed completed until an orientation period of six months shall have elapsed. Should a promoted employee not successfully complete the orientation period, the employee is eligible to return to the previous position held, if available. If no position is available for which the employee is qualified, the employee will be terminated.
- (5) Promotions of civil service employees shall be determined in accordance with the provisions of Chapter 143 of the Texas Local Government Code.

D. Demotion

Demotion is movement into a vacant position at a lower pay grade. Salary will be adjusted to the new salary range.

Employees who promote, demote, or transfer to another department may be required to pass a drug test.

**2.08 Job Descriptions**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To outline the content of job descriptions and procedures for composing, revising, and ensuring the accuracy of the descriptions.

POLICY:

The City of Texarkana makes every effort to create and maintain accurate job descriptions for all positions within the City. Each description includes the following sections: job summary, essential duties and responsibilities, job requirements, and work environment section.

The City maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

When new positions are created, the hiring manager completes a job description listing the essential job functions, which is approved by the Department Director and the Human Resources Department. Existing job descriptions shall be reviewed and revised by the supervisor and employee during the performance evaluation ensure that they are up to date and reflect changes. Supervisors and employees are expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees must remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Employees may contact the Human Resources Department with questions or concerns about the job description.

**2.09 Separation of Employment**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To establish the types of separation and guidelines to be followed when an employee ends employment with the City of Texarkana.

POLICY:

Separation of employment within an organization can occur for several different reasons. Employment may end as a result of resignation, retirement, release (end of season or assignment), reduction in workforce, or termination. When an employee separates from the City, their supervisor shall complete the **Form 5, Supervisor's Checklist for Separated Employee** and the employee should contact Human Resources to schedule an exit interview, typically to take place on their last workday.

A. Types of Separation**1. Resignation**

Resignation is a voluntary act initiated by the employee to end employment with the City. The employee must submit a signed and dated letter of resignation or the **Voluntary Resignation Notice (Appendix F, Form 4)** providing a minimum of two weeks notice. This requirement may be waived by the Department Director if warranted.

2. Retirement

Employees who retire under TMRS are required to notify their Department Director and the Human Resources Department in writing at least one (1) month before planned retirement date. **See Policy 5.07 TMRS Retirement Plan** and **Policy 2.10 Retirement** for more information

3. Job Abandonment

Employees who fail to report to work or contact his/her supervisor for **two consecutive work days** shall be considered to have abandoned the job without notice effective at the end of his/her normal shift on the second day. The supervisor or department director shall notify the Human Resources Department at the expiration of the second work day and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.

4. Termination

Employees of the City of Texarkana are employed on an at-will basis, and the City retains the right to terminate an employee at any time.

**2.09 Separation of Employment**

Effective Date: 03/01/2015

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5. Lay Off and Reduction in Work Force

An employee may be laid off because of changes in duties, organizational changes, lack of funds, or lack of work. Employees who are laid off may not appeal the lay-off decision through the appeal process.

6. Release

Release is the end of temporary or seasonal employment.

7. Automatic Termination**1) Lying, stealing and/or falsifying a government record.**

2) If an employee has not returned to full-duty status from an authorized leave of absence(s) at the end of one (1) year, employment will automatically terminate. An employee will be considered unable to return to work if he/she cannot perform the essential functions of the job in full capacity, with or without reasonable accommodation. Under no circumstances may an employee be absent from the work place more than one (1) consecutive year, unless on Military Leave or with approval of the City Manager. This policy will be enforced consistent with the City's obligations under the ADA/ADAAA.

B. Out-Processing**1. Return of City Property**

The separating employee must return all City property at the time of separation, including but not limited to uniforms, cell phones, keys, and identification cards. Failure to return some items may result in deductions from final paycheck. See *Policy 5.09 Uniforms* for additional information. An employee will be required to sign the **Wage Deduction Authorization Agreement (Appendix F, Form 6)** to deduct the costs of such items from the final paycheck.

2. Exit Interview

The City usually provides separating employees with an exit interview prior to their last day of work. The purpose of the exit interview is to finalize all compensation due, return City equipment, provide explanation of any continuing benefits, review employment history, discuss the reason(s) for the separation, and solicit constructive feedback to improve the City. The Director of Human Resources shall complete an Exit Interview Form. Exit interviews are conducted confidentially by the Director of Human Resources. Information discussed during the exit interview may be shared with the City Manager's office and acted upon as deemed appropriate by the City. The Department Director (or designee) is responsible for promptly notifying the Director of Human Resources of all separations, arranging for the exit interview and providing documentation of receipt of all departmental and/or City property from the exiting employee.

**2.09 Separation of Employment**

Effective Date: 03/01/2015

Revision Date:

Final payment of compensation may be withheld pending return of City property, completion of necessary paperwork, and other requirements of separation.

C. Termination of Benefits

An employee separating from the City is eligible to receive benefits as long as the appropriate procedures are followed as stated above.

1. Vacation Leave: Accrued vacation leave will be paid in the last paycheck, according to *Policy 3.02 Vacation Leave*.
2. Sick Leave: Accrued sick leave will be paid in the last paycheck, according to *Policy 3.03 Sick Leave*.
3. Health Insurance: Health insurance terminates the last day of the month. See *Policy 5.05 Consolidated Omnibus Budget Reconciliation (COBRA)* for information about continued health coverage.

D. Rehire

Former employees who leave the City in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resources Department and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Human Resources Director or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals, or any other City benefit. Civil Service follows Chapter 143 and Local Rules.

E. Bar from Employment

An applicant or employee who is terminated for violating City policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

**2.10 Retirement**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To provide information to employees on retirement guidelines and benefits.

POLICY:

The City of Texarkana is a member of the Texas Municipal Retirement System (TMRS), which is governed by the State of Texas legislature. Participation in the system is mandatory for all regular full time employees and regular part time employees working 1,000 hours or more per year. Employee contributions to the System will be deducted from each pay check. Employees who retire must notify their Department Director and the Human Resources Department in writing at least one (1) month before the planned retirement date. Firemen have a separate retirement system, Fireman's Relief and Retirement Fund, and are not part of TMRS.

A. Benefits Eligibility

1. In order for an employee to be considered retired with the City of Texarkana, the employee must be qualified for service retirement from TMRS immediately upon separation from the City. Generally, employees may retire after 240 months (20 years) of TMRS credit, regardless of age or after 5 years of service at age 60. Military Service or previous government employment may contribute service credit toward earlier retirement. See **Policy 5.07 TMRS Retirement Plan** for more information or call TMRS at 1-800-924-8677.
2. An employee who retires from active duty with not less than five (5) years current, continuous full time employment with the City of Texarkana is eligible to purchase health insurance coverage as provided by the City's group health insurance carrier, unless the person is eligible for other group health benefits coverage.
3. **SICK LEAVE BUYOUT:** (Employees hired **before** January 1, 2010) A **lump sum payment** equivalent to their sick leave valued at the employee's current hourly rate not to exceed 720 hours except as provided for Civil Service employees under the Texas Government Code 143.045 (b), **and** will also receive an amount equal to the amount which the employee is entitled to receive for their sick leave balance to be deposited into an account for **health and/or dental coverage premium payments**. Such premium payment shall be made only to the insurance coverage provided by the City. All provisions of this paragraph are subject to the guidelines set forth by the insurance company. The benefits of this retirement program shall be effective immediately upon retirement and shall not be deferred for any reason. All age and tenure requirements must comply with TMRS guidelines at the time of retirement in order to qualify for this program.

**2.10 Retirement**

Effective Date: 03/01/2015

Revision Date:

Employees hired **on or after** January 1, 2010 may choose one of the following two options upon retirement:

The employee may receive payment for up to 720 hours of their sick leave balance at the employee's current hourly rate, hours except as provided for Civil Service employees under the Texas Government Code 143.045 (b), **or**

In lieu of the lump sum payment described above, the employee may receive health and/or dental coverage premium payment credit equal to the amount which the employee is entitled to receive for their sick leave balance as described above. Such premium payment credits shall be used to acquire Group Health coverage provided by the City. All provisions of this paragraph are subject to the guidelines set forth by the Group Health Plan Document. The benefits of this retirement program shall be effective immediately upon retirement and shall not be deferred for any reason. All age and tenure requirements must comply with TMRS guidelines at the time of retirement in order to qualify for this program.

Employees hired **on or after** January 1, 2010 **shall not receive** both lump sum payment and health and/or dental coverage premium payment.

Upon separation or retirement from the City, except in cases of involuntary separation from service, any time after **five** years of continuous service, regular, full-time and regular, part-time employees shall receive pay for any unused vacation leave accumulated up to 120 hours.

4. Eligibility for participation in the City's group insurance plan will cease if the retiree becomes eligible for another employer's group plan. The retiree is required to notify the City of medical insurance benefits provided by other group insurance. If a retiree fails to disclose evidence of medical insurance benefits provided by another group plan, the retiree's eligibility and enrollment shall be terminated immediately.
5. Participation in the City's health and dental insurance program **ceases upon the date of eligibility for Medicare** for the Retiree and dependents.
6. To be eligible for retiree health coverage the employee must inform Human Resources, no later than the day on which the person retires from the City that continued coverage is elected. **(See Retiree Election Form # 10).**
7. Dependents that are on the City's medical plan at the time of retirement **may** be maintained on the retiree medical plan. Retirees **may not** add dependents to insurance after retiring.

**2.10 Retirement**

Effective Date: 03/01/2015

Revision Date:

8. After **SICK LEAVE BUYOUT** funding has been exhausted, retiree **may** continue to be eligible to participate in employer's group plan at the **fully funded retiree rates**. The retiree is responsible for remitting the amount of the premium at the time specified to the city. If the retiree fails to remit the required premium amount to the CITY at the time required, the coverage will terminate and medical/dental insurance coverage will cease.
9. The City reserves the right to change this benefit and/or eligibility criteria at any time at the City's discretion. The policy is not intended to be a contract. Benefit changes to the City's group medical plan shall apply to retirees enrolled in the group plan.
10. Once participation in the City's retiree insurance plan has been terminated for any reason, it **shall not** be reinstated.

Chapter 3: Leave Time

3.01 Holiday Time

Effective Date: 03/01/2015

Revision Date:

The City provides paid holidays to employees serving in the initial orientation period, regular full-time. Every other employee is extended the official holiday, but without pay. The following official holidays will be observed:

A. All City regular, full-time and part-time City employees are entitled to the following holidays:

- | | | |
|-----|------------------------------|-----------------------------|
| 1. | New Year's Day | January 1 |
| 2. | Martin Luther King's Holiday | Third Monday in January |
| 3. | Good Friday | Friday before Easter Sunday |
| 4. | Memorial Day | Last Monday in May |
| 5. | Independence Day | July 4 |
| 6. | Labor Day | First Monday in September |
| 7. | Veteran's Day | Second Tuesday in November |
| 8. | Thanksgiving Day | Fourth Thursday in November |
| 9. | Friday after Thanksgiving | Fourth Friday in November |
| 10. | Christmas Eve | December 24th |
| 11. | Christmas Day | December 25 th |
| 12. | Day after Christmas | December 26 th |

In compliance with the Texas Local Government Code section 142.0013, covered fire- fighters shall receive a holiday designated as September 11 in lieu of Labor Day.

Effective January 1, 2014 the City added Good Friday, Veterans Day and the day after Christmas to the schedule this year. The Floating Personal Holiday and Bonus Days earned in Fiscal Year 13-14 will be honored. Effective October 1, 2014, Bonus Days & Floating Personal Holiday will be eliminated.

Explanation for Christmas Holidays: City offices will be closed on Christmas Eve, Christmas Day, and the day following Christmas as adjusted for weekend dates and Christmas Wednesdays. Christmas closure schedule will be based on what day of the week Christmas occurs.

EXAMPLES: When these two days fall on Thursday/Friday, Friday/Saturday, Saturday/Sunday, Sunday/Monday or Monday/Tuesday employees enjoy a four (4) day weekend. Being closed for three days the schedule can be adjusted to always permit a five (5) day weekend. When Christmas occurs on Wednesday the adjustment will be to close on December 23 and open on December 26 thus maintaining the five (5) day weekend but requiring employees to work on the day following Christmas.

3.01 Holiday Time

Effective Date: 03/01/2015

Revision Date:

B. Taking a Holiday

1. All specially declared holidays shall be taken or accrued in accordance with the provisions of this section.
2. Holidays occurring on Saturday normally will be observed on the preceding Friday and holidays occurring on Sunday will normally be observed on the following Monday.
3. Employees who are required to work on a designated holiday and are unable to schedule a subsequent day off convenient to their Department Head shall, in addition to their regular pay for that day, be paid overtime pay for the holiday time worked, or at the Director's option, be entitled to receive compensatory time off for actual holiday hours worked.
4. **Employees Scheduled "Off Duty" on a Holiday.** When a holiday and an employee's regularly scheduled day off occur on the same day, the employee will accrue 8 hours of holiday leave (12 hours for Fire Department shift personnel) to be taken at a later date.
5. **Ineligibility for Holiday Pay.** Employees on unpaid leave the day before and/or the day after the holiday are not eligible for holiday pay. Likewise, nonexempt employees who are absent without authorized leave on the day immediately preceding or following a scheduled holiday will not be paid for the holiday.
6. **Paid Leave Status.** An employee on a paid leave status will normally be paid holiday pay in lieu of the leave status pay they would ordinarily receive at the time of the holiday.
7. **Other Religious Holidays.** Employees may request an approved absence to celebrate a religious holiday that is not a scheduled City holiday. If approved, the employee must charge the time to vacation, compensatory time, or an excused absence without pay.
8. Holidays shall be observed as they occur except in the Police Department, Fire Department, TWU operations and the Bi-State Central Records and Communications Center.

3.01 Holiday Time

Effective Date: 03/01/2015

Revision Date:

9. Holidays will not be calculated into an employee's termination pay.
10. All employees are required to use any available holiday time prior to using vacation time.
11. Employees who have a balance of holiday time will be paid for their holiday time at the end of the fiscal year at straight time for a maximum of 40 hours.
12. All holiday time balances will be reset to zero out at the end of each fiscal year.
13. Non-Civil Service personnel working 8, 10 or 12 hour shifts are only granted 8 paid hours of time for each holiday.
14. Employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday **unless** leave has been previously approved by the Department Director or designee.

C. Holidays on a Day Off

1. On the Weekend: A recognized holiday that falls on a Saturday will be observed on the preceding Friday or earlier if Friday is also a holiday. A recognized holiday that falls on a Sunday will be observed on the following Monday.
2. During Vacation Leave: Holidays that occur during a scheduled paid vacation time will be paid as holidays and will not be charged as vacation.
3. During Sick Leave: An employee who is on FMLA approved leave will receive holiday pay.
4. Due to Suspension: If an employee is suspended without pay on the day previous, day of, or day after the observed holiday, the employee is not eligible for a paid holiday.
5. Due to job related absence: If an employee is off due to a workers' compensation injury or illness, the employee will receive their normal workers' compensation and will not accrue credit for a holiday.

3.02 Vacation

Effective Date: 03/01/2015

Revision Date:

A. Accumulation of Vacation Leave

1. Full-time, regular employees shall accumulate vacation leave at a rate of 120 hours per year.
2. Part-time, regular employees who work at least 1,040 hours and less than 2,080 hours per year shall earn vacation leave benefits at one-half (1/2) the rate of full-time, regular employees.
3. Fire Department Operations Division personnel working a 56 hour per week schedule receive 168 hours per year.
4. Vacation leave may be accumulated in excess of 200 hours, however **only 200 hours may be carried over into a new fiscal** year unless otherwise approved by the City Manager. On October 1st of each year vacation leave in excess of 200 hours will be deleted from the employee's leave balance. Fire Department Operations Division personnel working a 56 hour per week may accumulate and carry over up to 224 hours.
5. Full-time employees who are in their initial orientation period **may** use accrued vacation leave only if approved by their supervisor and/or Department Director. Employees who resign or who are dismissed prior to completing their training periods shall forfeit all accumulated leave.
6. Emergency, seasonal, temporary, and other irregular scheduled employees shall not earn vacation leave.

B. Use of Vacation Leave Time

1. Employees requesting paid vacation leave must complete a leave request and submit it to their supervisor for approval.
2. All employees must use accumulated holiday time prior to using vacation time.
3. Department Directors shall schedule employees' vacations giving due consideration to the wishes of the employee and balancing the need for responsible and efficient operation of the City. Department Directors must be certain that vacations do not interfere with the normal functions and activities of department operations. Whenever possible, employees are encouraged to submit their preferred vacation schedule to the appropriate supervisor as far in advance as possible to relieve any scheduling problems that may develop.

3.02 Vacation

Effective Date: 03/01/2015

Revision Date:

4. Employees who become ill while off work on vacation leave may request that their vacation time be converted to sick leave. A statement from the employee's physician is required to convert the time to sick leave.
- C. Upon separation from service with the City, except as provided in Section D below, any time after **five years of continuous service**, regular, full-time and regular, part-time employees shall receive pay for any unused vacation leave accumulated up to 120 hours x their current hourly pay rate.
- D. Employees who retire, resign, or otherwise terminate their employment with the City while under investigation for policy violations that may result in the employee's involuntary separation from service, absent extenuating circumstances approved by the City Manager, **are not** eligible to receive compensation for unused vacation leave.
- E. Payment upon Separation
 1. If the employee is terminated or resigns without a two (2) week notice, or fails to work the final full two (2) weeks after notice, no payment for accrued vacation leave shall be made, unless the two (2) week notice is waived by the Department Directors and the Director of Human Resources.

3.03 Sick Leave

Effective Date: 03/01/2015

Revision Date:

Accumulation of Sick Leave:

Sick leave is paid time away from work due to a bona fide illness or injury that prevents the employee from working, for visits to the doctor or dentist, or to care for certain family members who are ill or injured. Employees who are unable to work due to illness or injury or other situations covered by this policy must immediately notify the appropriate supervisor prior to start time or in accordance with the procedures adopted by their Department.

If an employee is off on FMLA approved sick leave on the date of a City holiday, then the employee will accumulate the holiday to be taken at a later date.

Eligibility. All full-time and part-time employees begin accruing paid sick leave at hire date. Temporary and seasonal employees do not accrue sick leave. **Full-time employees who are in their initial orientation period may use accrued sick leave** only if approved by their supervisor and/or Department Director. An employee who is released for and offered light duty by the City, but who elects not to accept such assignment, will generally be ineligible for paid sick leave benefits.

Accrual Rate. Employees accrue sick leave at the rate of 120 hours per year. Civil Service employees shall accrue sick leave in accordance with the provisions of Chapter 143 of the Texas Local Government Code.

Maximum Accrual. Employees may accrue unlimited sick leave.

Authorized Use of Sick Leave:

For the employee. Accrued sick leave may be used for absences due to the employee's bona fide personal illness, accident, injury that prevents working, or birth of a child (if the employee physically gave birth; otherwise use of sick leave for child birth falls under the section below).

For the employee's immediate family. Sick leave may also be used for absences when needed to care for the employee or a member of the employee's immediate family who is ill or injured and for their own and /or their immediate family's scheduled doctor and dentist appointments.

3.03 Sick Leave

Effective Date: 03/01/2015

Revision Date:

For purposes of this policy, "immediate family" is defined as persons related to the employee through blood, marriage or adoption; these include employee's mother, father, son, daughter, spouse and stepchildren.

Minimum Increments. Sick leave must be taken in **minimum increments of one hour**. Sick leave taken in increments of less than one hour should be made up within the same work week.

Failure to Report Absence/ Abuse of Sick Leave. Supervisors closely monitor use of sick leave. It is anticipated that employees using paid City sick time for their own illness/injury or that of a family member will use their sick leave time to recuperate or care for their family member. Trips to the doctor or hospital stays/visits, which take the employee away from the home, are acceptable, but other **personal pursuits during paid sick leave will be considered an abuse of this policy**. Use of sick leave for anything other than an illness, injury, or doctor/dentist appointment as provided for in this policy, may result in immediate disciplinary action, up to and including termination of employment, and may also render the employee ineligible for paid sick leave benefits. Similarly, employees who fail to timely report an absence or tardiness due to illness, injury, or doctor/dentist appointment may be disqualified from using sick leave for their absence.

Other Employment During Sick Leave. Employees on sick leave, whether paid or unpaid, **may not work a second job**, including self-employment or participate in volunteer work, during the period of leave. Exceptions to this policy must be obtained in writing from the Department Director **and** the Director of Human Resources. See Chapter 1, Section 1.12, Outside Employment Policy.

Use of Other Leave. If approved by the Department Director (and in the case of Department Directors, by the City Manager), employees who have successfully completed their initial orientation period may use accrued vacation leave, compensatory time, other accrued paid leave, or leave of absence without pay, but only if an employee has no accrued sick leave time. Official holidays observed by the City while an employee is on approved paid sick leave will be treated as a paid holiday, rather than a day of sick leave, if the employee is eligible for the paid holiday. Under certain circumstances and with the approval of the Department Director/supervisor, the employee may flex the work schedule ("flex time") to attend to medical or dental appointments. This is acceptable provided that work time is accurately recorded on the time sheet for the week or work cycle in which flex time was approved. Under no circumstances can flex time to make up time missed extend beyond the affected workweek, or work cycle.

3.03 Sick Leave

Effective Date: 03/01/2015

Revision Date:

Documentation. Employees requesting paid sick leave must complete a leave request and submit it to their supervisor for approval. An employee must present satisfactory proof of illness/injury, (i.e. doctor's excuse) that prevents the employee from working whenever sick leave for 3 or more consecutive work days is used, and at any other time if requested by the City. An employee may also be required to present satisfactory proof of family relationship and/or satisfactory proof of a family member's illness, injury, and/or doctor/dentist appointment if the employee wishes to use accrued sick leave to care for a family member. If the employee fails to present such proof in a timely manner, use of sick leave will be disallowed and no other paid leave may be used for the absence.

Family and Medical Leave Act Leave. Any absence that qualifies for both Family and Medical Leave Act leave and sick leave will follow the guidelines set out in this policy, and will typically be counted as both.

3.04 Family Medical Leave

Effective Date: 03/01/2015

Revision Date:

In accordance with the Family and Medical Leave Act of 1993, an employee may be eligible to take up to twelve (12) weeks of unpaid family and medical leave during a rolling twelve (12) month period. An eligible employee is one who has worked for the City for twelve (12) months and has worked at least 1,250 hours during the twelve (12) months preceding the first date leave is to be taken. Leave can be taken for any of the following reasons: birth of a child; placement with the employee of a child for adoption or foster care (entitlement to family and medical leave expires twelve months after birth or placement); when the employee is needed to care for a child, spouse, or parent who has a serious health condition; or when the employee is unable to perform the essential functions of the position because of the employee's own serious health condition.

PROCEDURE

Twelve Month Period: The twelve (12) month period for counting family and medical leave is a "rolling" 12-month period measured backward from the date an employee requests or is placed on FMLA leave. Each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months, or 26 weeks provided in certain circumstances.

Employee Notification: An employee should give at least thirty (30) days' notice for the need to take foreseeable family and medical leave, unless the need is unforeseeable, in which case, as much notice as is practicable should be given. A form for requesting family and medical leave is available in the Human Resources Department. If it is determined that the need for family and medical leave was foreseeable, the leave may be delayed until at least thirty (30) days after the date that the employee provides notice to the City.

Department Notification: Each department supervisor is responsible for notifying the Human Resource Department immediately when an employee is away from work for a family and medical leave qualifying event (if family and medical leave has not been approved), even if the employee is utilizing paid vacation, sick or personal leave, or is out due to a work related injury. An employee using sick leave should be reported to the Human Resource Department if it is anticipated that the duration of the illness will be three (3) or more days, or two (2) or more shifts for Fire Department employees.

Human Resource Responsibility: Human Resources is responsible for central administration of all requests for family and medical leave. The Human Resource Department reserves the right to automatically place an employee on family and medical leave if it is determined that a qualifying event has occurred. The Human

3.04 Family Medical Leave

Effective Date: 03/01/2015

Revision Date:

Resource Department may retroactively designate the beginning date of FMLA to the beginning date of the employee's absence for the qualifying event.

Approval: An employee shall submit a request for family and medical leave through proper channels to the Department Director who will then forward it to the Human Resource Department for approval. Confidential medical information that accompanies the application can be submitted directly to the Human Resource Department.

Substitution of Paid Leave: An employee utilizing this policy for the placement of a child for adoption or foster care with the employee shall be required to exhaust all accrued sick, vacation and any other applicable paid leave prior to going on unpaid leave. An employee utilizing this policy for the serious illness of a child, spouse or parent must exhaust all accrued sick, vacation and any other applicable paid leave prior to going on unpaid leave. If an employee gives birth to a child, sick leave can be utilized until the employee receives a release from the doctor. After being released, the employee may use additional sick leave in accordance with the sick leave policy. Once all applicable sick leave has been used, the employee shall be required to exhaust all accrued vacation and personal leave prior to going on unpaid leave. An employee utilizing this policy for the employee's own serious health condition shall exhaust all accrued sick leave, vacation leave and personal leave prior to going on unpaid leave. If an employee is off work due to a work related injury and the employee qualifies for family and medical leave, it will run concurrently with any paid leave. *The City reserves the right to count any paid leave that qualifies for family and medical leave toward the twelve (12) or twenty-six (26) weeks allowed under this policy.*

NOTE: Employees reaching "unpaid leave" status stop accruing all types of leave. Also, employee is responsible for continuing insurance payments for any dependent portion of the insurance.

Maximum Time Allowed: The maximum amount of family and medical leave available is twelve (12) weeks during a twelve (12) month period even if there is more than one family and medical leave qualifying event. The only exception to the twelve (12) week maximum is the leave to provide care of an injured service member, described below, which allows for an extended FMLA leave of 26 weeks.

Medical Certification: The City may require medical certification from a health care provider to support a claim for leave to care for a seriously ill child, spouse or parent, or for the employee's own serious health condition. Medical certifications must be returned to the Human Resource Department within fifteen (15) working days. Recertification may also be required on a monthly basis. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. For the employee's own

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serious health condition, the certification must include a statement that the employee is unable to perform the essential functions of the position, and expected duration. The City does not seek and should not be provided genetic information. If an employee or applicant's genetic information is inadvertently received by the City; the City will not use genetic information for any employment decision or action.

Upon returning to work after leave for his or her own illness, an employee is required to provide certification to the supervisor that the employee is able to return to regular duties. If the validity of a certification is questioned, the City may require that a second opinion be obtained. If the first and second opinions differ, the City may require a third opinion be obtained. The employee and the City must agree upon a health care provider for the third opinion and this opinion shall be binding on both parties. The City shall bear the expense of second and third opinions.

Return to Work: When an employee returns to work after family and medical leave, the employee shall be restored to the same position or to an equivalent position involving the same or substantially similar duties and responsibilities. An employee will be restored to the same worksite or to a geographically proximate worksite. The employee is also entitled to return to the same shift or an equivalent schedule.

Effect on Married Couples: If a City employee is married to another City employee and either or both employees request family and medical leave for the birth or placement of a child with the employee for adoption or foster care, the total time allowed shall be limited to no more than twelve (12) weeks combined during any rolling twelve (12) month period. For other qualifying family and medical leave events, each employee is entitled to leave as long as the total amount of leave taken during any twelve (12) month period does not exceed twelve (12) weeks or twenty-six (26) weeks if applicable for one employee.

Continuation of Insurance Benefits: While utilizing unpaid family and medical leave, an employee's insurance benefits will continue without interruption as long as the employee pays his or her portion of the insurance premiums. Insurance premiums can be deducted from the paycheck before the leave begins, or during the leave, if the employee continues to receive pay (pre-tax), paid monthly or bi-weekly.

Intermittent Leave: When medically necessary, an employee may take family and medical leave on an intermittent basis or work a reduced schedule. Arrangements should be made with the employee's immediate supervisor so that the operations of the department do not suffer an undue hardship. An employee taking intermittent leave or leave on a reduced schedule may be temporarily assigned to an alternative position with equivalent pay and benefits if it better accommodates the needs of the department.

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Holidays: Holidays will be paid in accordance with the Holidays policy. City holidays will be counted as part of the twelve (12) or twenty-six (26) weeks of family and medical leave, whether the employee is on paid or unpaid leave.

TMRS: Employee contributions to TMRS may be made on a voluntary basis through a special arrangement with the City while an employee is in a leave without pay status. It is the employee's responsibility to initiate such an arrangement by timely contacting the City's Director of Human Resources and completing the necessary paperwork.

Recordkeeping: Family medical leave time will be tracked on an hourly basis for payroll and compliance purposes. To determine entitlement for employees who work variable hours, the minimum hours required for eligibility are calculated on a pro rata or proportional basis by averaging the weekly hours worked during the twelve (12) weeks prior to the start of family and medical leave.

Exempt Employees: Paid leave accounts may be charged for less than one (1) full work day according to department policy and the salary of an exempt employee may be docked for absences of less than one (1) full work day. Salaried executive, administrative, professional and other employees of the City who meet the Fair Labor Standards Act (FLSA) criteria for exemption from overtime do not lose their FLSA-exempt status by using any unpaid FMLA leave.

DEFINITIONS

Child: A biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis, who is standing in the place of a parent, who is either under age 18, or age 18 or older and requires active assistance or supervision to provide daily self-care. A biological or legal relationship is not necessary. A more detailed definition is provided in the Family and Medical Leave Act of 1993 which is available in the Human Resource or Legal Department.

Health Care Provider: A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or any other person determined by the Secretary of Labor to be capable of providing health care services. A more expansive definition is provided in the Family and Medical Leave Act of 1993 which is available in the Human Resource Department.

Parent: A biological parent or an individual who stands or stood in the place of a parent to an employee when the employee was a child. This term does not include parents-in-law.

Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves: (1) any period of incapacity or treatment that results in inpatient care

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(i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; (2) any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider; or (3) continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days; or 4) for prenatal care. Voluntary or cosmetic treatments (such as most treatments for orthodontia or acne) which are not medically necessary are not "serious health conditions," unless inpatient hospital care is required. Restorative dental surgeries after an accident or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met.

Spouse: A husband or wife as defined or recognized under State law for purposes of marriage, including common law marriage.

Military Family Leave Entitlement.

Qualifying Exigency Leave - Family Leave has been expanded to provide Family and Medical Leave due to a call to active military duty. Eligible employees with a spouse, child, or parent on covered active duty (deployed to a foreign country) or called to covered active duty status in the National Guard or Reserves (deployment to a foreign country or in support of a contingency operation) may use their 12-week leave entitlement to address certain qualifying exigencies including eligible: short-notice deployments; attendance at military events and related activities; childcare and school activities; addressing financial and legal arrangements; attending counseling sessions; attending post-deployment activities; up to 15 days of rest and recuperation; and parental care.

Military Caregiver Leave - FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave (during a single 12-month period) to care for a covered spouse, child, parent, or next of kin. The covered service member must be a current member or eligible veteran of the Armed Forces (including a member of the National Guard or Reserves) with a serious injury or illness incurred in, or aggravated by, service in the line of duty on active duty that may render him/her medically unfit to perform his/her duties for which he/she is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

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The City complies with all state and federal laws relating to employees in reserve or active military service and does not discriminate against employees who serve in the military. Temporary employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their employment with the City will continue indefinitely or for a significant period of time are generally ineligible for extended paid military leave in excess of 15 days, reemployment rights, or any other military leave benefits under this policy.

This policy covers employees who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty.

Notice to City of Need for Leave. Employees must provide as much advance written or verbal notice to the City as possible for all military duty (unless giving notice is impossible, unreasonable, or precluded by military necessity). Absent unusual circumstances, such notice must be given to the City no later than 24 hours after the employee receives the military orders. To be eligible for paid military leave, employees must complete and submit a leave request form along with the official documents setting forth the purpose of the leave and, if known, its duration. The form must be turned into the Department Director and the Director of Human Resources as far in advance of the leave as possible.

Paid and Unpaid Leave for Training and Duty.

Full Pay For Up to 15 Days. Employees will be paid for military absences of up to a maximum of 15 work days per fiscal year. Shift employees will be transitioned to a 40 hour work week during military absences. This leave may be used when an employee is engaged in National Guard or U.S. armed forces reserve training or active military duty ordered or approved by proper military authority. The paid leave days may be consecutive or scattered throughout the year.

Other Paid Leave. Employees who have exhausted all available paid military leave may, at their option, use any other available paid leave time (i.e., vacation leave, holiday leave and compensatory time) to cover their absence from work.

Unpaid Leave. After an employee has exhausted all available paid military leave (including any other paid leave time that the employee chooses to use to cover a military absence), the employee will be placed on leave without pay.

For Civil Service Employees Only:

Civil Service employees who have been called to active federal military may be eligible to

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receive payments of donated vacation, holiday, and sick or compensatory leave time to help provide salary continuation. The employee must be on active duty for a minimum of three months before becoming eligible for such payments and is not required to have exhausted personal leave time banks before receiving this benefit.

Benefits. The City will continue to provide employees on paid military leave with most City benefits.

Medical and Dental. While an employee is on paid military leave (or any military leave of less than 31 days), the City will continue to pay its portion of the monthly premium for group health benefits. When military leave is unpaid, the employee may elect to continue group health coverage for up to 24 months following separation of employment or until the employee's reemployment rights expire, whichever event occurs first, for the employee and eligible dependents.

Upon an employee's return to employment following military service, the City will provide health insurance coverage immediately. In addition, a returning employee will not be subjected to exclusions from coverage unless the exclusions apply to injuries or conditions that were incurred as a result of military service.

Other Benefits. While on *paid* military leave, employees continue to accrue vacation, sick leave and other benefits provided to other employees on paid leave. The City will also continue to pay the premium for any City-provided life insurance (if applicable) while the employee is on *paid* military leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. Benefits, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. While on unpaid military leave, benefit accruals will be suspended and will resume upon the employee's return to active employment. Once an employee returns to work following an unpaid leave, the employee will be treated as though continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.

TMRS. Typically, an employee's period of uniformed service is deemed to constitute service for purposes of vesting and benefit accrual. Thus, employees earn service credit for time spent on active duty military leave. Service time is credited when an employee returns to work. To qualify for service credit, an employee must: return to work for the City within 90 days after discharge; receive an honorable discharge; and timely complete the necessary application. In order to receive monetary credit, an employee has the lesser of 5 years or 3 times the length of the military service to make up any TMRS contributions that were missed while on military leave.

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Returning from Leave.

Return to Work: A person returning from service must report back to work or apply for reemployment within the time constraints prescribed by USERRA. The City shall re-employ a returning veteran according to the provisions of USERRA. Civil service employees shall be required to meet additional requirements in Chapter 143 of the T.L.G.C. before being reinstated.

Deadline to Notify City of Intent to Return to Work. The deadline for an employee to return to work and/or notify the City that the employee intends to return to work following military leave depends upon how long the employee's military service lasted:

- A) For service of less than 31 days, employees have 8 hours following their release from service to report for their next scheduled work period.
- B) For service between 31 days and 180 days, employees have 14 days following their release from service to apply for reemployment.
- C) For service of more than 180 days, employees have 90 days following their release from service to apply for reemployment.

These deadlines may be extended for 2 years or more when an employee suffers service-related injuries that prevent the employee from applying for reemployment or when circumstances beyond the employee's control make reporting within the time limits impossible or unreasonable.

Required Documentation. To qualify to return to work, an employee returning from leave must provide documentation of the length and character of his/her military service. Also, evidence of discharge or release under honorable conditions must be submitted to the City if the military leave lasted more than 31 calendar days.

3.06 Bereavement (Funeral) Leave

Effective Date: 03/01/2015

Revision Date:

The City provides employees serving their initial orientation period and regular full-time employees paid time off, up to a maximum of **three work days** in the event of a death(s) in the family, for the purpose of attending the funeral. For the purpose of authorizing bereavement leave "family" is defined as individuals related through blood, marriage or adoption. These include but are not limited to persons related through the first, and second degree of consanguinity (blood relations) and the first and second degree of affinity (marriage relations). See the Nepotism Chart (**Appendix A**) at the end of the chapter for visual detail.

An employee may be required to provide proof of death/funeral/family relationship in support of bereavement leave. Bereavement leave pay is paid at the employee's base rate at the time of absence. It does not include overtime or any special forms of compensation. Paid time off for bereavement leave is not counted as hours worked for purposes of determining overtime.

Employees who wish to take bereavement leave must notify their supervisor immediately. Bereavement leave shall be charged to **administrative leave**.

Employees may take **additional time** off as vacation, comp time or, if no vacation or comp time is available, as authorized leave without pay upon approval of the Department Director. Employees requesting bereavement leave must complete a leave request and submit it to their supervisor for approval.

Employees who wish to attend funerals for other than immediate family must use vacation, compensatory time, or unpaid leave.

3.07 Jury and Witness Duty Leave

Effective Date: 03/01/2015

Revision Date:

The City provides paid leave to regular full-time and regular part-time employees required to serve on jury duty or requested to testify as a witness by the City in a City-related civil, criminal, legislative, or administrative proceeding. Court appearances for testimony, investigation, and court preparation as a result of official duties as a City employee (e.g., police, fire, inspections, animal control, etc.) are compensated as actual hours worked and are not classified as paid leave.

In all other cases, employees called for jury duty shall have two options:

- 1) Charge leave to Administrative Leave and turn in jury duty check.
- 2) Charge leave to Vacation Leave and keep the check for personal use.

The employee must provide documentation of the requirement for jury duty, subpoena compliance, and any other documentation with the leave request.

Employees requesting jury duty leave must complete a leave request and submit it to their supervisor for approval as soon as possible so that arrangements can be made to accommodate the absence.

An employee who is on jury duty typically must report for City duty for the remainder of the day upon completion of court or jury service, or request approval for use of other available paid time off.

Jury duty leave is paid at the employee's base rate at the time of leave and does not include overtime or any other special forms of compensation.

3.08 Voting Leave

Effective Date: 03/01/2015

Revision Date:

Employees are encouraged to exercise their right to vote in elections. If the polls are not open on election day for voting for two consecutive hours outside of the employee's working hours, the employee will be permitted reasonable time to vote during the working hours

Upon 3 days' notice to the supervisor, employees will be granted time off to attend a precinct convention or a county, district, or state convention to which the employee is a delegate. Time may be charged to vacation, accrued compensatory time, or leave without pay for the period of time missed.

3.09 Administrative Leave

Effective Date: 03/01/2015

Revision Date:

The City may grant Administrative Leave with or without pay to an employee, at the discretion of the City Manager (or designee), when no other paid leave category is available or applicable.

Department Directors may designate Administrative Leave with pay only pending a disciplinary decision or drug/alcohol screening results, during an internal investigation, or fitness for duty exams requested by the City.

Written notice of administrative leave shall be provided to the employee and a copy forwarded to the Director of Human Resources for proper payroll processing.

3.10 Inclement Weather Emergency Leave

Effective Date: 03/01/2015

Revision Date:

Except for extraordinary circumstances, City offices **DO NOT CLOSE**. All City employees, whether exempt or nonexempt, are expected to make a sincere effort to report to work during inclement weather conditions or other emergency situations.

If an employee determines that the weather conditions constitute a danger to life and/or property, the employee must notify the immediate supervisor and/or Department Director and make arrangements to report to work if weather conditions improve. Any leave taken due to inclement weather can be flexed or charged to vacation or comp time. Regular full-time and part-time nonexempt employees who are unable to flex their time and who have no accrued vacation or compensatory time available will not be paid for the time missed.

The Department Director/immediate supervisor is responsible for seeing that City services are staffed while City offices are open for business during inclement weather or emergency conditions. Any City service that cannot be provided during inclement weather or other emergency conditions must be immediately reported to the City Manager's Office.

When weather or other conditions are such that the City Manager declares certain City offices/departments officially closed, all affected personnel, i.e., those non-essential employees who were scheduled to work during the time of closure, will be granted "administrative leave" for the time the office/department is closed. Essential personnel must report to work even when other City departments are officially closed due to weather or other type of extraordinary circumstances. Essential personnel required to be on the job regardless of adverse weather or other conditions are designated by the Department Director and/or the City Manager. Essential personnel who fail to report to work may be subject to disciplinary action up to and including termination of employment. Employees are required to sign an acknowledgement form that they have received notice of their designation of essential or non-essential status and requirement to work during inclement weather at time of employment.

3.11 Leave of Absence

Effective Date: 03/01/2015

Revision Date:

In extraordinary circumstances, the City may grant employees an unpaid leave of absence (LOA). All requests for LOA must be in writing. Department Directors are authorized to grant an unpaid LOA for up to 30 days. Any LOA beyond 30 days must be authorized by the City Manager. The employee may seek extensions of leave, up to a maximum of 180 total days away from work. This policy will be administered consistently with the City's obligations under the Americans with Disabilities Act. A LOA will not be authorized unless there is a reasonable expectation that the employee will return to employment with the City at the end of the approved leave period.

Use of All Other Available Leave. All vacation, compensatory time, holiday time and/or leave authorized under FMLA must be used prior to authorizing a LOA to an employee. If the LOA is due to illness or injury, all sick leave must also be used prior to authorizing a LOA.

Criteria. Factors considered by the City in granting a LOA include the reason for the leave; departmental work requirements; the employee's length of service, work performance and disciplinary history.

Reasons for LOA. A LOA may be considered in the following circumstances:

- a) Recovery from extended illness, injury or temporary disability.
- b) Extended care for immediate family members.
- c) Educational purposes when successful completion will contribute to the work of the City.
- d) Public service assignment.
- e) Personnel exchange programs which emphasize intergovernmental relations.

Documentation. Requests for LOA without pay must be made in writing to the employee's Department Director as far in advance as possible prior to the requested leave date. Requests for an extension of leave must also be in writing and submitted to the Department Director, who will forward the request to the City Manager's office and the Director of Human Resources. The need for a medical LOA must be supported by documentation acceptable to the City, including but not limited to a doctor's explanation of why the employee cannot perform the essential functions of the position, when the employee is expected to return to work, and periodic updates regarding the employee's ability or inability to return to work. The Department Director and/or City Manager may require that the employee on leave periodically contact a designated supervisor to report on the employee's condition or status. Before returning to work from a medical LOA, the employee may be required to submit a letter from the doctor stating that the employee is able to perform essential job duties. The City may also impose additional return to work requirements as set out in the City's Health/Fitness policy.

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Other Employment During Leave. Under no circumstances may an employee on an authorized LOA without pay work another job, whether for pay, as a volunteer or as self-employment, unless expressly authorized in writing by the Department Director and the Director of Human Resources.

Reinstatement. Employees returning from a LOA will be reinstated to their same position or one of similar pay and status, provided the City's circumstances have not changed to the extent that it would create an undue hardship for the City to provide reinstatement. If the same job or one of similar pay and status is not available, reinstatement may, at the City's discretion, be deferred until a position is available. Usually, an employee who fails to return to work at the conclusion of an approved LOA will be considered to have voluntarily resigned employment with the City.

Benefits/Premium Payments. All LOA'S are unpaid. Vacation, sick leave, holiday pay, and other benefits do not accrue during an unpaid LOA. Any benefit continuation during a LOA must be approved in advance by the Director of Human Resources and the City Manager.

Any insurance premiums, or partial premiums, normally paid on behalf of the employee by the City will not be paid by the City beginning the first day of the month following the starting date of a LOA. Employees who have group health or any other kind of insurance through the City continue to be responsible for paying their portion of the premiums while on a LOA. An employee's failure to pay either the employee's, or the City's, portion of insurance premiums during a LOA may result in cancellation of coverage.

Revocation. The City Manager may revoke authorized leave without pay at any time. Failure to return to work after the expiration of an authorized LOA or failure to provide required medical status reports, physician's statements, or to contact the City per the required schedule will likely result in revocation of the LOA and/or disciplinary action up to and including dismissal.

3.12 Leave Donation Program

Effective Date: 06/23/2014

Revision Date: 06/27/2014

PURPOSE:

To provide guidelines for donating and receiving donated accrued leave.

ELIGIBILITY:

Full time employees who have depleted all paid leave.

The employee requesting the donation must have been a full-time employee for a minimum of twelve (12) consecutive months.

An employee with written corrective action regarding unsatisfactory attendance within the last twelve (12) months may not be eligible.

POLICY:

This is a voluntary program provided to a specific employee for continued income due to absences. **Qualifying events for participation include:** when the employee is unable to perform the essential functions of the position because of the employee's own serious health condition or when the employee is needed to care for a child, spouse, or parent who has a serious health condition. For the purposes of this policy, a serious health condition should meet the requirements defined in the Family Medical Leave Act. City reserves the right to request written confirmation of from treating physician regarding health condition ability to work.

A. Procedures

1. To receive donated leave, the employee **must have exhausted or on the verge of exhausting** all paid leave. An exhausted leave balance by itself is not sufficient justification for requesting leave donation.
2. Donations to a recipient shall be made in **4-hour increments**. The maximum amount of leave an employee may donate to another employee is **40 hours** per accident or illness. At no time shall a donating employee's sick or vacation leave balance go below **80 hours** as a result of a leave donation. Donations to or from shift firefighters will be converted at a rate of 4 hours = 6 firefighter hours. Leave donations will be deducted from the leave balance of the contributing employee.
3. The maximum number of hours that may be received by an employee is **2080 hours** during the course of their employment with the City of Texarkana. The City provides access to Long-term Disability insurance which has a 90-day elimination period. See *Policy 5.04 Long-term Disability* for additional information. Leave donated will be transferred on an hour for hour basis without regard to pay differential.
4. Donations will be applied in the order received in Human Resources. Unused leave shall be returned to donating employees in the order received, i.e. last donations received shall be returned first.

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5. In the event a holiday occurs during this period, the employee shall receive eight (8) hours of holiday pay.
6. Employees receiving donated leave will not be required to pay the leave back.

B. Process

Request for leave sharing must be submitted **by the Department Director** on an *Leave Donation Application (Appendix F, Form 7)* and include the Director's recommendation. Human Resources will communicate the request to potential donors, but will not reveal the identity of the employee unless the employee or immediate family gives permission. Without permission the employee will only be identified by employee number. Donors shall complete an *Leave Transfer Authorization (Appendix F, Form 8)* and submit to the Human Resources Department.

C. Recordkeeping

Human Resources shall be responsible for managing and administering this policy, including solicitation of contributions and processing requests. Records pertaining to the leave sharing policy shall be maintained in Human Resources, where they will be kept confidential. Human Resources will not disclose the nature of the illness except as necessary to process the request or as permitted by the employee.

D. Exclusions

1. On the job accident/ injury/illness for which workers compensation benefits have or will be awarded.
2. Intentionally self-inflicted injuries.
3. Injuries occurring in the course of committing a crime.
4. Elective surgery.

**4.01 Timekeeping**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To define time worked and not worked, and to outline the City's timekeeping procedures.

POLICY:

Accurately reporting time worked is the responsibility of every non-exempt employee. The City must keep an accurate record of time worked in order to calculate employee pay and benefits.

A. Time Worked

Time worked includes all time that an employee is required to be performing any work for the City, whether on premises or at another location. Time worked is used to determine overtime pay for non-exempt employees. The City does include the following provisions as time worked:

1. Work Away from Premises or at Home: A non-exempt employee shall not be permitted to perform work away from the premises, job site, or at home, unless approved in advance in writing by the Department Director. If approved, work performed off the premises, job site, or at home by a non-exempt employee must be counted as time worked. See **Policy 4.05 Alternate/Compressed Schedule** for additional information.
2. Break Time: Rest periods of fifteen (15) minutes or less are counted as time worked. See **Policy 2.05 Breaks** for additional information.

B. Time Not Worked

Per the Fair Labor Standards Act (FLSA), the City does **not** count the following provisions as time worked:

1. Paid Leave: Approved paid absences, including but not limited to sick leave, vacation leave, holiday leave, FMLA, military leave, jury duty, non-job related witness duty, funeral/bereavement leave, and voting time off **are not** counted as time worked.
2. Lunch or Dinner Periods: Uninterrupted time off for lunch or dinner is not counted as time worked.

C. Timekeeping

It is the employee's responsibility to review and confirm his/her time records to certify the accuracy of all time recorded. The timekeeper for the department will review and then certify the time record before submitting it for payroll processing. In the event of an error in reporting time, immediately report the problem to the department timekeeper.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

**4.02 Pay Periods**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

The purpose of this policy is to outline the schedule for distribution of paychecks or direct deposit.

POLICY:

Employees of the City of Texarkana are paid biweekly, every other Friday. Each paycheck will include earnings for work performed through the end of the previous payroll period. In the event the regularly scheduled payday falls on a holiday, employees will be paid the day before. There are **26 pay periods** per fiscal year.

The City's workweek begins at 12:00 a.m. on Monday and ends at midnight the following Sunday.

For most employees, the pay period is made up of two, 40-hour work weeks or work cycles. Some Police and Fire Department personnel may have alternate work cycles that make up the pay period. **The alternate work cycles must be in accordance with law and approved by the Department Director.**

**4.03 Pay Deductions**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To describe and outline guidelines for voluntary and involuntary pay deductions.

POLICY:

The City of Texarkana offers programs and benefits beyond those required by law.

A. Mandatory Deductions

The City is required by law to make certain deductions from employee's compensation. These deductions include withholdings for federal income taxes; Federal Insurance Contributions Act (FICA) tax, which is comprised of Social Security (**Civil Service Exempt**) and Medicare, and contributions to the TMRS Retirement Plan or Texarkana Fireman's Relief and Pension Fund.

B. Voluntary Deductions

The City allows limited voluntary deduction programs to employees for City-sponsored benefits, such as the ICMA 457 Deferred Compensation Plan, flexible spending account (FSA), supplemental insurance, and credit union share or loan payment amounts. Contact the Human Resources Department for contribution levels and enrollment information.

C. Record of Deductions

The check stub serves as a statement of employee's earnings and deductions and is available through the **Employee Self Service (ESS)**. Employees who received income in the previous year will receive a Wage and Tax Statement (W-2) by January 31st. If an employee does not receive a W-2 by the second week of February, contact the Finance Department.

D. Changes in Deductions

An employee may begin, change, or cancel most optional deductions, or may change the number of dependents for tax purposes by contacting the Human Resources Department for the appropriate form.



4.04 Overtime, Compensatory Time and Time Management	Effective Date: 03/01/2015 Revision Date:
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Overtime. Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour requirements. Exempt employees are not paid overtime compensation.

NON-EXEMPT EMPLOYEES.

When the City's operating requirements or other needs cannot be met during regular working hours, non-exempt employees may be scheduled to work overtime, at the request of their supervisor. When possible, advance notification of mandatory overtime assignments will be provided. Overtime assignments will be distributed as equitably as practical to all non-exempt employees qualified to perform the required work. Refusal or other failure to work mandatory overtime may result in disciplinary action up to and including termination of employment. Overtime work is otherwise subject to the same attendance policies as straight time work.

All non-exempt employees must obtain prior authorization from their supervisor and Department Director before performing any overtime work. This means employees may not begin work prior to their scheduled work day, and may not continue working beyond the end of their scheduled workday, without prior authorization from the appropriate supervisor. Similarly, employees may not work through their lunch break without prior authorization from the appropriate supervisor. Through the Springbrook timesheet approval process, the appropriate supervisor must also approve any overtime before the time sheet is submitted for processing and payment. Non-exempt employees shall not remain on the work premises without authorization unless they are on duty or are scheduled to begin work within a short period of time. Non-exempt employees who work overtime without receiving proper authorization will likely be subject to disciplinary action, up to and including possible termination of employment.

Generally, except for Police and Fire Department shift employees, overtime pay for non-exempt employees is at the rate of 1-1/2 times the employee's regular hourly rate of pay for hours actually worked in excess of 40 in the City's workweek. (The City's workweek begins at 12:00 AM on Monday and ends at 12:00 Midnight the following Sunday.) An employee's regular hourly rate of pay includes all pay incentives, such as longevity, assignment pay, etc. Fire personnel are paid overtime based on the work cycle adopted by their Department under Section 207(k) of the Fair Labor Standards Act.

Time off for vacation, holiday, sick leave, jury duty, bereavement leave, or any other leave of absence is **not considered time worked** for purposes of performing overtime calculations.



4.04 Overtime, Compensatory Time and Time Management	Effective Date: 03/01/2015 Revision Date:
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Compensatory Time. Non-exempt employees may accrue compensatory time in lieu of being paid overtime compensation. Compensatory time accrues at a rate of 1 ½ hours for every hour of overtime worked by non-exempt employees. Comp time accruals are to be monitored at the department director level. All compensatory time earned **must be documented on the employee's time sheet.**

An employee who has accrued compensatory time and requests use of such time must be permitted to use the time off within a "reasonable period" after making the request, if it does not "unduly disrupt" the work of the department. If use of requested comp time would be disruptive, the department may elect to pay the employee in lieu of approving the requested time off. The City may, at any time, elect to pay a non-exempt employee for any or all of the employee's accrued comp time. The City may also require employees to take time off in order to reduce their accrued comp time. Otherwise, compensatory time off may be used the same as leave time.

All accrued compensatory time should be taken by the 25th pay period of each fiscal year. Any time not taken by the 26th pay period will be paid to the employee on the last pay period of the fiscal year or employees may bank up to 40 hours maximum of accrued time.

Payment of Compensatory Time. All employees who are reclassified from a non-exempt position to an exempt position will be paid all accrued comp time upon approval of the reclassification and will cease to be eligible for any additional overtime and /or comp time. Upon leaving employment with the City, a non-exempt employee will be paid for unused comp time at the employee's current hourly rate.

NOTE: Exempt employees are not eligible to accrue compensatory time.

Flex-time Work Schedule. In situations where overtime payment is not feasible due to budgetary constraints, the Department Director or supervisor must consider flexing the employee's work schedule in an effort to minimize the need for overtime compensation. Flexing must be completed within the same workweek or work cycle (if under the 207(k) exemption of FLSA) that the overtime was worked and must be accurately reflected on the affected employee's time record.



4.04 Overtime, Compensatory Time and Time Management	Effective Date: 03/01/2015 Revision Date:
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EXEMPT EMPLOYEES

Exempt employees are those who are not covered by the overtime requirements of the FLSA. These are employees defined by the FLSA as executives, administrators or professionals. Administrators exercise discretion and independent judgment with respect to matters of significance. Accordingly, exempt employees are not entitled to overtime compensation for work performed beyond 40 hours in a workweek. Exempt employees are **expected to work the hours necessary** to complete their projects at an acceptable level of quality in a timely manner.

Absent accrued paid leave time, an exempt employee need not be paid for any workweek in which no work was performed.

It is the policy of the City not to make improper deductions from an exempt employee's pay. Any exempt employee who believes an improper pay deduction has been made, must immediately notify the Director of Human Resources. The City will promptly reimburse an exempt employee for any improper deduction(s) and will make a good faith commitment to comply in the future.

**4.05 Alternative/Compressed Schedule**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To allow City employees who are normally scheduled to work 8:00 a.m. to 5:00 p.m. an opportunity to work an alternate work schedule.

POLICY:

Flexible work schedules are offered when it is feasible and will in no way interfere with providing efficient and effective City services.

A. Eligibility

Eligibility for participation in the City's alternate work week schedule will depend on an assessment by the Department Director that the employee's proposed work schedule will enable the employee to fully meet job responsibilities and performance expectations. Employees who have been subject to disciplinary action during the previous 12 months may not be eligible to participate in the alternate work schedule program.

B. Alternate Schedule: Work Times and Core Hours

Upon prior written approval from the Department Director, employees may participate in the City's alternate work schedule program by working the same number of normally scheduled hours per week during a different, pre-approved schedule.

1. Employees are required to work the core hours of 10:00 a.m. to 3:00 p.m. or as defined by the Department Director.
2. Employees must schedule an unpaid lunch time for a minimum of thirty (30) minutes and maximum of two (2) hours during each day worked. Taking lunch time at the beginning or end of the work day is not permitted, except in special circumstances when approved by the Department Director.

C. Compressed Work Week

The compressed work week is another option for a flexible work schedule consisting of four (4), 10-hour work days or other variations.

D. Alternate work Schedule Requests

Eligible employees may request participation in the alternate work schedule program by submitting an *Alternate/Compressed Schedule Request* (**Appendix F, Form 9**) to their Department Director. Employees should be prepared to discuss how they intend to resolve any conflicts that may arise between work responsibilities and the new work schedule.

**4.05 Alternative/Compressed Schedule**

Effective Date: 03/01/2015

Revision Date:

E. Evaluation of Requests

In evaluating an Alternate/Compressed Schedule Request, the Department Director will weigh such factors as the requesting employee's job responsibilities and his or her extent of interaction with members of the public and others, the schedules requested by other employees in the department, and the extent to which the requesting employee has demonstrated responsibility and dependability.

F. Schedules

Department Directors will forward the request to Human Resources.

The City reserves the right at any time to return a participating alternate/compressed work schedule employee to his or her standard schedule if the employee's schedule is not permitting the department to operate effectively or changes in circumstances necessitate a change.

**4.06 Longevity Pay**

Effective Date: 03/01/2015

Revision Date:

The City provides regular full-time employees longevity pay, at the budgeted rate **per month for each full year of service**, up to a maximum of 25 years. Longevity pay begins after a regular, full-time employee has completed one year of service.

**4.07 On Call and Call Back**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To standardize On Call/Emergency Call Back pay across the City and provide guidelines for employees who are subject to on call or emergency call back pay.

POLICY: The below applies to both On Call and Emergency Call Back

- A. An employee who is called back to work outside his or her normal work schedule shall be paid for the time worked or a minimum of two (2) hours, whichever is greater.
- B. Department Directors shall establish reasonable, maximum response times (between 15 and 60 minutes) for their departments.
- C. An employee who is called back to work will be paid for travel time to and from work.

Emergency Call Backs

An emergency call back is defined as an unscheduled request made by an appropriate management official for an employee to return or report to work due to unforeseen or emergency circumstances after leaving the building or work location at the end of their regular shift and before the beginning of the next regularly scheduled shift.

Emergency call backs will be considered **overtime**. Justification must be provided to the Department Director to validate that the call back is an emergency.

On-Call

An on-call employee is the employee designated to be contacted if a situation arises after normal work hours. The department director of each designated department will decide specifically which employee(s) in each job title will be assigned to take call and receive the additional compensation. These decisions should be made fairly and equitably using work- and skill-related factors. Exempt employees are not eligible to receive on call pay.

On call status begins after the completion of the workday and continues until resuming work the following workday, unless a defined length of time is determined prior to the time the call commences. Employees will be considered engaged to work from the time they leave home (or when they accept the call) until the work is completed. This time will be considered worked time and will be recorded as such on the time record by the employee. Circumstances causing an increase in travel time should not be included in the time worked without the express written permission of the employee's supervisor. An employee who is on call, but is not called back, will not be compensated.

**4.07 On Call and Call Back Pay**

Effective Date: 03/01/2015

Revision Date:

Time worked while on call will be calculated at the employee's regular rate of pay unless the hours exceed 40 hours for the week. Overtime compensation is applicable only when total hours worked exceeds the regular full time work cycle. For example, if an on-call employee is called back to work on a holiday week and hasn't exceeded 40 hours at work, the time will be considered straight time. Paid leave does not count as time worked. (See *Policy 4.04 Overtime* and *4.01 Timekeeping* for additional information).

Employees who are on call must meet the following criteria to be eligible for on call pay:

1. Maintain a working line of communication with either a mobile telephone or land line and provide the appropriate contact number to his or her supervisor.
2. Stay within range of the telephone.
3. When notified, return the call within fifteen minutes.
4. Arrive at the work unit within 30 minutes or less after receiving the call.
5. Arrive in a condition "fit" for duty in accordance with all City policies including Policy 6.05 and 6.06, Drug and Alcohol Use Policy. Any variance from such policies may result in disciplinary action, up to and including termination.

Departmental Policies. Each Department has its own internal procedures for handling on-call services. Departments may establish guidelines for varying levels of response to call-back situations depending upon the nature and importance of the services to be completed.

**4.08 Temporary Assignment Pay**

Effective Date: 03/01/2015

Revision Date:

- A. Temporary Assignment Pay will be paid to an employee who is approved by the Department Head to perform work in a higher classification for a period of time. The temporary appointment must be documented by a Form 2, Personnel Action Form and renewed every 30 days and shall not exceed 90 days without prior approval from the Human Resources Director.
- B. The amount of additional pay shall be determined by the respective Department Head, and approved by the Human Resources Director.
- C. Temporary Assignment Pay for public safety employees shall be granted in accordance with the Texas Local Government Code.
- D. When the temporary assignment ends, the employees' salary shall be readjusted to the original amount.

**4.09 Certification Pay**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

The purpose of this policy is to outline the parameters of certification pay.

POLICY:

The City of Texarkana is committed to the employee's educational growth and development. In addition to an employee's regular earnings, an employee who obtains certification may be eligible for certification pay.

Eligibility and compensation shall be evaluated by the Department Director, Human Resources Manager and presented to the City Manager for final consideration. All applications are subject to budgetary funding availability.

Eligible employees are required to provide Human Resources with proof of eligibility (certificate) along with a Form 2, Personnel Action Form (PAF) signed by the Department Director or designee before certification pay will be awarded.

If the certification requires renewal and the employee fails to renew the certification and turn in the paperwork, the certification will be dropped until proof of renewal is received in Human Resources.

**4.10 Shift Differential Pay**

Effective Date: 03/01/2015

Revision Date:

In addition to base pay, police officers, dispatchers and water plant operators shall be entitled to receive shift differential pay if they work more than 50% of their total monthly hours between the hours of 6:00 p.m. and 6:00 a.m.

All shift differential hours and pay must be pre-approved by the Department Director and will be accumulated, recorded and paid in compliance with the approved budget.



Chapter 5: Employee Benefits

5.01 Employee Benefits

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To communicate the wide range of the benefits provided by the City of Texarkana to employees.

POLICY:

Benefit eligibility is dependent upon a variety of factors, including employee classification. The Human Resources Department can identify the eligible programs. Details of many of these benefits may be found elsewhere in this policy manual.

The following benefits are available to eligible employees:

- Health Insurance (Policy 5.02)
- Life Insurance (Policy 5.03)
- Workers' Compensation Insurance (Policy 5.13)
- Long-Term Disability (Policy 5.04)
- COBRA (Policy 5.05)
- Deferred Compensation Plan (Policy 5.06)
- TMRS Retirement Plan (Policy 5.07)
- Tuition Reimbursement (Policy 5.11)
- Employee Assistance Program (Policy 5.08)
- Uniforms (Policy 5.09)
- Credit Union (Policy 5.10)
- Certification Pay (Policy 4.09)
- Sick Leave (Policy 3.03)
- Vacation Leave (Policy 3.02)
- Vacation Leave Donation (Policy 3.12)
- Holiday Leave (Policy 3.01)
- Family and Medical Leave (Policy 3.04)
- Leave of Absence (Policy 3.11)
- Military Leave (Policy 3.05)
- Funeral/Bereavement Leave (Policy 3.06)
- Jury & Witness Duty Leave (Policy 3.07)
- Voting Time Off (Policy 3.08)
- Longevity Pay (Policy 4.06)

**5.02 Health Insurance**

Effective Date: 03/01/2015, 2014

Revision Date:

PURPOSE:

To communicate the health insurance programs for City of Texarkana employees, and to identify eligibility requirements.

POLICY:

The City of Texarkana's health insurance plans provide employees and their dependent(s) access to health insurance benefits. Only employees in the following employment classification are eligible to participate in the health insurance plan:

- Full time employees
- Part time employees working 30 hours per week or more.

AND

- Completes the employment waiting period defined as the first month following the first complete month as an active employee.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the City and the plan document. Each new employee is required to enroll using the on-line service, Benefit Connector.

The City offers employees the option to purchase dependent health and dental insurance as described below:

1. A covered employee's spouse. The term "spouse" shall mean the person recognized as the covered employees husband or wife under the laws of the state where the covered employee lives. At this time, in the State of Texas, domestic partners are not eligible for coverage as Dependents.
2. Biological or legally adopted children of the employee or of the employee's lawful spouse will be covered.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee and/or dependent(s) for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). See *Policy 5.05 Consolidated Omnibus Budget Reconciliation Act (COBRA)* for more information.

Contact the Human Resources Department for additional information about health insurance benefits.

**5.03 Life Insurance**

Effective Date: 03/01/2015, 2014

Revision Date:

PURPOSE:

To communicate the life insurance program for City of Texarkana employees, and to identify eligibility requirements.

POLICY:

Life insurance offers employees and their families' important financial protection. The City of Texarkana provides a basic life insurance plan at **one times the employees' base annual earnings** and offers employees the option to purchase supplemental life insurance for themselves and their dependents. Employees in the following employment classifications are eligible to participate:

- Full time employees
- Part time employees working 30 hours per week or more.

Eligible employees participate in the life insurance plan subject to all terms and conditions of the agreement between City and the insurance carrier. Each new employee shall complete enrollment using the on-line service, **Benefit Connector** at the time employment begins.

Contact the Human Resources Department for additional information about life insurance benefits.

**5.04 Long Term Disability**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To communicate the long-term disability program for City of Texarkana employees, and to identify eligibility requirements.

POLICY:

The City of Texarkana provides access to an employee paid long-term disability plan (LTD) to help eligible employees cope with an illness or injury that would result in long-term absence from employment. Employees in the following employment classifications are eligible to participate in the LTD plan:

- Full time employees
- Part time employees working 30 hours per week or more.

LTD is designed to ensure a continuing income for employees who are disabled and unable to work. Eligible employees may participate in the LTD plan subject to all terms and conditions of the agreement between the City and the insurance carrier. There is a 90-day period that an employee must be disabled before benefits become payable. Contact the Human Resources Department for additional information about the LTD benefits plan.

**5.05 Consolidated Omnibus Budget Reconciliation Act (COBRA)**

Effective Date: 03/01/04

Revision Date:

PURPOSE:

To outline the eligibility and procedures for extended health insurance through the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

POLICY:

COBRA gives employees and/or dependent(s) the opportunity to continue health insurance coverage under the City of Texarkana's health plan when a *qualifying event* would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death, reduction in hours, an employee's divorce or legal separation, or a dependent child no longer meets the eligibility requirements.

Under COBRA, the employee or beneficiary will pay the full cost of coverage at the City's group rate plus an administrative fee. When a qualifying event occurs, contact the Human Resources Department to determine COBRA eligibility.

**5.06 Deferred Compensation Plan**

Effective Date: 03/01/04

Revision Date:

PURPOSE:

To outline employee eligibility, contribution, and benefits of voluntary participation in the **457 Deferred Compensation Plan**.

POLICY:

The 457 Deferred Compensation Plan has been established to provide employees with a voluntary investment option designed to supplement the employee's income at retirement.

Employees in the following employment classifications are eligible for participation in the 457 Deferred Compensation Plan:

- Full time employees
- Part time employees working 30 hours per week or more.

The 457 Deferred Compensation Plan, offered through the International City/County Management Association (ICMA) permits an employee, on a voluntary basis, to authorize a portion of their salary to be withheld, tax deferred, and invested. Eligible employees may enroll, make changes, or stop deductions at any time in the 457 Deferred Compensation Plan. Employees contribute up to a fixed amount that is set annually by ICMA. Neither the deferred amount nor earnings on the investments are subject to current federal income tax. Various investment options are available to best meet individual retirement objectives.

For additional information, please contact ICMA or the Human Resources Department.

**5.07 TMRS Retirement Plan**

Effective Date: 03/01/2015, 2014

Revision Date:

PURPOSE:

To identify eligibility requirements for employees to participate in the Texas Municipal Retirement System (TMRS), the retirement system administered on a state-wide basis.

POLICY:

Participation in the Texas Municipal Retirement System (TMRS) system provides for monthly pension benefits at retirement.

A. Eligibility for Enrollment

At the time of employment, all eligible employees are enrolled in the TMRS pension plan. Employees in the following employment classifications participate in TMRS:

- Full time employees
- Employees in positions budgeted to work 1,000 or more hours a year

B. Contributions

Contribution rates and other policies of the City's TMRS Plan are determined by the City Council and are subject to change.

1. Contributions to TMRS are mandatory for eligible employment classifications described above.
2. Currently, the employee contributes 7% of their earnings each pay period. The contributions are tax deferred and made through payroll deduction. Vesting generally occurs five (5) years after the first contribution.
3. Currently, the City's contributions are a 2 to 1 match.

C. Interest Earnings

Employee deposits earn interest on an annual basis, credited to the employee's account each year on December 31st. Prorated interest occurs only during the year in which the employee retires.

D. Benefits at Retirement

1. Generally, employees may retire after 240 months (20 years) of TMRS credit, regardless of age or at age 60 and vested with five years of service. Military Service or previous government employment may contribute service credit toward earlier retirement.
2. TMRS benefits will be based on years of service, salary, the employee and City contributions to the account, and the retirement option selected.
3. Employees must contact the Human Resources Department at least one (1) month before the planned retirement date to allow for completion of paperwork.

For additional information, please consult the TMRS Benefits Guide available online at <http://www.tmrs.org>.

**5.08 Employee Assistance Program**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To communicate the availability of free financial, legal, personal counseling and referral assistance for full time employees of the City of Texarkana through the Employee Assistance Program (EAP).

POLICY:

The City of Texarkana offers an Employee Assistance Program (EAP) to employees that provide confidential short-term counseling for employees and/or their dependent(s).

Areas for counseling include, but are not limited to marital and family conflicts, drugs and alcohol use, job or emotional stress, depression, and grief. Individual counseling for immediate family is available for up to six (6) sessions per incident per year at no cost. Consult your insurance material or the Human Resources Department for the telephone number of the EAP.

www.alliancewp.com

**5.09 Uniforms**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To establish a standard regarding employee uniforms, the conduct employees must exhibit while in uniform, uniform maintenance, and the return of uniforms upon separation from the City.

POLICY:**A. Uniforms**

Employees who are required to wear uniforms will be provided new uniforms, complete with required insignia, etc., upon employment. Employees who are furnished uniforms must wear the regulation uniform while performing work for the City, except when special circumstances or work conditions exist. Employees may not wear City uniforms for other than City work. However, uniforms may be worn to and from work, while performing specific assigned or approved functions or running errands during lunch periods.

B. Uniform Conduct

No employee, while wearing any City attire, shall purchase, possess or consume alcoholic beverages in public. No uniformed employee shall use tobacco products while making public contact. This includes time on-the-job, training sessions, or time spent in City-owned, rented, or leased vehicles or equipment. Police officers who have confiscated alcohol or tobacco products within the scope of employment are exempt from this policy for that time period. See *Policy 7.11 Tobacco Use* for more information.

C. Uniform Maintenance

The employee will be responsible for all cleaning and care of the uniforms, unless this service is provided under a lease agreement. City uniforms must be in good condition. The employee's immediate supervisor will determine whether an employee's uniform is clean and serviceable. Replacement uniforms will be furnished at the City's expense on an as needed basis and as funding allows. Supervisors are responsible for determining the need for uniform replacement. Uniforms damaged due to employee carelessness or negligence will be replaced at the employee's cost.

D. Uniforms at Termination

Employees who separate employment for any reason must return all uniforms and insignia issued by the City. Supervisors are responsible for the return of all identifying patches and insignia. Employees must sign the *Wage Deduction Authorization Agreement (Appendix F, Form 6)* at the time the uniform is issued. By signing the form, the employee agrees to return all City-issued uniforms at separation of employment. Failure to do so will result in deduction from the final pay check equal to the replacement value of the item not returned as authorized by the Wage Deduction Authorization Agreement.

**5.10 Credit Union**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To describe credit union services offered to employees of the City of Texarkana.

POLICY:

The City of Texarkana offers all employees the opportunity to join a Credit Union that provides full service banking, including checking and savings accounts and loan opportunities.

Employees in the following employment classifications are eligible to participate in the Credit Union:

- Full time employees
- Part time employees

Employees are eligible for membership at the following credit union:

Morris Sheppard Credit Union

903-798-3258

www.morrisheppardcu.org

Contact the Human Resources Department for additional information.

**5.11 Tuition Reimbursement**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To provide employees with the procedures to access and utilize the City of Texarkana's Tuition Reimbursement Program.

POLICY:

In recognition of the long-range contribution that additional job related education can make in continued quality service to the community, educational expense reimbursement is offered to eligible employees on a limited basis according to the following guidelines. Only Full Time Employees are eligible to participate. Tuition reimbursement does not apply to doctoral degrees.

A. Eligibility

1. Educational courses must be taken from an accredited college or university. For the purposes of this policy, accredited shall mean an institution of higher education recognized by the Department of Education and the Southern Association of Colleges and Universities or other regionally accredited agency.
2. The employee must have a field of study, commonly known as a major, declared with the employee's chosen college or university. Only those fields of study that, in the judgment of the employee's Department Director and the Human Resources Office, are related to the employee's current job classification or which will enhance the employee's potential for advancement to a position within the City are considered under this program. Single courses in self-improvement or continuing education programs not leading to a degree do not qualify under this program.
3. The maximum number of hours eligible to be reimbursed per semester is Six (6).
4. To be eligible for reimbursement, completion of the course with a passing grade of "C" or better for undergraduate level is required, or "B" or better for graduate level work.
5. Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc) are required to submit reimbursement requests for the balance of the tuition not covered by the alternate source.
6. Reimbursement of tuition may not exceed the cost per semester hour for a course(s) at Texas A&M University-Texarkana as described in the TAMU-T tuition and fees schedule for "Border State" tuition. Employees will not be reimbursed for any portion of tuition which exceeds that amount.

B. Procedures and Responsibilities

1. An employee considering reimbursement under the terms of this program must make application to the City prior to enrollment in qualified courses. Tuition reimbursement will be paid only if the courses and degree plan in question have been pre-approved.

**5.11 Tuition Reimbursement**

Effective Date: 03/01/2015

Revision Date:

2. New applications will be accepted during the month of February. The employee must complete and submit to their Department Director the *Application for Degree Plan Approval* form (**Appendix F, Form 20**), along with a complete degree plan outlining required courses and a signed *Tuition Reimbursement Agreement* (**Appendix F, Form 23**). The Department Director will enter a recommendation as to approval of the degree plan and then forward the application to the Human Resources Department. The Human Resources Director will review the application for completion and forward to the City Manager's office with recommendations for approval.
3. The decision of the City Manager or designee is final. If the City Manager approves the field of study, all courses in the degree plan are eligible for reimbursement subject to the six (6) hour per semester cap and the availability of funds in the City's Annual Operating Budget. Reimbursement will be paid at 100% of the eligible tuition. Participation is on a first come, first serve basis.
4. Mandatory fees shall be reimbursed at 50%, excluding late fees and interest for delayed payment plans.
5. Sixty days prior to the registration of each semester, the employee must submit a *Course Pre-approval Request* (**Appendix F, Form 22**) to the Human Resources Department notifying the City of the courses to be taken that semester.
6. Upon completion of the course the employee must submit original tuition and textbook receipts, grade reports, and the *Reimbursement Request* (**Appendix F, Form 23**) to the Human Resources Department for reimbursement.
7. Books and course materials will be reimbursed with appropriate receipts up to, but not exceeding, the amount of the tuition reimbursed for the course.
8. The employee who receives tuition reimbursement must remain in service to the City, as a full time employee, for at least one year beyond the date of reimbursement; otherwise, all sums for tuition and books paid by the City over the past year must be refunded to the City. As a condition of receiving tuition reimbursement, the City may deduct any sums owing from the employee's final paycheck from the City as authorized by the Tuition Reimbursement Agreement.

The Employee agrees to refund the City of Texarkana the full amount of the tuition and book reimbursement provided during the year preceding voluntary resignation. An employee applying for tuition reimbursement will sign a *Tuition Reimbursement Agreement* (**Appendix F, Form 21**) acknowledging the requirements.

**5.12 Education Pay**

Effective Date: 03/31/09

Revision Date:

PURPOSE:

The purpose of this policy is to outline the parameters of education pay.

POLICY:

Beginning on the effective date of the HR Handbook, the City of Texarkana will no longer offer education pay.

Grandfather Clause: Employee's receiving or qualified to receive education pay prior to the effective date of this policy will be grandfathered and receive education pay. Any additional college credit hours obtained after the effective date will not qualify for education pay.

This policy applies to all full-time, part-time and temporary seasonal employees of the City.

5.13 Workers Compensation

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To describe the City of Texarkana's Workers' Compensation Program and the procedures to follow when workers' compensation insurance may apply.

**POLICY:**

The City of Texarkana complies with the Texas Labor Code in the provision of workers' compensation insurance coverage for its employees. This program covers an injury or illness sustained in the course of employment that requires medical treatment, subject to applicable legal requirements and workers' compensation guidelines. Workers' compensation insurance coverage begins immediately upon employment with the City.

Employees who sustain work-related injuries or illnesses must inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it must be reported.

Neither the City nor the workers compensation insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's participation in an off-duty recreational, social, or athletic activity sponsored by the City or for outside employment.

Time off on workers' compensation leave will not be counted as time worked for the purposes of determining overtime. FMLA will run concurrent with workers compensation absences. See **Policy 3.04 Family and Medical Leave** for more information

For additional information on workers' compensation, visit the Texas Workers' Compensation Commission online at <http://www.tdi.gov/wc//indexwc.html> or contact Human Resources.

**5.14 WC Reporting Requirements**

Effective Date: 03/01/2015

Revision Date:

1. An employee who suffers ANY on-the-job injury shall report the incident to their supervisor immediately. Upon notification of an on-the-job injury, the immediate supervisor shall conduct an investigation and complete the appropriate Risk Management Form. Injuries should be properly documented even when the injury does not require treatment by a physician.
2. On-duty injuries or illness are subject to the same guidelines for HIPAA privacy requirements as an injury or illness which occurs outside of the work environment.
3. All supervisors must report the injury and submit the Risk Management Form to the Human Resources Department within 24 hours of when the injury was reported by the employee.
4. Incidents occurring during weekends and holidays shall be reported to Human Resources prior to 11:00 a.m. the following business day.
5. Superficial injuries such as minor cuts should be treated at the Health Department by the Employee Health Nurse whenever the Employee Health Nurse is available.
6. When an on-the-job injury requires professional medical attention, the injured employee shall obtain a dated medical report (doctors slip) from the attending physician at the time of treatment. The doctor's slip shall state if the employee is medically released for full duty or restricted duty. If the doctor recommends restricted duty, the report shall list the limitations. The employee or their immediate supervisor is responsible for submitting the completed doctor's slip to the city's Human Resources Department when the Risk Management Form is submitted or as soon as possible thereafter.
7. The employee shall obtain a separate doctor's slip completed for each subsequent visit to a doctor, clinic or hospital.
8. An employee returning to work from a lost time injury shall submit a completed doctor's slip reflecting the doctor's release. The doctor's release shall be submitted to Human Resources within 24 hours of the employee's return.
9. Employees who need medical treatment have the right to choose a doctor or medical facility from the Texas Department of Insurance list of designated doctors.
10. Employees who are authorized by a physician to be off work due to an on-the-job injury shall contact the Human Resources Department by telephone within 24 hours after each doctor visit. If the employee cannot make the call, they must have someone call on their behalf.

**5.14 WC Reporting Requirements**

Effective Date: 03/01/2015

Revision Date:

11. An employee who is authorized to be off duty due to an on-the-job injury shall be subject to disciplinary action if the employee:
- a. Engages in part-time or full-time work which is inconsistent with the employee's injury or illness.
 - b. Falsifies or misrepresents the physical condition or disability.
 - c. Fails or refuses to follow the instructions of the treating physician.
 - d. Fails to report for examination or treatment as directed by the treating physician.
 - e. Refuses to return to regular or modified duty when authorized by the treating physician and offered by the City.

**5.15 Supplemental Benefits**

Effective Date: 03/01/2015

Revision Date:

1. Supplemental Injury Benefits may be paid by the City to full time regular employees, sustaining an on the job injury, to make up the difference between Workers' Compensation benefits and the employee's regular net pay. This pay is subject to regular payroll deductions.
2. Supplemental Injury Benefits will be provided for the first **12 consecutive weeks** from the date of injury when an eligible employee is unable to work.
3. At the expiration of the **12-week period**, the employee may use their available vacation and sick leave balances to continue receiving supplemental pay. The employee may supplement their pay for the duration of the injury leave as long as vacation and sick leave balances are available.
4. Vacation and sick leave will accrue during the **12 consecutive weeks** from the date of disability, illness, injury, or medical condition. Employees who are unable to return to work and perform the essential functions of their job in a modified capacity shall cease to accrue vacation and sick leave at the end of **12 consecutive weeks** from the date of disability, illness, injury, or medical condition.
5. For Civil Service, the leave is with full pay for a period commensurate with the nature of the line of duty illness or injury. If necessary, the leave shall continue for at least one year.

Eligibility for Supplemental Injury Benefits

1. Emergency, seasonal, temporary, part-time, or other irregularly scheduled employees, as well as employees who are completing their training periods or are on disciplinary probation are not eligible to receive injury leave.
2. The eligible employee must report to the Human Resources Department by telephone within 24 hours of every follow up doctor's appointment.
3. The eligible employee will no longer be entitled to Supplemental Injury Benefits if they resign, are terminated from employment for any reason, retire, or do not comply with the requirements of this policy.
4. The eligible employee must agree to perform regular or modified duties, as assigned, when allowed by the treating physician and/or City's designated physician.
6. If an employee's supplemental injury benefits are terminated for failing to comply with any of the requirements listed herein, the employee will be notified, in writing,

**5.15 Supplemental Benefits**

Effective Date: 03/01/2015

Revision Date:

by the Human Resources Director. Once supplemental injury benefits have been denied or terminated for any given injury, the employee shall not be eligible to receive supplemental injury benefits in the future in relation to the same injury. The employee shall cease to accrue vacation and sick leave.

Payment for Supplemental Injury Benefits

1. Supplemental Injury Benefits will also be provided when the employee sustains a job-related injury, returns to work, later begins losing time due to the initial injury, and qualifies to receive temporary income benefits. In no case will the employee be provided more than twelve weeks Supplemental Injury Benefits for the same injury. Supplemental Injury Benefits will not be provided for follow-up doctor visits or continuing physical therapy once the employee has returned to work.
2. Supplemental Injury Benefits may not result in an increase in the employee's net pay as compared to the employee's net pay before the injury or illness. Net pay is comprised of the weekly non-taxable Workers' Compensation pay and the Supplemental Injury Benefit pay.
3. Employees are not entitled to receive both Workers' Compensation weekly pay and their regular paycheck. If an employee is overpaid, the employee shall repay the amount of the overpayment. The Finance Department may schedule the payments if necessary by deducting the overpayment amount from the employee's paycheck as indicated on the employee's authorized deduction form.

**5.16 Voluntary Salary Continuation**

Effective Date: 03/01/2015

Revision Date:

Effective June 16, 1998 the City allows injured employees to voluntarily agree to exchange their weekly workers' compensation check for their regular City payroll check. This is a voluntary program in lieu of the standard practice of deducting the workers' compensation payment from the regular paycheck prior to issuance. If an employee chooses to participate, they shall complete a Voluntary Salary Continuation Agreement and submit the form to the Human Resources Department within 7 days from the date of injury.

**5.17 Modified Duty Assignment**

Effective Date: 03/01/2015

Revision Date:

The City offers modify duty assignments to ill or injured employees who are unable to perform their regular job duties. The decision to offer an employee a modified duty assignment is made in the City's sole discretion. A modified duty assignment may be in the employee's own or another department in the City. Factors considered by the City in making its decision include, but are not limited to: the nature of the employee's illness or injury; the medical release provided in support of modified duty; the risk that a modified duty assignment may result in aggravation of the employee's injury or illness; the type of modified duty work available; the length of the employee's employment with the City; the employee's performance and disciplinary history; and whether the illness or injury occurred on or off duty. In making modified duty assignments, the City will normally give priority to employees whose injury or illness is work-related.

Employees who are released for and given a modified duty assignment may not perform work duties in violation of their medical release. An employee, who violates the terms of the medical release while on a modified duty assignment may lose the modified duty assignment and, in addition, may be disciplined up to and including termination of employment.

Modified duty will not normally extend beyond ninety [90] calendar days without an evaluation by the employee's treating physician and a recommendation from the Department Director to the Director of Human Resources. Only the Human Resources Director may approve an extension of a modified duty assignment. Employees still unable to return to regular duty within the time limit established for modified duty must re-qualify for modified duty through evaluation by their treating physician or revert to workers' compensation indemnity payment, accumulated sick leave, Family Medical Leave Act (FMLA) or vacation benefits, if available.

An employee who is released for and offered modified duty by the City, but who elects not to accept such an assignment, will be ineligible salary continuation benefits under workers' compensation, but may still be entitled to unpaid leave under the City's Family Medical Leave Act policy.

During a modified duty assignment, employees will typically work an 8-hour workday, Monday through Friday. This means that 24-hour shift employees, as well as other employees who work a non-traditional schedule, will usually be temporarily reassigned to an 8-hour workday, Monday through Friday, for the duration of their modified duty assignment.

An employee's salary during any modified duty assignment shall be at the same rate as the salary received prior to the injury.

All modified duty requests and assignments will be reviewed by and coordinated through the Director of Human Resources. The Director of Human Resources will work

**5.17 Modified Duty Assignment**

Effective Date: 03/01/2015

Revision Date:

with the employee's department in determining whether modified duty work will be offered. Before returning to regular job duties following a modified duty assignment, the employee must provide a full release from the physician to return to work and coordinate the return through the Director of Human Resources.

**5.18 Reasonable Accommodation**

Effective Date: 03/01/2015

Revision Date:

1. When an employee is unable to perform the essential functions of his/her position with or without reasonable accommodations due to a disability, illness, injury or medical condition, the City may deem the position vacant and fill the position when business necessity requires any time after 12 weeks following the date lost time began.
2. An employee who has a job-related illness or injury that renders the employee incapable of performing his/her regularly assigned duties shall first utilize the Supplemental Injury Benefits prior to being placed in an unpaid leave status.
3. The City Manager or his/her designee may authorize the continuation of employment in certain cases if the employee provides written information from the treating physician indicating that he/she may be able to perform the essential functions of his/her position within a reasonable and specific period of time. The period of time will be determined after considering the employee's entitlement to the leave, needs of the department, and nature of the injury as indicated by the treating physician. See: **(Chapter 1 Section 1.14 Employee Health Examinations/Fitness for Duty)**.
5. A reasonable accommodation, if available, will be provided to any otherwise qualified employee, as defined by the Americans with Disabilities Act and its amendments.
6. Requests for a reasonable accommodation must be submitted by the individual to the Human Resources Director. All such requests shall be reviewed by the immediate Supervisor, the Department Head, and the Human Resources Director.



Chapter 6: Employee Conduct

6.01 Disciplinary Procedures

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To provide a structured corrective action process to bring attention to existing performance, conduct or attendance issue(s).

POLICY:

It is the policy of the City of Texarkana that employees comply with certain standards of performance and where noncompliance is corrected in a manner that protects the dignity of employees. Disciplinary action is considered a dimension of performance evaluation and employee development. It is a corrective process to help employees overcome work related shortcomings, strengthen work performance, and achieve success. The following disciplinary procedures will usually be followed. However, each disciplinary action may be tailored to the specific offense or violation and may take into consideration the specific situation and previous performance record of the individual involved.

A. Reasons for Action

Disciplinary action may be taken for an employee's failure to maintain minimum performance standards, as disciplinary action for misconduct, or for an employee who is experiencing a series of unrelated issues involving job performance. Unrelated performance issues may be considered separately unless the effect of the performance deficiencies has a cumulative effect on the employee's overall performance.

B. Documentation

Supervisors are expected to document disciplinary action using the *Performance Correction Notice (Appendix F, Form 13)*. The documentation should contain a description of the action that prompted the discipline, the action taken, and the required improvement by the employee, including time frames, as necessary. Every disciplinary action taken shall be recorded so as to provide documentation that rules are enforced equitably and in accordance with stated policy, without regard to race, gender, national origin, disability, age, religion, military/veteran status, genetics, sexual orientation, gender identity, or any other characteristic provided by law. All disciplinary documentation shall be sent to Human Resources to be kept in the employee's personnel file.

C. Procedure

The City reserves the right to exercise any of the disciplinary options, up to and including termination of an employee. Repeating or jumping a step, or moving to immediate discharge may be appropriate depending on the circumstances and management's judgment.

**6.01 Disciplinary Procedures**

Effective Date: 03/01/2015

Revision Date:

Below are examples of the levels of discipline:

1. Verbal Warning

A verbal warning is best suited for a minor rule infraction or incident of substandard performance. It is usually the first step in the disciplinary action process to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the issue or violation of City policies. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the issue. A **Performance Correction Notice** (Appendix F, Form 13) detailing the event shall be signed by the employee and the supervisor and submitted to Human Resources within five (5) business days. A memo may be prepared by the supervisor if needed, and attached to the *Performance Correction Notice*. A copy must be kept in the employee's personnel file in Human Resources.

2. Written Reprimand

A written reprimand is a more serious form of discipline that includes formal documentation of the performance, conduct or attendance issues and consequences. A **Performance Correction Notice** (Appendix F, Form 13) detailing the event, clearly outlining expectations, and identifying steps the employee must take to improve performance or resolve the issue shall be signed by the employee and the supervisor and submitted to Human Resources within five (5) business days. A memo may be prepared by the supervisor if needed, and attached to the *Performance Correction Notice*. A copy of the written reprimand must be kept in the employee's personnel file in Human Resources.

The immediate supervisor will meet with the employee and review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant Performance Improvement Plans. The immediate supervisor or Department Director will outline for the employee the consequences if he/she continues to fail to meet performance, conduct or attendance expectations. A notification outlining that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken may also be included in the reprimand.

3. Disciplinary Probation

The purpose of disciplinary probation is to allow the employee a stated period of time to demonstrate improvement on a specific performance area(s) identified at the time the employee is placed on disciplinary probation. A **Performance Improvement Plan** that includes a statement of the issue, action steps to achieve necessary improvement, length of probation period, and information concerning further disciplinary action that could result from failure to show improvement shall be signed by the employee. Disciplinary probation shall not

**6.01 Disciplinary Procedures**

Effective Date: 03/01/2015

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exceed six months in duration and may be used in conjunction with a suspension after a serious or repeated violation. No pay increases or promotions will be authorized during disciplinary probation. A copy of the disciplinary probation memo must be submitted to Human Resources within five (5) business days and kept in the employee's personnel file in Human Resources.

4. Suspension

A Department Director may authorize suspension without pay for up to 120 hours in a single calendar year, with the approval of Human Resources. Suspensions over 120 hours shall require the written authorization of the City Manager. Employees, in all suspensions, shall be given written notice of the reason(s) for the suspension. Upon return to work, if the supervisor and/or Department Director do not see immediate improvement in the employee's performance, he/she will be terminated. Suspensions shall be signed by the employee, the supervisor, Department Director, and Human Resources Director and must be submitted to Human Resources within five (5) business days and kept in the employee's personnel file in Human Resources.

5. Suspension during Criminal Proceedings

During investigation, hearings, or trial of an employee on any criminal charges, the employee may be placed on Administrative leave with pay, for the duration of the proceedings (whenever such leave would be in the best interest of the City as determined by the City Manager). An Administrative Leave memo will be issued by the Director of Human Resources and signed by the employee. A copy must be kept in the employee's personnel file in Human Resources. This is not a disciplinary action, but merely a status until the results of the investigation, hearing or trial are obtained.

6. Demotion

A Department Director may demote an employee for reasons which include, but are not limited to, a violation of rules or policies or repeated, intentional refusal to improve performance. Demotions may be permanent or for a predetermined period of time and may be used in conjunction with a disciplinary probation.

Disciplinary demotions may be accompanied by a reduction in salary, if appropriate. Employees shall be given written notice of the reason(s) and duration of the demotion, and in the case of a temporary demotion, the **Performance Improvement Plan** required for the employee to be reinstated to the former position. A copy of the written notice of demotion must be submitted to Human Resources within five (5) business days and kept in the employee's personnel file in Human Resources.

**6.01 Disciplinary Procedures**Effective Date: 03/01/2015
Revision Date:**7. Administrative Leave**

Administrative leave can be used for disciplinary purposes, decision making leave, and/or transition period. See Section 3.09 for guidelines.

8. Termination

Employees may be terminated at any time. Nothing in this policy should be read or construed as modifying or altering the employment-at-will relationship between the City of Texarkana and its employees.

Termination is normally taken when other disciplinary actions have been utilized, but performance has not changed or when an employee has committed a major violation or performed at an unacceptable level as determined by his/her supervisor or Department Director. Termination shall be approved by the Human Resources Department. Employees who are terminated are not eligible to receive unused benefits. A copy of the termination letter must be initiated and approved by Human Resources before proceeding with the termination. A copy of this letter will be kept in the employee's personnel file in Human Resources.

D. Disciplinary Action and Performance Evaluation

Employees on probation or suspension at the time of the annual performance evaluation are not eligible for a pay increase. After the employee is removed from disciplinary status, the employee may be eligible to receive an increase consistent with his/her performance level if annual increases are budgeted. **The increase shall not be retroactive.**

Nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between the City of Texarkana and its employees.

**6.02 Employee Conduct and Work Rules**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To promote and ensure appropriate conduct by providing guidelines governing specific issues affecting employee conduct.

POLICY:

All employees are expected to conduct themselves both on and off the job in accordance with the guidelines set forth in this policy and are expected to exemplify conduct that is lawful and professional. Employees conduct, on and/or off the job, should instill public confidence and trust, and should not bring the City into disrepute. An employee's off duty behavior should not discredit or adversely impact the City's image or public trust. Compliance with these standards of conduct is a condition of employment.

The following work rules relating to personal conduct are intended to provide minimum guidelines for employee conduct and work performance, and to inform employees of prohibited conduct. Engaging in one or more of the following forms of prohibited conduct may result in disciplinary action up to and including termination.

Each employee has a duty to report to a supervisor, Department Director, or to the Human Resources department **any employee conduct** that such person believes is a violation of the law, constitutes a misuse of City funds or assets, or represents a danger to public health and safety. An employee will not be subject to disciplinary action or reprisal for bringing forward, in good faith, allegations of wrongdoing in accordance with this policy.

The following (A-X) is a non-exclusive list of examples of employee conduct for which an employee may be disciplined. The City has the right to exercise any disciplinary options as the situation may warrant.

- A. **Unsatisfactory attendance** is exemplified by, but is not limited to, the following violations:
1. Unexcused absence or tardiness;
 2. Failure to give notice of an absence or tardiness to the supervisor before the start of the employee's work day, or as may be prescribed by departmental policy;
 3. Separate absences or days of tardiness which exceed the average absences or days of tardiness of the employee's work group and which lack sufficient justification according to the supervisor or Department Director;
 4. Absence or tardiness that causes significant curtailment or disruption of services without sufficient justification according to the supervisor or Department Director; or

**6.02 Employee Conduct and Work Rules**

Effective Date: 03/01/2015

Revision Date:

5. Abuse of leave, such that the employee's absence from the workplace renders him/her unable to perform the essential functions of the job at a satisfactory level, except as provided by the Family and Medical Leave Act.
 6. Nothing in this policy is intended to be applied in such a way as to violate the Family and Medical Leave Act or the Americans with Disability Act, as amended. It is the City's intention to work with its employees in either situation, to enter into interactive dialogue, to provide leave, and to provide an accommodation, as necessary, if no undue hardship is created for the City.
- B. **Excessive use of sick leave** may constitute grounds that the physical condition of an employee is below the requirement(s) for the employee to perform the essential functions of the job. Failure to provide a physician's certification will be deemed a violation of City Policy and subject to disciplinary action. Refer to Chapter 3.03 - Sick Leave for more information.
- C. **Abandonment** occurs when an employee deliberately and without authorization is absent from the job, or refuses a legitimate order to report to work, for two (2) consecutive work days. The employee is deemed to have abandoned his/her job and shall be terminated.
- D. **Inability to come to work** occurs when an employee is absent due to an extended illness or injury after all eligible leave has been exhausted, except when the employee's absence is covered by the Family and Medical Leave Act.
- E. **Unwillingness to perform assigned work satisfactorily** is exemplified by, but is not limited to, the following violations:
1. Failure to follow routine written or verbal instructions;
 2. Arguing over assignments or instructions; or
 3. An accumulation of other deficiencies indicating the employee's continuous, intentional and/or unwillingness failure to adequately perform in a productive and efficient manner.
- F. **Indifference toward work** is exemplified by, but is not limited to, the following violations:
1. Inattention, inefficiency, loafing, carelessness, or negligence;
 2. Reading unauthorized material, playing games, watching television, movies or accessing unauthorized internet sites, unauthorized e-mail usage, or otherwise engaging in entertainment while on the job and/or in view of the public;

**6.02 Employee Conduct and Work Rules**

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Revision Date:

3. Excessive failure to remain at one's work station without notifying his/her supervisor, leaving work without permission, or taking excessive, unauthorized time for eating or break periods;
4. Smoking or using tobacco products in other than designated areas;
5. Performance of personal business during working hours;
6. Interference with the work of others; or
7. Discourteous or irresponsible treatment of the public or other employees.

G. **Sabotage** is exemplified by, but is not limited to, the following violations:

1. Deliberate damage to or destruction of City equipment or property;
2. Defacing of City property;
3. Unauthorized alteration, removal, destruction, or disclosure of City records;
4. Advocacy of or participation in unlawful trespass or seizure of City property;
5. Encouraging or engaging in slowdowns, sit-ins, or other concerted actions or efforts to limit or restrict employees from working;
6. Encouraging City employees to disobey provisions of these rules and regulations, the City Charter, City ordinances, or other laws;
7. Interference with the public use of or access to City services, properties, or buildings; or
8. Threats to commit any act of sabotage as defined in this subparagraph.

H. **Safety and workplace violations** are exemplified by, but are not limited to, the following violations:

1. Failure to follow City or departmental safety rules and regulations;
2. Failure to use required safety apparel;
3. Removal or circumvention of a safety device;
4. Operations of a vehicle or other equipment in an unsafe, negligent, or careless manner;
5. Smoking in a prohibited area;
6. Endangering of one's own safety or that of others by careless or irresponsible actions or negligence;
7. Use of another's computer sign-on or computer access code(s), or providing an individual's sign on or computer access code to a third party without proper authorization to gain access to the City's computer network or access to confidential or privileged information;
8. Reading another employee's mail, correspondence, or email without express permission, except as otherwise authorized by personnel policy;
9. Listening to another employee's voice mail without express permission, except as authorized by the personnel policy; or
10. Failure to maintain a driving record acceptable to the City.

**6.02 Employee Conduct and Work Rules**

Effective Date: 03/01/2015

Revision Date:

- I. **Dishonesty** is exemplified by, but is not limited to, the following violations:
1. Cheating, forging, or falsification of official City reports or records;
 2. False reporting of the reason for a paid leave of absence;
 3. Failure to accurately record time records, or recording the time of another employee; or
 4. Any other falsifying action detrimental to the City, City employees, or others.
- J. **Theft**, regardless of item value, is exemplified by, but is not limited to, the following violations:
1. Unauthorized taking of City property, City supplies, or the property of others;
 2. Unauthorized use of City or employee funds;
 3. Using or authorizing the use of City equipment, supplies, or employee services for other than official City business, including the unauthorized use of long distance or pay telephone services (including "900" toll calls); or
 4. Using or authorizing the use of City equipment or employee services without proper authority.
- K. **Insubordination** is exemplified by, but is not limited to, the following violations:
1. Willful failure or refusal to follow the specific orders or instructions of a supervisor or higher authority; or
 2. Pursuit of a denied request to a higher authority without revealing the lower level disposition; provided that:
 - a. If the employee believes an instruction or order is improper, he/she should request an interpretation from the next higher level of authority; or
 - b. If the employee believes the instruction or order, if followed, would result in physical injury to the employee or others, or damage to City equipment, the employee should request approval by the next higher level of supervision before performing the work, unless the danger complained about is inherent to the job.

**6.02 Employee Conduct and Work Rules**

Effective Date: 03/01/2015

Revision Date:

L. Abuse of drugs or alcohol.

1. Abuse of drugs or alcohol is exemplified by, but is not limited to, the following violations:
 - a. An employee is judged unable to perform duties in an effective and safe manner due to:
 - (1) ingestion, inhalation, or injection of a drug; or
 - (2) ingestion of an alcoholic beverage;
 - b. An employee possesses or ingests, inhales, or injects into his/her body a drug:
 - (1) during working hours and lunch periods;
 - (2) in a City vehicle;
 - (3) on City property; or
 - c. An employee possesses or ingests an alcoholic beverage:
 - (1) during working hours and lunch periods;
 - (2) in a City vehicle; or
 - (3) on City property;
 - (4) except at an authorized City event.
2. In this section:
 - a. "Drug" means a controlled substance as defined by Chapter 481 of the Texas Health and Safety Code, as may hereafter be amended.
 - b. "Alcoholic beverage" means alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

M. Disturbance is exemplified by, but is not limited to, the following violations:

1. Fighting, horseplay, or raucous conduct;
2. Deliberately causing physical injury to another employee or third party;
3. Harassment or intimidation;
4. Unnecessary disruption of the work area;
5. Use of profane, abusive, threatening, or loud and boisterous language;
6. Sexual harassment;
7. Spreading of false reports

N. Unauthorized use of City property is exemplified by, but is not limited to, the following violations:

**6.02 Employee Conduct and Work Rules**

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1. Intentional, careless, or negligent damage or destruction of City equipment or property;
 2. Waste of City materials or negligent loss of tools or materials;
 3. Loss of City tools, equipment, or materials.
 4. Improper maintenance of City equipment and tools;
 5. Damage caused by use of City tools or equipment for purposes other than that for which the tools or equipment was intended; or
 6. Unauthorized internet or e-mail usage.
- O. **Misconduct** is any criminal offense or immoral conduct, during or off working hours, which, on becoming public knowledge, could have an adverse effect on the City or the confidence of the public in City government. "Criminal offense" means any act constituting a violation of law and/or resulting in your arrest, charges being filed, an indictment, conviction or confinement.
- Employees must notify their immediate supervisor and the supervisor will notify the Human Resources Director within 24 hours of any arrest, charge, indictment or driver's license suspension/revocation, whether related to on-duty or off-duty events. Employees may be transferred, demoted or terminated if it is determined by the City in an Administrative Review that the criminal offense is inappropriate for the position or might otherwise compromise the public trust or confidence in the City government.
- In determining whether the criminal offense is inappropriate for the position in question, the City will consider, but is not limited to, the following factors:
1. Nature of the position;
 2. Nature of the offense;
 3. Severity of the offense;
 4. Security of other employees and/or citizens;
 5. Disruption of the workplace; or
 6. Violation of public trust.
- P. **Disregard of public trust** is any conduct, during or off working hours, which, on becoming public knowledge, could impair the public's confidence or trust in the operation of City government.
- Q. **Failure to report a violation** is exemplified by, but not limited to, failure to report any known violation described in these subsections to the supervisor, Department Director, and/or Human Resources.

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- R. **Discrimination:** No employee shall discriminate against any individual on the basis of race, color, creed, religion, gender, national origin, age, disability, ethnic affiliation, military/veteran status, sexual orientation, gender identity, or any other characteristic protected by law.
- S. **Labor organizations:** No employee shall engage in any form of unauthorized labor organization or political association activities while on duty or on City property. An employee shall have the right to join labor organizations, but nothing shall compel the City to recognize or to engage in collective bargaining with any such labor organizations.
- T. **Membership in unlawful groups:** No employee shall be or become a member with intent to further its aims of any organization, association, movement, or group which advocates or approves the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unlawful means.
- U. **Traffic Violations:** Employees shall notify their immediate supervisor of traffic violations, (except Class C traffic offenses), any arrest, indictment or convictions within five (5) calendar days of such traffic violation, arrest, indictment or conviction. Employees who operate City vehicles or equipment are required to notify their supervisor immediately of all traffic violations, excluding parking violations of any conviction therefore.
- V. **Concealed handgun:** Except for sworn peace officers, no employee of the City, whether licensed or not licensed by the State of Texas to carry a concealed handgun, shall carry a concealed handgun or any other firearm into any City building or portion of a building, or have in his/her possession in any City vehicle.
- W. **Confidentiality and use of information:** No employee shall make known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time or any proposed law enforcement action to any person not authorized to receive it. An employee shall treat the official business of the City as confidential and shall disseminate information regarding official business only to those for whom it is intended in accordance with established City procedures and consistent with Texas' Public Information Act. An employee may remove or copy official records or reports from a City office only in accordance with established procedures and with the approval of the applicable Department Director. An employee shall not promise confidentiality or divulge the identity of a person giving confidential information except when authorized by proper authority and necessary in the performance of their work. Further, an employee shall not use information

**6.02 Employee Conduct and Work Rules**

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gained from any City information system for anything other than official City business.

- X. **Administrative Review or Internal investigation:** An employee shall fully cooperate in a City Administrative Review or internal investigation, and is required to answer all questions truthfully and with full disclosure. Any employee failing or refusing to cooperate in a review or investigation will be subject to disciplinary action up to and including termination.

**6.03 Disciplinary Actions Appeal Process**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To outline the procedures for full time employee appeal to a disciplinary action. This policy does not apply to part time, temporary, or seasonal employees.

POLICY:

An employee who wishes to appeal a disciplinary action may do so by the following procedure. Written notification of the appeal of a disciplinary action must be presented to the following management personnel in the order indicated.

A. Step One – Appeal to Employee Disciplinary Review Board (See Appendix B)

A written request for an appeal hearing before the Review Board shall be presented to the **Human Resources Department** within five (5) City business days of the disciplinary action taken. Once the request is received, a hearing date shall be set by the Human Resources Department.

The Review Board shall hear the appeal and issue a written decision within five (5) City business days of the hearing. In cases involving written reprimands, probation, and disciplinary suspension for five (5) City business days or less, the decision of the Review Board shall be final. In cases involving disciplinary suspension of more than five (5) City business days, demotion, or dismissal, the decision of the Review Board may be appealed to the City Manager or designee. In the event this occurs, a written request must be submitted to the Human Resources Department within five (5) City business days after the decision of the Review Board is issued. Procedures for the Employee Review Board can be found in the Appendix (Appendix B).

B. Step Two – Appeal to the City Manager

In the event the decision of the Review Board is eligible to be appealed, and is requested, the City Manager shall hear the appeal within five (5) City business days of the request, unless the date is extended by mutual agreement between the employee and the City Manager. The City Manager reserves the right to appoint one or more designees to hear an appeal in his/her stead at any time during the appeal procedure. Employee representation will be allowed if requested.

The City Manager shall have the absolute right to determine the case on the merits. The City Manager shall render a written decision to the employee and Department Director within five (5) City business days at the conclusion of the appeal hearing. The decision of the City Manager is final.

**6.04 Grievance**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

The purpose of this policy is to provide employees guidelines for discussing and resolving grievance matters and procedures to follow when those matters are not resolved to the employee's satisfaction.

Grievance policies and procedures empower employees by ensuring that their voices are heard. A formal process improves employee morale, relieves immediate supervisors of ongoing disputes, and helps to ensure that disagreements and other issues are addressed in a prompt and orderly fashion.

POLICY:

The scope of a grievance is limited to the inappropriate or inconsistent application of a written policy.

No employee will retaliate against a grieving employee.

DEFINITIONS:

"Business day" means any day the City is open to conduct normal business. For the purposes of this policy, it does not include the day the grievance is filed and the day the written response is given.

"Grievable Act" means conduct that constitutes an unequal and/or unlawful treatment, interpretation and/or application of City or departmental policies, procedures, or practices; and retaliation.

"Grievance" means a formal, written claim for a grievable act.

"Non-Grievable Act" is something that an employee may not submit as a grievance. Examples include but are not limited to:

1. Job or duty assignments;
2. Work schedules and shift assignments;
3. Staffing levels;
4. Disciplinary matters;
5. Performance evaluations.

"Grieving Employee" is an employee who files a grievance.

**6.04 Grievance**

Effective Date: 03/01/2015

Revision Date:

PROCEDURE:**1. Filing the Grievance**

An employee who believes he/she is the subject of a grievable act is strongly encouraged to discuss the matter with an immediate supervisor – minimally, in an informal manner. If the immediate supervisor cannot resolve the employee's concerns, the employee may pursue filing a formal grievance in accordance with this policy. Nothing shall preclude the employee from filing a formal grievance initially.

An employee desiring to file a grievance must either use the **Employee Grievance Form (Appendix F, Form 12)** or complete a memorandum similar in structure to the grievance form. The grieving employee may attach documents the employee feels is pertinent to the grievance.

2. Investigating the Grievance

Any person who is responsible for receiving and responding to a grievance should interview the grieving employee and other applicable employees, and review as many relevant documents as necessary in order to thoroughly respond.

3. Three Steps of the Grievance Process**A. Step One – Immediate or Designated Supervisor**

The grieving employee must present the written grievance to the immediate or designated supervisor within ten (10) City business days of: 1) the grievable act; or 2) the application of policy; or 3) when the employee learned of the grievable act.

Each department is responsible for designating the applicable supervisor for Step One.

Once received, the supervisor shall provide a written response to the grieving employee within ten (10) City business days of receiving the grievance. Employees who attempt to grieve a non-grievable act will receive notice that the grievance is dismissed and will receive a copy of this grievance policy for guidance.

Grieving employees who are dissatisfied with the immediate or designated supervisor's decision may appeal the decision in writing to the Department Director within five (5) City business days after receiving the supervisor's decision.

**6.04 Grievance**

Effective Date: 03/01/2015

Revision Date:

B. Step Two – Department Director

The Department Director will schedule a meeting with the grieving employee and provide a written response to the grievance within ten (10) City business days of receiving the grievance request.

Grieving employees who are dissatisfied with the Department Director's decision regarding the grievance may appeal the decision in writing to the City Manager within five (5) City business days of receiving the Department Director's decision.

C. Step Three –City Manager

The City Manager will schedule a meeting with the grieving employee within ten (10) days of the request. A written response to the grievance will be provided to the employee within ten (10) City business days of meeting with the employee. The decision of the City Manager is final.

**6.05 Drug and Alcohol Use Policy**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To ensure the City of Texarkana is a work environment free of substance and alcohol abuse.

POLICY:

It is the desire of the City to provide an alcohol and drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate physical condition to perform their jobs in a satisfactory and safe manner.

Prohibition Against Alcohol and Illegal and Unauthorized Drugs. While on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment, no employee may use, possess, distribute, sell, or be under the influence of alcohol (except under the limited circumstances described below), inhalants, illegal drugs, including drugs which are legally obtainable but which were not legally obtained, and prescribed drugs which are not being used as prescribed.

The use of alcohol by a City employee during a business lunch is prohibited even though the person with whom the employee is having lunch may be consuming alcohol. No employee in his or her work-related capacity should ever be impaired because of the excessive use of alcohol. City employees may not store or transport alcohol in a City-owned or leased vehicle.

Prohibition Against Illegal and Unauthorized Drug-Related Paraphernalia. This policy also prohibits the use, possession, distribution and sale of drug-related paraphernalia while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment. Drug-related paraphernalia includes material and/or equipment designed for use in testing, packaging, storing, injecting, ingesting, inhaling or otherwise introducing illegal or unauthorized drugs into the body.

Permissive Use of Prescribed and Over-The-Counter Drugs. The legal use of prescribed and over-the-counter drugs is permitted while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment only if it does not affect an employee's performance of the essential functions of the job (or operate the vehicle, or use the tools, property or other equipment) effectively and in a safe manner such that he/she does not pose a danger to him/herself and/or to his/her co-workers.

**6.05 Drug and Alcohol Use Policy**

Effective Date: 03/01/2015

Revision Date:

Police Department Employees. Certain City Police Department employees may be required to be in possession of alcohol and/or drugs in carrying out their job duties. These employees will be exempted from portions of this policy under limited conditions. Additional guidelines may be established by Police Department operating procedures.

Mandatory Disclosure by Employees. Employees taking prescription medication and/or over-the-counter medication must report such use to either their immediate supervisor or Department Head if there is a reasonable likelihood the medication will impair the employee's ability to perform the essential functions of his or her job (or operate a vehicle, or use City property or other equipment, if applicable) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace.

On-Call Employees. Employees scheduled to be on call are expected to be fit for duty upon reporting to work. Any employee scheduled to be on call, and is called out, is responsible for following this policy. Sometimes, an employee who is not scheduled to be on call may nevertheless be called out. If this or any other situation occurs where the employee called out is under the influence of alcohol or drugs, prescribed or illegal, such that reporting to work would result in a violation of this policy, the employee must so advise the appropriate supervisor on duty. The employee will not be required to report to work.

Mandatory Reporting of Convictions. Employees must notify their immediate supervisor and the Department Director, in writing, of any alcohol or drug-related convictions (including a plea of *nolo contendere*) or deferred adjudication, for a violation occurring off duty and/or in the workplace no later than twenty-four (24) hours after the arrest and/or conviction.

Off-Duty Conduct. The City may take disciplinary action, up to and including termination of employment, if an employee's off-duty use of or involvement with drugs or alcohol is damaging to the City's reputation or business, is inconsistent with the employee's job duties, or when such off-duty use or involvement adversely affects the employee's job performance.

Rehabilitation/Treatment.

1. It is the City's desire to assist employees who voluntarily request assistance with alcohol or drug dependency. For City support and assistance, however, an employee must acknowledge the issue and seek and accept counseling and/or rehabilitation before it impairs job performance and/or jeopardizes the employee's employment. See Chapter 5.08 Employee Assistance Program.
2. Employees with drug or alcohol abuse issues that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take a

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- leave of absence to participate in a rehabilitation or treatment program. (An employee may not enroll in a rehabilitation or treatment program in lieu of disciplinary action.) The leave of absence may be granted in the City's sole discretion. Factors considered by the City in deciding whether to grant leave include: the length of the employee's employment with the City; the employee's prior work and disciplinary history; the employee's agreement to abstain from the use of the substance and follow all other requirements of the rehabilitation/treatment program; the reputation of the program and the likelihood of a successful outcome; the employee's compliance with City policies, rules, and prohibitions relating to conduct in the workplace; and the resulting hardship on the City due to the employee's absence. Unless otherwise required by law, it is the City's policy to grant such a leave of absence only once during the course of an employee's employment with the City.
3. The cost of any rehabilitation or treatment may be covered under the City's group health insurance policy. In any case, the employee is responsible for all costs associated with any rehabilitation or treatment program.
 4. During time off for a City-approved rehabilitation or treatment program, the employee must use any available vacation leave, sick leave, compensatory time off, or other accrued paid leave time.
 5. If the employee successfully completes the prescribed rehabilitation or treatment, the City will make reasonable efforts to return the employee to the prior position or one of similar pay and status. However, employment with the City following a City-approved leave for rehabilitation or treatment is conditioned on the following:

Initial negative test for drugs and/or alcohol before returning to work;

A written release to return to work from the City-approved rehabilitation or treatment facility/program;

Periodic and timely confirmation of the employee's on-going cooperation and successful participation in any follow-up or ongoing counseling, testing, or other treatment required in connection with the City-approved rehabilitation or treatment program, if applicable;

In addition to any testing required in connection with the employee's ongoing treatment or follow-up to treatment, all employees who participate in rehabilitation or treatment under this section will also be required to consent to periodic and/or random testing by the City for up to two years following the employee's return to work following treatment; and,

The employee must sign a formal written agreement to abide by the above

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conditions, as well as any other conditions deemed appropriate by the Director of Human Resources. The employee must meet with the Director of Human Resources to discuss the terms of continued employment.

Policy Violations. Violations of this policy will generally lead to disciplinary action, up to and including immediate termination of employment. The Police and Fire Departments may have stricter disciplinary rules regarding violation of this policy. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Director of Human Resources to receive assistance or referrals to appropriate resources in the community.

I. TESTING

Types of Tests. Testing may include one or more of the following: urinalysis, hair testing, breathalyzer, intoxilyzer, blood, or other generally-accepted testing procedure.

Testing of Applicants. All applicants to whom a conditional offer of employment has been made will be required to submit to testing for alcohol and controlled substances, as defined in schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by regulations located at 21 CFR 1300.11 through 1300.15. A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will render the applicant ineligible for consideration of employment or future employment with the City.

Testing of Employees.

1. Employees may be tested for alcohol and/or controlled substances after a workplace injury or accident or “near miss,” **when reasonable suspicion exists**, or in connection with any required treatment or rehabilitation. The City may conduct random testing on employees holding safety-sensitive positions. If you have a question as to whether your position is “safety-sensitive”, ask your supervisor or Human Resources.
2. Police and Fire Department employees are also subject to any applicable Departmental rules and regulations regarding illegal drug and alcohol testing.
3. Reasonable suspicion drug and alcohol testing is conducted when a trained supervisor has reason to believe that an employee is in violation of this policy. The reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or odors of the employee; the observations may also include indications of the chronic and withdrawal effects of controlled substances. The supervisor must consult with the Department Director (or designee) and affirm the basis of the suspicion. If the Department Director concurs, the employee will be required to undergo testing only after consultation with the Director of Human Resources. A written report of the

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reasonable suspicion observations must be prepared by the supervisor(s) who made the observation within 24 hours of the observed behavior or before the results of tests are released, whichever is earlier. This report must be promptly forwarded to the Director of Human Resources.

4. Tests will be paid for by the City. To the extent possible, testing will normally be done during the employee's normal work time.
5. ***Any employee who refuses to be tested, or who attempts to alter or tamper with a sample or any other part of the testing process, will be subject to disciplinary action up to and including termination.***
6. A positive test result is a violation of the City's Drug and Alcohol Use Policy and may result in disciplinary action up to and including termination of employment. Any employee who is terminated for violation of the City's Drug and Alcohol Use Policy will not receive any unused vacation days or other benefits upon termination and he/she is ineligible for future employment with the City.
7. The City has additional obligations when testing for controlled substances and alcohol for those employees regulated by the U.S. Department of Transportation. Please see the City's Drug and Alcohol Policy for DOT Employees for additional information.

Testing Procedures.

1. All testing must normally be authorized in advance by both the employee's Department Director and the Director of Human Resources. If the Department Director is unavailable within a reasonable period of time, the Director of Human Resources may, with sole discretion, authorize the testing of an employee. If the Director of Human Resources is unavailable within a reasonable period of time, the Department Director may, with sole discretion, authorize the testing of an employee. For **reasonable suspicion testing**, testing may not be authorized without the supervisor's documentation of the articulable factors which led the supervisor to suspect that the employee is under the influence of a controlled substance or alcohol. Testing should be arranged as soon as possible after the supervisor's articulable observations.
2. If an employee's conduct resulted in a work place accident, injury or "near miss," and reasonable suspicion exists to believe that the employee has violated the City's Drug and Alcohol Use Policy, the employee will be provided with transportation to the testing facility. A supervisor or other designated City representative may be required to stay with the employee during the testing process. The City may, in its discretion, reassign the employee or put the employee on administrative leave until the test results are received. The City will make arrangements to have the employee transported home after the testing.

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3. All controlled substance testing will be performed by an approved laboratory or healthcare provider chosen by the City. All positive test results will be subject to confirmation testing.
4. Test results will be maintained in a confidential file separate and apart from the employee's personnel file. Any medical-related information will be confidential and accessible only by the Director of Human Resources; supervisors and managers on a need to know basis, including those who have a need to know about necessary restrictions on the work or duties of an employee and any necessary accommodation; first aid and safety personnel when appropriate; insurance companies as may be necessary to provide health or life insurance to employees; by court order or as otherwise legally mandated; and as necessary to protect the interests of the City.

**6.06 Drug and Alcohol Use Policy for DOT Employees**

Effective Date: 03/01/2015

Revision Date:

Employees/Applicants Subject To Testing. City employees who drive a commercial motor vehicle (CMV) requiring a Commercial Driver's License (CDL) as part of their job duties are subject to alcohol and drug testing as required by the U.S. Department of Transportation (DOT), the Federal Motor Carrier Safety Administration and as outlined in this policy. The employee's supervisor or the Director of Human Resources will advise the employee if the employee is subject to DOT testing and the terms of this policy. Employees who are not required by DOT to hold a CDL are not subject to this policy. Applicants for employment for a position requiring a CDL are also subject to testing under this policy.

Employees covered by this policy are also required to comply with the City's Drug and Alcohol Use Policy. In other words, this DOT Drug and Alcohol Policy is in addition to, not in lieu of, the provisions of the City's general Drug and Alcohol Use Policy. DOT tests will be completely separate from non-DOT tests in all respects. DOT tests take priority and will be conducted and completed before a non-DOT test is begun. All drug and alcohol testing performed under this DOT Policy will comply with applicable DOT procedures. If this policy conflicts with DOT regulations in any way, the DOT regulations will govern.

Refer to Attachment A for a listing of City positions currently subject to the testing provisions of this policy. The list of job titles on Attachment A may change as job responsibilities change or as new jobs are added to the City's work force. Employees required by DOT to hold a CDL, due to the type of equipment they operate, are subject to this policy whether or not this list is immediately updated to include their job titles. Employees who hold these jobs are required to carry their CDLs when they are at work or are operating City equipment.

Prohibited Alcohol Use.

- a. **On-duty and Pre-duty Use.** Reporting for, or remaining on, duty requiring the performance of safety-sensitive functions is prohibited under the following condition:
- While having a breath alcohol concentration of 0.04 or more as indicated via breath test;

Prohibited Drug Use. Illicit use of controlled substances by safety sensitive drivers is prohibited both on and off duty. An employee may not report for duty or remain on duty when using or after use of any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a CMV. An employee may not report for duty, remain on duty or perform a safety sensitive function if the employee tests positive for controlled substances or has adulterated or substituted a test specimen.

Required Alcohol and Drug Tests. DOT requires the following testing for covered drivers: pre-employment, post-accident, random, reasonable suspicion, return-to-duty and follow-up testing. Before conducting any required DOT testing, the City will notify the driver that the alcohol or drug test is required by DOT regulations.

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Effective Date: 03/01/2015

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- a. **Pre-employment Testing.** Drug and alcohol tests will be conducted after a conditional offer of employment is made, but before actually performing safety-sensitive functions for the first time. These tests are also required when employees are promoted, demoted or transferred into a safety sensitive driver position.
- b. **Post-accident testing.** Drug and alcohol tests will be conducted after accidents in which the driver's performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents even if the driver is not cited for a moving traffic violation. Post-accident testing must be conducted as soon as practicable on all surviving drivers following an occurrence involving a CMV operating on a public road in commerce, as follows:
 - When the employee is **issued a moving traffic violation citation and one or more of the vehicles involved is disabled and must be towed from the scene;**
 - When the employee is **issued a moving traffic violation citation and any person involved in the accident is injured to the extent that he/she requires and receives immediate medical treatment away from the scene of the accident;** or
 - In an accident involving a **fatality**, testing will be performed on anyone who was performing safety sensitive functions with respect to the vehicle.

An employee subject to post-accident testing must remain readily available for such testing or will be deemed by the City to have refused to test. Nothing in this policy shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary medical care.

In post-accident situations, the City may substitute a blood or breath alcohol test for a urine drug test, so long as the test is performed by state or local law enforcement officials using procedures required by their jurisdictions, provided such test results are received directly from the local jurisdiction. A positive post-accident test administered by law enforcement will result in the same action as a positive post-accident test performed at the City's request.

Post-Accident Alcohol Testing. If alcohol testing cannot be administered within 2 hours of one of the above listed occurrences, a written statement explaining why the alcohol test was not promptly administered must be provided to the Director of Human Resources by the appropriate supervisor. If alcohol testing cannot be administered within 8 hours after the occurrence, the City will cease attempts to administer an alcohol test and document the reasons the alcohol test was not administered. This report must be promptly forwarded to the Director of Human Resources.

Post-Accident Drug Testing. A driver will be drug tested as soon as practicable but not later than 32 hours after one of the above listed occurrences. If the driver is not drug tested within 32 hours, the appropriate supervisor must prepare a report

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documenting the reason why and promptly forward the report to the Director of Human Resources.

- c. **Reasonable suspicion testing.** Reasonable suspicion drug and alcohol testing is conducted when a trained supervisor has reason to believe that an employee is in violation of this policy. The reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or odors of the employee; the observations may also include indications of the chronic and withdrawal effects of controlled substances. The supervisor must consult with the Department Director (or designee) and affirm the basis of the suspicion. If the Department Director concurs, the employee will be required to undergo testing only after consultation with the Director of Human Resources. A written report of the reasonable suspicion observations must be prepared by the supervisor(s) who made the observation within 24 hours of the observed behavior or before the results of tests are released, whichever is earlier. This report must be promptly forwarded to the Director of Human Resources.

Reasonable Suspicion Alcohol Testing. Reasonable suspicion alcohol testing is permitted only if the reasonable suspicion observation is made during, just before, or just after, the period of the work day the employee is required to be in compliance with this policy. An employee may be directed to undergo reasonable suspicion testing only while the employee is performing, just before performing, or just after performing, safety sensitive functions. If alcohol testing cannot be administered within 2 hours after the reasonable suspicion observation, a written statement that explains why the alcohol test was not promptly administered must be given to the Director of Human Resources. If alcohol testing cannot be administered within 8 hours after the observation, the City will cease attempts to administer an alcohol test and the appropriate supervisor must immediately document the reasons that the alcohol test was not administered; this report must be promptly forwarded to the Director of Human Resources.

Reasonable Suspicion Drug Testing. A driver will be drug tested as soon as practicable but not later than 32 hours after the reasonable suspicion observation. If the driver is not drug tested within 32 hours, the appropriate supervisor must prepare a report documenting the reason why and promptly forward the report to the Director of Human Resources.

- d. **Random Testing.** Drivers are selected for random, unannounced drug and alcohol testing using a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with the employee's Social Security number, payroll identification number, or other comparable identifying numbers. Each driver subject to this policy will have an equal chance of being tested each time random selections are made. The number of drivers randomly selected will be in accordance with applicable DOT regulations. Each driver randomly selected for testing will be tested during the selection period. Dates and times for random testing are unannounced and spread reasonably throughout the calendar year. Each driver selected for random testing must proceed to the test site immediately after notification; if, however, the driver is performing a safety-

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sensitive function, other than driving a CMV, at the time of notification, the City will instead ensure that the driver ceases to perform the safety-sensitive function and proceeds to the testing site as soon as possible. A driver will be randomly tested for alcohol just before, during, or just after performing, safety sensitive functions; random testing for drugs does not have to be conducted in immediate time proximity to performing safety sensitive functions.

- e. **Return-to-duty and follow-up testing.** Return-to-duty tests are conducted when a driver who has violated DOT's prohibited drug and alcohol standards returns to performing safety sensitive duties. Follow-up tests are unannounced, and at least 6 tests must be conducted in the first 12 months after a driver returns to duty; follow-up tests may be extended for up to 60 months following a driver's return to duty. Drug tests must be negative and alcohol tests must demonstrate a breath alcohol level of less than 0.02. The driver will pay all costs associated with return-to-duty testing. When applicable, the City will follow all applicable DOT regulations in requiring return-to-duty and follow-up testing. The City is not, however, required to hire an applicant or continue the employment of a driver who has violated DOT drug and alcohol regulations or this policy and it is the policy of the City not to do so. Thus, return-to-duty and follow-up tests are generally applicable only for those seeking assistance as set out below and, based on individual circumstances, for those who may have had an alcohol concentration of 0.02 or greater, but less than 0.04.

Refusal to Test. An employee who refuses to be tested in any of the above circumstances, who obstructs the testing process, or who tampers/alters a specimen, will not be permitted to perform or continue to perform safety sensitive functions and may be terminated. An applicant who does one of these prohibited acts will not be hired. Except in the case of pre-employment testing, a refusal to test includes the failure to appear for testing within a reasonable time, as well as failure to remain at the testing site until the testing process is complete. Failure to test also includes the failure to provide the required sample with no adequate medical explanation, and the failure to cooperate with any part of the testing process (e.g., refusing to empty pockets when asked to do so, behaving in a confrontational way that disrupts the collection process, or failure to undergo a medical exam or evaluation as directed by the physician medical review officer (MRO) as part of the verification process).

Additional Information About Alcohol Testing.

- b. **Consequences of a Positive Alcohol Test.** An employee who is tested and has an alcohol concentration of 0.04 or greater will be removed from safety sensitive functions and may be terminated. An employee who is tested and has an alcohol concentration of .02 to .039 will not be permitted to perform safety sensitive functions for a minimum of 24 hours and will be disciplined, up to and including termination. If not terminated, then the employee will receive a mandatory referral to a substance abuse professional through the Employee Assistance Program. Any non-compliance with the recommendations of the substance abuse professional will result in disciplinary action, up to and including termination.

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- b. **Alcohol Testing Procedures.** A trained breath alcohol technician will conduct alcohol tests. If the alcohol concentration is 0.02 or greater, a second confirmation test will be conducted in accordance with DOT regulations, the results of which will determine any actions taken. Any result of less than 0.02 alcohol concentration is considered a “negative” test. The second, confirmation test results determine if the employee is in violation of this policy. Testing procedures that ensure accuracy, reliability and confidentiality of test results will be followed pursuant to DOT regulations.

Additional Information About Drug Testing.

- a. **Drug Testing Procedures.** Drug testing is conducted by analyzing a driver’s urine specimen at a lab certified by the U.S. Department of Health and Human Services. The driver provides a specimen in a location that affords privacy and the “collector” seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug-testing lab. “Split” urine specimens provide drivers with an opportunity for a second test, if needed. If the driver challenges the validity of the test, then the employee has 72 hours to request that the split specimen be sent for testing to another certified lab approved by the City’s Director of Human Resources. The second test will be at the driver’s own expense.
- b. **Drugs Tested For.** DOT requires testing for the following drugs:
- Marijuana (THC)
 - Cocaine
 - Amphetamines
 - Opiates
 - Phencyclidine (PCP)

A screening test is performed first. If it is positive for one or more of these drugs, then a confirmation test is performed. Whenever the terms “drug,” “drugs” or “controlled substances” are used in this policy, they refer to the substances listed above. The City will not test for any other substances under this policy. The City may, however, test for other controlled substances pursuant to its general Drug and Alcohol Use Policy.

- c. **Review of Drug Test Results.** All drug test results are reviewed and interpreted by a physician medical review officer (MRO) before they are reported to the City. If the lab reports a positive result to the MRO, the MRO will contact the driver (either in person or by phone) and will conduct an interview to determine if there is an alternative medical explanation for the drug(s) found in the driver’s urine specimen. If the driver provides appropriate documentation and the MRO determines that it is a legitimate medical use of the prohibited drug(s), the drug test result is reported as a negative to the City.
- d. **Consequences of a Positive Drug Test.** A driver will be removed from safety sensitive duties and placed on administrative leave if the test returns a positive for drugs. The

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removal cannot take place until the MRO has interviewed the driver and determined that the positive test resulted from the unauthorized use of a controlled substance. A confirmed positive drug result will result in termination of employment.

Confidentiality. Test results may be released only to the driver, employee health nurse, a substance abuse professional, laboratory officials or a medical review officer. Records will also be made available to a subsequent employer or other identified person upon the driver's specific written request. Test results will not be released to others except as required by law or expressly authorized in the applicable DOT regulations (e.g., the decision maker in a lawsuit, appeal or administrative proceeding initiated by or on behalf of the driver and arising from a positive DOT drug or alcohol test or refusal to test; this includes workers' compensation and unemployment proceedings.) All test results will be kept in a confidential file by the Director of Human Resources. Management and supervisory personnel who are authorized to have access to alcohol and drug testing results must maintain complete confidentiality regarding this information. City employees who make a reasonable suspicion observation must also maintain confidentiality. Breach of confidentiality relating to test results, or any other related matters, will likely result in disciplinary action, up to and including termination of employment.

Information From Prior Employers. For new hires, promotions and transferred employee-drivers seeking to perform safety sensitive functions for the first time, the City is required, with the driver's written consent, to obtain information from previous employers regarding alcohol test results of 0.04 or greater, verified positive drug test results, refusals to test (including verified adulterated or substituted drug test results), and any other violation of DOT drug and alcohol testing regulations within the two years prior to the date of the driver's application, promotion or transfer. Affected individuals must sign a Breath Alcohol and Drug Testing Results Request. The City will obtain and review the information before allowing the person to perform safety sensitive functions. The City will maintain a written, confidential record of the information it obtains and/or the good faith efforts it made to obtain the information. This information will be retained for a minimum of 3 years. The City will also ask if the person has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the driver applied for, but did not obtain, safety sensitive transportation work covered by a DOT agency drug and alcohol testing rules during the past 2 years. If the driver refuses to provide the City with the required written consent, the driver will not be permitted to perform safety sensitive functions.

Record Retention. The City will maintain and retain records under this policy as mandated by DOT regulations.

Notification to Applicants/Employees of Positive Test Results. The City will notify applicants of the results of a pre-employment drug test if the applicant requests such results within 60 calendar days of the disposition of the employment application. The City will notify an employee of the results of random, reasonable suspicion and post-accident drug tests if the test results are confirmed positive, and also which controlled substance(s) verified positive after the MRO confirms the positive. The City will also make reasonable efforts to contact and request each driver who tested

**6.06 Drug and Alcohol Use Policy for DOT Employees**

Effective Date: 03/01/2015

Revision Date:

positive to contact and discuss the results of his/her drug test with a MRO who has been unable to contact the driver. The City will immediately notify the MRO that the driver has been notified to contact the MRO within 72 hours.

Employee Admission of Drug/Alcohol Use. An employee who admits to alcohol misuse or drug use must do so in accordance with the City's general Drug and Alcohol Use Policy; provided, however, the employee may not self-identify in order to avoid the testing requirements of this DOT policy. Further, the employee must make the admission prior to performing a safety sensitive function, i.e., prior to reporting for duty. The employee may not perform a safety sensitive function until the City is satisfied that the employee has been evaluated and has successfully completed educational or treatment requirements in accordance with the City's general Drug and Alcohol Use Policy. A drug and alcohol abuse evaluation expert, i.e., an EAP professional, a substance abuse professional or a qualified drug and alcohol counselor, will determine successful completion. Prior to the employee performing safety sensitive functions, the employee must undergo a return to duty alcohol test with a result of less than 0.02 and/or a return to duty drug test with a negative test result.

Safety Sensitive Functions. Safety sensitive functions/duties include:

- ***All time at a City, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the City;***
- All time inspecting equipment as required by applicable DOT regulations or otherwise inspecting, servicing, or conditioning any CMV at any time;
- All time spent at the driving controls of a CMV in operation;
- All time, other than driving time, in or upon any CMV;
- All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

For purposes of this policy, safety sensitive function or duty means all the time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.

Transportation to Testing Site. With the exception of pre-employment and random testing, employees will be driven to the testing facility by a supervisor. The supervisor will remain with the employee during the testing process. The City will make arrangements to have the employee transported back to the City or home, as appropriate, after the testing is complete.

Questions. Anyone with questions regarding this policy should contact the Director of Human Resources.

**6.07 Harassment and Discrimination**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To provide guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.

POLICY:

It is the policy of the City of Texarkana to prohibit any form of harassment, discrimination or retaliation of employees, applicants or members of the public. The City maintains a strict policy that harassment whether sexual, racial, ethnic national origin or religious in nature or directed toward one's age, gender, genetic information, military/veteran status, gender identity, sexual orientation, or disability status is not acceptable in the workplace and will not be tolerated. All employees, including managers, supervisors and representatives of the City are expected to refrain from exhibiting any unwelcome behavior or displaying conduct toward any other employee, applicant or members of the public which could be interpreted as harassment.

Equal employment opportunity has been, and will continue to be, a fundamental principle at the City of Texarkana, where employment is based upon personal capabilities and qualifications without regard to race, color, gender (sex), age, national origin, disability, genetic information, national origin, military/veteran status, gender identity, sexual orientation, or any other protected characteristic established by law. This policy of equal employment opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination, and all other terms and conditions of employment. The City prohibits and will not tolerate any such discrimination, harassment and/or retaliation.

The City is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City expects that relationships among persons in the workplace will be business-like and free of bias, prejudice, and harassment. This policy is not to be construed to prohibit the City from establishing bona fide occupational qualifications that relate to physical or mental capabilities required to perform a job.

Allegations of inappropriate behavior, harassment, discrimination and/or retaliation will be promptly investigated by the Human Resources Director or designee.

A. Definitions of Harassment**1. Sexual harassment**

For the purpose of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, non-verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or such conduct has the

**6.07 Harassment and Discrimination**

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purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include a range of subtle, not so subtle, or overt behaviors and may involve individuals of the same or different gender. These behaviors may include, but are not limited to:

- a. Unwanted sexual advances or requests for sexual favors;
- b. Unwelcome, sex-oriented kidding, jokes or innuendo;
- c. Use of sexual profanity or other verbal abuse of a sexual nature;
- d. Subtle pressure or overt demand for sexual activity;
- e. Commentary about an individual's body, sexual prowess, or sexual deficiencies;
- f. Insulting or obscene teasing, comments, or gestures;
- g. Leering, catcalls, staring at a person's body;
- h. Physical contact such as patting, pinching or repeatedly brushing against another's body;
- i. Display or circulation in the workplace of sexually suggestive objects, pictures, or calendars featuring persons in sexually suggestive or submissive poses (including transmission and/or receipt of information through email); or
- j. Dancers/strippers on City property, and any other physical, verbal, or visual conduct of a sexual nature.

2. Harassment or Discrimination on the Basis of a Protected Characteristic

Under this policy, **harassment** is verbal, non-verbal or physical conduct that denigrates or shows hostility or aversion toward an individual based on race, gender, color, religion, national origin, age, disability, military/veteran status, gender identity, sexual orientation, or any other characteristic protected by law, and that:

- a. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- b. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- c. Otherwise adversely affects an individual's employment opportunities.
- d. Harassing or discriminatory conduct includes, but is not limited to:
 - i. Epithets, slurs, or negative stereotyping;
 - ii. Threatening, intimidating, or hostile acts;
 - iii. Denigrating jokes;
 - iv. Display or circulation in the workplace of written or graphic material that belittles, demeans, victimizes, abuses or shows hostility or aversion toward an individual or group (including transmission or receipt of information through email); or
- v. Individual or group behavior that excludes and/or disrespects other employees; or behavior that undermines an employee's integrity, credibility, work performance or potential for promotion.

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B. General Provisions**1. Scope**

This policy applies to all applicants, employees, elected officials and representatives of the City and prohibits harassment, discrimination, and/or retaliation by fellow employees, supervisor, manager, Director and/or representatives of the City or by individual(s) not directly connected to the City such as an outside vendor, consultant, or customer.

2. Prohibited Conduct

Conduct and behavior described above in the definitions of sexual harassment, gender based harassment, and harassment or discrimination based on a protected characteristic are prohibited in the workplace or in any work-related setting outside the workplace, such as business trips, business meetings, and business-related social events.

3. Prohibition of Retaliation

Retaliation is prohibited against any individual who reports inappropriate behavior, discrimination or harassment, or who participates in an investigation of such reports by filing, testifying, assisting or participating in an investigation. Retaliation against an individual is a violation of policy and will be subject to disciplinary action up to and including termination.

4. Prevention

It will be the ongoing responsibility of the Department Director and/or his/her representative(s) to maintain a professional, positive and productive work environment for all employees that is free of inappropriate behavior, harassment, discrimination and retaliation. Directors, managers and supervisors must monitor the workplace for any inappropriate sexual displays, comments or behavior and take immediate action. This responsibility includes discussing and enforcing this policy and administrative procedures with all employees, and assuring them that they are not required to endure insulting, degrading, exploitative treatment or actions that tend to intimidate, demean, belittle, threaten, victimize, abuse, or otherwise subject them to adverse treatment.

C. Complaint Procedure**1. Reporting: Inappropriate behavior, harassment or discrimination:**

City employees are to report all incidents of inappropriate behavior, harassment, discrimination, and/or retaliation promptly, regardless of the offender's identity or position. The City has developed a ***Discrimination and/or Harassment Complaint Form (Appendix F, Form 11)*** that may be used to file a complaint or the allegations may be provided verbally to the

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immediate supervisor, Department Director or the Director of Human Resources or designee. Individuals who believe they have been a recipient of harassment, discrimination or retaliation should immediately report the behavior or incident to their immediate supervisor, Department Director, or Director of Human Resources or designee. Individuals are not obligated to follow the chain of command and may report allegations or incidents directly to the Director of Human Resources or designee. The Director of Human Resources and the manager or supervisor of the employee are both responsible for notifying each other when an allegation or incident has been reported or a complaint filed. Information disclosure will be limited to those who have a right to know and/or those who are necessary to facilitate review, investigation and/or resolution of the matter. A supervisor's failure to immediately notify Human Resources and/or the Director of the department regarding a harassment, discrimination or retaliation complaint may result in disciplinary action.

- a. *Accusation Disclosure:* If allegations are made to anyone other than the Human Resources Director or designee, the matter must be immediately referred to Human Resources or the appropriate Department Director. If the Director of Human Resources is initially notified of allegations of inappropriate behavior, harassment, discrimination or retaliation, Human Resources will immediately notify the appropriate Department Director. All reports of inappropriate behavior, harassment, discrimination or retaliation shall be immediately investigated and reviewed on an individual basis considering the record as a whole on the totality of the circumstances, such as the nature of the behavior and the context in which the alleged incidents occurred. If harassment, discrimination and/or retaliation is determined, prompt corrective action will be taken.
- b. *Employee Responsibility:* Any Employee who experiences unwelcome, inappropriate or offensive behavior shall make it clear where possible that such behavior is offensive to him/her. Avoid letting such behavior pass without comment. Any employee who feels that he/she is a recipient of inappropriate behavior, harassment, discrimination and/or retaliation has the responsibility to immediately report the facts of the incident (s) to his/her immediate supervisor, Department Director or the Director of Human Resources or designee. This includes employees who think that they are direct recipients of the alleged behavior and also those who believe that they have witnessed harassment, discrimination and/or retaliation of another employee or applicant. Employees are not obligated to follow the chain of command and have the option to report the incident (s) directly to the Director of Human Resources or designee. All incidents of harassment, discrimination and/or retaliation are to be promptly reported. Failure to fulfill this obligation could affect the timely

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internal resolution of an employee's allegations.

- c. *Early Reporting and Intervention* have proven to be the most effective method of resolving actual or perceived incidents of harassment, discrimination and/or retaliation. Therefore, while no fixed reporting period has been established, the City strongly urges the prompt reporting of concerns or complaints in order that rapid and corrective action can be taken. The City will make every effort to stop inappropriate, harassing, and discriminatory and/or retaliatory behavior, and certainly before it becomes severe or pervasive however, the City can only do so with the cooperation of Directors, managers, supervisors and reporting employees. The availability of this reporting procedure does not preclude employees who believe they are subject to inappropriate, harassing, discriminatory and/or retaliatory behavior from promptly advising the offender that his/her behavior is offensive/unwelcome and requesting that the offensive behavior be discontinued.

2. Administrative Review and Investigation

- a. All allegations of inappropriate, harassing, discriminatory and/or retaliatory behavior observed or reported by an employee shall be reviewed immediately by the Director of Human Resources or designee to initially determine the level of administrative review and/or investigation assigned based on the nature of the behavior and the context in which the alleged incident(s) occurred. The Director of Human Resources or designee shall inform the employee or his or her findings and/or recommendations.
- b. *Processing*: After the administrative review, the Human Resources Director or designee shall notify the Department Director of the intent to commence a full investigation.
- c. *Allegation Response*: The respondent will be notified of the allegation's and after the initial discussion, may be given the opportunity to respond to the allegations in writing. The respondent may also elect to respond to any other significant new information or allegations that arise during the investigation process.
- d. *Administrative Leave*: When warranted, the Department Director may recommend that the respondent and/or recipient be placed on administrative leave during the investigation process. The Department Director and Director of Human Resources shall mutually agree on such action.
- e. *Allegation Discussion*: If appropriate, investigators will meet with the respondent's Department Director to discuss the allegation(s).
- f. *Determination Filing*: Unless the investigation progresses into more allegations, then within ten (10) work days of the investigation conclusion, the City attorney and the respondent's Department Director will be



provided with a determination as to the validity of the complainant's allegations and whether disciplinary action is warranted.

- g. *Complaint Withdrawal:* The complainant may withdraw his/her complaints at any time. The City may still pursue an investigation, however, and determine whether disciplinary action is warranted.

Any reported allegations of harassment, discrimination, or retaliation will be reviewed and investigated promptly, thoroughly, and impartially, regardless of when it was reported. The administrative review and investigation will include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The City has a compelling interest in protecting the integrity of its administrative reviews and investigations. In every administrative review and investigation, the City has a strong desire to protect witnesses from harassment, intimidation and retaliation, to keep evidence from being destroyed, to ensure that testimony is not fabricated, and to prevent a cover-up. Therefore, in most circumstances, to achieve these objectives, the City must maintain the administrative reviews and/or investigations in the strictest confidence. Employees are required to assist fully in any administrative review or investigation process.

An employee's intentions are not a factor in considering alleged harassment behavior. If the effect of an employee's behavior upon another employee has a hostile, offensive, or intimidating effect upon that employee, there is a possibility that harassment or discrimination may be present.

3 Disciplinary Action Procedure

- a. *Disciplinary Action Decisions:* Within ten (10) work days of a determination of violation of City policy relative to harassment, discrimination or retaliation, a disciplinary action decision will be made by the Department Director in consultation with Human Resources and the City attorney. Extensions may be approved by the Director of Human Resources or designee. Disciplinary actions and applicable appeals must be in accordance with established City disciplinary procedures. (Note: A transfer of the respondent may be considered upon the complainant's request.)
- b. *Written Notifications:* In most circumstances, the complainant and the respondent will be provided written notification of the Department Director's decision. The City Manager and those deemed as appropriate will receive copies of the decision.
- c. *Department Director Respondents:* If the Department Director is the respondent, the appropriate actions will be taken by the City Manager.

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Misconduct constituting harassment, discrimination, or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to coaching, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a

promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay, or termination, as the City deems appropriate under the circumstances.

If an employee making a complaint does not agree with the resolution, the employee may appeal to the City Manager or designee. Individuals who have questions or concerns about these policies shall confer directly with their supervisor, Department Director, or a member of the Human Resources Department.

Finally, this policy and its administrative guidelines shall not, and may not, be used as a basis of excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussion in order to avoid allegations of harassment. The policies of the City prohibit disparate treatment on the basis of gender or any other protected characteristic, with regard to terms, conditions, privileges, and perquisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further this policy and its administrative guidelines, not form the basis of an exception to these.

4. Records

All records concerning harassment, discrimination or retaliation complaints, administrative review and investigations are to be kept in a separate, confidential locked file in Human Resources. Access shall be approved by the Director of Human Resources or designee. Records concerning subsequent corrective or disciplinary actions shall be kept in the regular personnel files.

**6.08 Dress Code & Personal Appearance**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

The purpose of this policy is to establish a dress code that projects a positive and professional image of the City of Texarkana and its employees.

POLICY:

Grooming, appearance, and personal cleanliness standards contribute to the morale of all employees and affect the professional image the City presents to citizens and visitors. A professional, businesslike atmosphere shall be reflected in both conduct and dress. During business hours or when representing the City, the employee is expected to present a clean, neat, and tasteful appearance.

City uniforms or apparel with City and/or department logo will not be worn while engaging in other employment or during off-duty hours, unless attending a City sponsored event. Exceptions may be made on a case by case basis by Department Directors. Employees wearing uniforms shall not engage in any acts that would not reflect favorably upon the City (gambling, etc). Employees wearing City uniforms shall not campaign for or against any individual or ballot measure.

No City uniform or apparel with City and/or department logo shall be donated to charity. Before discarding an old uniform, the City logo should be cut off the clothing and shredded to prevent unauthorized use.

Employees must, at all times, dress appropriately and professionally and present a clean and neat appearance while at work and while representing the City or conducting City business. The City allows **business casual dress** in the work place on Monday through Thursday and “**casual dress**” on Friday in accordance with this policy. Department Directors are strongly encouraged to allow their employees to participate in business casual dress, as practical. **Department Directors and supervisors are responsible for enforcing this policy** in their respective departments in order to maintain acceptable dress and appearance.

Employees must remember that they are professionals 100% of the time and are dressing for business, not for pleasure. Police and Fire Department employees may be covered under Departmental policies regarding appropriate dress and appearance.

Standards for Work Attire in a Business Casual Work Environment:

Men: Slacks (twill, Khaki, no jeans) Knit shirts with collar, banded collar shirts, short sleeve or dress shirts are acceptable. All shirts are to be tucked in unless specifically designed to be worn outside trousers. Leather boot or dress shoes.

Women: Slacks (twill, khaki-no jeans) Skirts shall be worn no shorter than 4 inches above the top of the knee. Dress shoes, sandals, pumps, flats, boots or loafers. Blazer, vests, sweater/cardigans, dress cotton T-shirt with jacket, sleeveless blouses or shells may be worn with jackets. Shirts with City logo.

**6.08 Dress Code & Personal Appearance**

Effective Date: 03/01/2015

Revision Date:

Standards for Casual Work Attire:

Casual days are specifically designated days when Employees are allowed to wear clean, neat jeans on Fridays, unless otherwise specified.

Casual attire includes everything listed in Business Casual attire plus neat jeans (no tears), clean sneakers, canvas tennis shoes, boots shirts with city logo, sweatshirts with city logo or no emblem.

The following are inappropriate in a professional environment and are not allowed:

- Provocative or revealing, low cut attire including body-hugging, see-through, or excessively tight fabrics;
- Completely bare shoulders, tank tops, spaghetti straps, halter, or muscle shirts;
- Clothing with unclear or obscene messages or that endorses alcohol, tobacco products, drugs, pornography, or offensive material of any kind;
- Wrinkled, ripped and tattered clothing;
- No visible tattoos which could be deemed offensive. Employees hired after the date of this adopted dress code may not have any visible tattoos.
- Nose rings/studs, eyebrow rings/studs, tongue studs or similar type facial jewelry except earrings as described above.

Hair. Hair styles and hair colors must be appropriate to the employee's position. Extremes of any type are unacceptable. For example, green hair, mohawk style haircuts, and severely spiked hair are not allowed. Hair, including facial hair, must be clean and neatly groomed at all times. Employees are to maintain appropriate personal hygiene and the use of perfumes and facial make-up should be used in moderation.

Reasonable accommodation will be made for Employees' religious beliefs and for disabilities whenever possible, consistent with the business necessity to present a professional appearance to the public.

Uniforms. The City supplies many Fire, Police, Parks and Recreation, and Public Works personnel with appropriate uniforms. Employees in jobs that require a uniform will be told how and where the uniforms can be obtained. The City will provide replacement uniforms as necessary. Uniforms must be clean and neat. City-owned or authorized uniforms may not be used outside of work, for personal use or by any third party. City uniforms may be used by City employees in connection with outside employment only with the Department Director's prior written authorization.

Employees who are provided with uniforms are required to wear their uniforms when on duty and must keep them in good, clean and serviceable condition. No part of the uniform shall be worn by itself. An employee must wear the entire uniform when on duty. No part of the uniform shall be worn when off duty, except to and from work and City related events.

When an employee terminates, uniforms and any other City equipment which the employee possesses must be returned in good condition before final pay will be

**6.08 Dress Code & Personal Appearance**

Effective Date: 03/01/2015

Revision Date:

authorized. The cost of lost or damaged City property and unreturned uniforms will be deducted from the employee's final pay check.

Enforcement. In all cases, the City will make the determination as to acceptable dress, appearance and grooming. Employees should direct questions about appropriate appearance or dress to your supervisor, Department Director, or the Director of Human Resources.

Employees in violation of this policy may be sent home. Under such circumstances, nonexempt employees will not be paid for work time missed, and exempt employees will be required to make up the work time missed. Employees whose grooming or personal appearance violates this policy may be disciplined, up to and including termination of employment.

The Department Director, with approval of the City Manager's office, may make departmental exceptions to this policy when deemed necessary for business reasons or implement a more restrictive dress and appearance policy.

**6.09 Political Activity**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To establish guidelines for employees regarding involvement in political activities.

POLICY:

It is the policy of the City of Texarkana to encourage its employees to fully exercise their constitutional rights as citizens to vote and participate in political activities; however, employees are subject to the restrictions contained herein on political activity, except as may be otherwise provided by law.

City employees will not be appointed or retained on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. No City employee is prohibited from becoming a candidate for public office. However, City employees may not:

- Publicly endorse or campaign in any manner for any person seeking a City public office.
- Use the employee's position or office to coerce political support from employees or citizens.
- Use the employee's official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office.
- Make, solicit or receive any contribution to the campaign funds of any candidate, directly or indirectly through an organization or association, for the City Council or take any part in the management, affairs or political campaign of any such candidate; provided nothing herein shall infringe upon the rights of an employee to seek office himself/herself, express his or her opinions and to cast his or her vote.
- Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.
- Contribute money, labor, time or other valuable thing to any person for City election purposes, except as permitted by law.
- Hold an appointive or elective office of public trust where service would constitute a direct conflict of interest with City employment, e.g. City of Texarkana City Council. Upon being elected to such an office, an employee must immediately resign or will be dismissed upon failure to do so.

Civil Service employees shall be covered by the rules in chapter 143.



Chapter 7: Work Environment

7.01 Cell Phone Use in the Workplace

Effective Date: 03/01/2015

Revision Date:

The City recognizes that many employees bring cell phones to work. Cell phones may belong to the employee or be provided for the employee's use by the City. The use of personal cell phones, including those with a texting, camera and/or video playing capability should be limited as to not impede work or the duties required of an employee and is **subject to a supervisor's approval**. Employees who are permitted by a supervisor to use a personal cell phone while at work must not allow cell phone use to become disruptive or interfere with their own or a co-worker's ability to do their jobs. Employees who use cell phones to violate City policy, including the City's Sexual and Other Unlawful Harassment Policy, will be subject to disciplinary action.

Reasonable personal use of city cell phones is allowed under this policy as long as such use is not excessive and does not impede job performance or the performance of City business.

Except in emergency circumstances, employees are discouraged from using a cell phone while operating a City owned motor vehicle, including both making and receiving phone calls, texting, viewing the Internet, Instagram, or Facebook, reading or responding to emails, etc. During work hours, calls may be conducted from a motor vehicle only if the vehicle has been pulled off the road, removed from traffic, and brought to a complete stop.

All employees must, when asked by the City, consent to a request to provide the City access to all City-issued cell phone and text message records during work hours. Employees using City-issued cell phones have no expectation of privacy in either cell phone calls, pictures, or text messages on these City-issued cell phones made during work hours.

PUBLIC INFORMATION ACT

Employees are advised that records related to calls and text messages made and received on City owned cellular telephones or business calls made on personal cell phones are public information. Information related to telephone numbers called, length of call, and time and date of call as well as the text message itself may be obtainable through the Texas Public Information Act, except in narrowly defined circumstances.

MONITORING OF CELL PHONE CALLS

Employees should be aware that cellular telephone calls are not secure and can be monitored. It is a crime for a third party to intentionally monitor cell phone conversations without the consent of one of the parties to the conversation.

Inadvertent monitoring of private cellular conversations is possible. Caution should be used whenever confidential or sensitive information must be discussed on a City-provided cell phone.

**7.02 Electronic Communications and Systems Access Use**

Effective Date: 03/01/2015

Revision Date:

The City may provide computer networks, Internet access, instant messaging, email, telephones, cell phones, digital cameras, voice mail, and fax communication systems for use by City employees in the performance of their job duties. These communication devices are referred to collectively in this policy as “electronic communications systems” or “systems.” These electronic communications systems are designed to support and enhance the communication, research and information capabilities of City employees and to encourage work-related communication and sharing of information resources within the City. This policy governs user behavior pertaining to access and usage of the City’s electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City’s electronic communications systems. The City’s electronic communications systems access must be used in a professional, responsible, efficient, ethical and legal manner. The City owns all data associated with city owned electronic communications systems.

Internet, Instant Message and email access. Users desiring Internet, instant messaging and/or email access must obtain written authorization from their Department Director and provide it to the Director of IT through the Work Order system. Users must acknowledge an understanding of this policy and its guidelines as a condition of receiving an Internet, instant message and/or email access account. Failure to adhere to this policy and its guidelines may result in suspending or revoking the offender's privilege of access and/or other disciplinary action under City policies, up to and including termination of employment.

Acceptable Use. Acceptable uses of the City’s electronic communication systems are limited to those activities that support reference, research, internal/external communication and conducting City business in line with the user's job responsibilities. Network users are encouraged to develop uses which meet their individual needs and which take advantage of the City’s internal network function. The City prohibits connection to sites or forwarding of information that contain materials that may be offensive to others including, but not limited to, sites or information containing sexually explicit material.

Users must understand that use of any City-provided, publicly accessible computer network such as the Internet, instant messaging and email is a privilege. Minimal personal use of the Internet, instant messaging or email and other electronic communications systems is allowed under this policy as long as such use is not excessive and does not impede job performance or the performance of City business. The City is not responsible for personal communications sent on its electronic communications systems. Supervisors cannot alter the restrictions of this policy.

Unacceptable Uses of Electronic Communications Systems include:

- Using language that is harassing, bullying, discriminatory, threats of violence, maliciously false, intimidating, or retaliatory to coworkers or third parties.

**7.02 Electronic Communications and Systems Access Use**

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- Accessing, displaying, downloading, or distributing sexually explicit material.
- Accessing, displaying, downloading or distributing profane, obscene, harassing, or offensive messages or content.
- Copying or downloading commercial software in violation of copyright law.
- Using the systems for financial gain or for any commercial activity unrelated to City business.
- Using the systems in such a manner as to create a security breach of the City network.
- Looking or applying for work or business opportunities other than for internal City postings.
- Accessing any site, or creating or forwarding messages with derogatory, inflammatory, or otherwise unwelcome remarks or content regarding race, religion, genetics, color, sex, national origin, disability, age, physical attributes, gender identity, sexual orientation, or military/veteran status.
- Transmitting or sharing information regarding a coworker's health status without authorization.
- Expressing opinions or personal views that could be misconstrued as being those of the City.
- Expressing opinions or personal views regarding management of the City.
- Expressing opinions about politics or other political views that could be misconstrued as being those of the City.
- Using the electronic communication systems for any illegal purpose or in any way that violates City policy or is contrary to the City's best interest.

Responsibility. The person in whose name a City provided Internet, email or other electronic communications system account is issued is responsible at all times for its proper use, regardless of the user's location. Exchanges that occur in the course of conducting City business on the City's electronic communications systems will be considered a communication of the City and held to the same standards as formal letters.

No Right of Privacy/Monitoring. Users of City electronic communications systems may not assume they are provided any degree of anonymity and employees have no right to privacy with regard to such systems. Personal passwords are not an assurance of confidentiality. The Internet itself is not secure. To ensure proper use of its electronic communications systems, the City will monitor their use. Management staff has the ability and will, with or without advance notice, monitor and view usage, including but not limited to: employee email, voice mail and instant messages, text messages, information and material transmitted, received or stored using City systems and user Internet access and usage patterns to assure that the City's Internet resources are devoted to maintaining the highest levels of productivity, as well as proper use and compliance with this policy.

Copyright Restriction. Prior written authorization from the Director of IT is required before introducing any software into the City's computer system. Employees may not

**7.02 Electronic Communications and Systems Access Use**

Effective Date: 03/01/2015

Revision Date:

download entertainment software, games or any other software unrelated to their work. Any software or other material, including music, downloaded into a City computer may be used only in ways consistent with the licenses and copyrights of the vendor, author or owner of the material.

Trademark Restriction All marks indicating City of Texarkana or City of Texarkana logos are the property of City and Employees are strictly prohibited from utilizing City marks for any personal communication, including photographs or web pages or social media pages without the express written authorization of the City Manager.

Security Issues All messages created, sent or retrieved on the City's systems are the property of the City. Employees do not have privacy right in any matter that is created, sent or retrieved on the City's systems. The City reserves the right to monitor these systems and access any message, in order to assure superior service to our customers and to enforce this policy. Employees must provide password(s) to the City, as an employee's mailbox may need to be accessed during an absence. Employees must not, however, disclose individual password, messages or other information gained via the City's systems to unauthorized personnel. Consider the proprietary or confidential nature of the City's and its customers' information before relaying it via email. Do not presume that the information will be kept confidential. The City Manager or designee must approve all downloading of software.

**7.03 Social Networking**

Effective Date: 03/01/2015

Revision Date:

POLICY

SOCIAL MEDIA. An employee's use of social media, both on and off duty, must not interfere with or conflict with the employee's duties or job performance, reflect negatively on the City or violate any City policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. This policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City.

The term "social media" encompasses, but is not limited to: tweets and twittering, Facebook, LinkedIn, blogs, and other online journals and diaries; bulletin boards and chat rooms, microblogging and all other social networking sites, instant messaging and the posting of video on YouTube and similar media.

Use of City's Internet. Use of the City's Internet is a privilege and City employees must use it responsibly and ethically. The City may monitor an employee's access, use, and postings to the City's Internet to: ensure compliance with internal policies; support the performance of internal investigations; assist management of information systems; and for all other lawful purposes. The City expects all employees to follow the Guidelines below when posting information on the City's Social media sites.

A. EMPLOYEE GUIDELINES: Use of City's Social Media on Work Time

Any blogging or posting of information on the Internet or other City social media sites must comply with the City's guidelines, regardless of where the blogging or posting is done.

- Blogging, or posting information of a personal nature on the Internet or other City social media sites shall be limited during work hours. Employees are permitted to engage in social networking of a personal nature while using any of the City's electronic social media sites. Such engagement shall not impede job performance and shall not be excessive. The Department Director is responsible for compliance.
- ***Employees must obtain written authorization from the Public Information Officer (PIO) to update or post on social media sites on behalf of the City and all content must be approved prior to posting. All of the employee's time spent updating or posting on City social media sites as part of the employee's job duties is compensable time that must be reported and counted in the calculation of overtime.***

**7.03 Social Networking**

Effective Date: 03/01/2015

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- ***No use of social media on work time and on City equipment on City-operated networks is considered private or confidential, even if password protected or otherwise restricted. The City reserves the right to access, intercept, monitor and review all information accessed, posted, sent, stored, printed or received through its communications systems or equipment at any time.***
- Never disclose any confidential information concerning another employee of the City in a blog or other posting to the Internet. Posting of confidential information may violate state law and subject the user to criminal penalty. All requests for City documents must be processed through the Public Information Act.
- Employees must abide by all federal and state law and policies of the City with regard to information sent through the City's Internet.
- Individual supervisors do not have the authority to make exceptions to these guidelines.

EMPLOYEE GUIDELINES: Use of Personal Social Media While not on Work Time.

The City recognizes that many City employees utilize social media when not at work. The City requires that employees be aware of guidelines regarding posting of work-related information on personal social media sites, and they are listed below.

- If the employee's social networking includes any information related to the City, the employee must make it clear to the readers that the views expressed are the employee's alone and not reflective of the views of the City.
- Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media. Recognize that postings on the employee's social media site, even if done off premises and while off duty, could have an adverse effect on the City's legitimate business interests.
- Respect coworkers and the City. Employees must not put anything on the employee's personal social media site that may defame, embarrass, insult, demean or damage the reputation of the City or any of its employees.
- Employees must not put anything on a personal social media site that may constitute violation of the City's Harassment policy. Employees cannot post any pornographic pictures of any type that could identify the employee as an employee of the City. The City's harassment policy covers both work and non-work time, including postings on social media sites.

**7.03 Social Networking**

Effective Date: 03/01/2015

Revision Date:

- Do not post pictures of yourself or others on your personal social media site containing images of City uniforms or insignia, City logos, City equipment or City work sites.
- Employees cannot post information on a personal social media site that could adversely impact the City and/or an employee of the City.
- Employees must not permit or fail to remove postings violating this policy, even when placed by others on the employee's personal social media site.

Other City Policies. This policy should be read and interpreted in conjunction with other City policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. Violations of the Social Media Policy may lead to disciplinary action.

**7.04 Arrests, Confinements and Indictments**

Effective Date: 03/01/2015

Revision Date:

POLICY

City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.

PROCEDURE

Employee Detained by Law Enforcement Authorities: An employee that is questioned by law enforcement authorities and not free to leave is considered to be “detained.” A detained employee, who fails to report to work at the employee’s regularly scheduled time, and/or provide timely notification to the supervisor, will be subject to disciplinary action for unauthorized absence. If the employee is unable to report to the supervisor because of confinement, the employee must have someone contact the supervisor for the employee, no later than the beginning of the next scheduled work shift, to report why the employee is unable to report to work.

Violations of Law Discovered through Criminal History Check: Offenses, arrests or convictions that are discovered may result in disciplinary action, up to and including termination.

Exempt Employees: Depending on the circumstances of the arrest, confinement, or indictment, the salary or the leave accruals of an exempt employee may be docked for absences of less than one (1) full work day.

Non-exempt Employees: If a non-exempt employee does not report to work as scheduled, the time missed will be recorded as unpaid leave.

Felonies and Misdemeanors: Employees must immediately notify their supervisor and/or Department Director within twenty-four (24) hours if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead *nolo contendere* to any misdemeanor or felony. Employees who do not drive as a part of their job duties with the City are not required to report minor traffic violations. In most instances, the City will conduct its own investigation and take appropriate action. An employee arrested, charged, or indicted for a felony or misdemeanor, or accused by information of official misconduct or other serious criminal violation may be placed on **administrative leave** (with or without pay) until the charge, indictment or information is dismissed or fully adjudicated without trial, and if tried, until the trial and appeal (if any) are completed and all related administrative matters are concluded. Such a determination will typically be made by the Department Director and the Director of Human Resources.

**7.04 Arrests, Confinements and Indictments**

Effective Date: 03/01/2015

Revision Date:

An employee on administrative leave may, in the City's sole discretion, be reinstated to the position held before being placed on administrative leave (if available), if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal.

Employee Status after Violation of Law: At the time the employee's department is made aware of an employee's arrest or conduct constituting an offense, the Department Director shall consult with Human Resources to determine available options which may include, but are not limited to:

- allowing the employee to return to regular duty with pay;
- allowing the employee to return to restricted duty with pay;
- placing the employee on paid administrative leave;
- placing the employee on unpaid administrative leave; or
- terminating the employee.

Disciplinary Action: Disciplinary action may be pursued concurrently or in place of the above options or imposed at a later date. Multiple violations of law or confinements within a prescribed time period may also result in disciplinary action.

Other Policies: This policy should not be construed to limit disciplinary action that may be taken in accordance with other Personnel Policies and Procedures, department policies, or other City-wide policies.

CIVIL SERVICE EMPLOYEES

In addition to the policy above, civil service employees shall be governed by applicable departmental policies and procedures, the City's Civil Service Rules and Regulations and Chapter 143 of the Texas Local Government Code.

**7.05 Weapons Control and Violence Prevention Policy**

Effective Date: 03/01/2015

Revision Date:

The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur.

Zero Tolerance. This policy prohibits harassment, bullying, intimidation, threats, and violent behavior by or towards anyone in the workplace, that is in any way job- or City-related, that is or might be carried out on City-property, or that is in any way connected to the employee's employment with the City, whether the conduct occurs on-duty or off-duty. The City has a zero tolerance policy for this type of misconduct.

Weapons Banned. Unless specifically authorized by the City Manager, no employee, other than a City licensed peace officer, shall carry or possess a firearm or other weapon on City property. Employees are also prohibited from carrying a weapon while on duty or at any time while engaging in City-related business. Prohibited weapons include firearms, clubs, explosive devices, knives with blades exceeding 5 ½ inches, switchblades, etc. Employees do not have an expectation of privacy and the City retains the right to search for firearms or other weapons on City property.

Employees licensed by the State of Texas to carry a concealed weapon may have a permitted weapon only on the City parking lot if it is locked in the employee's vehicle.

Mandatory Reporting. Each City employee must immediately notify his/her supervisor, Department Director, the Director of Human Resources and /or the Police Department of any act of violence or of any threat involving a City employee that the employee has witnessed, received, or has been told that another person has witnessed or received. Even without an actual threat, each City employee must also report any behavior that the employee regards as threatening or violent when that behavior is job-related or might be carried out on City property, a City-controlled site or City job site, or when that behavior is in any manner connected to City employment or activity. Each employee is responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons threatened or the target of the threatening behavior. A supervisor who is made aware of such a threat or other conduct must immediately notify his/her Department Director and the Director of Human Resources.

Protective Orders. Employees who apply for or obtain a protective or restraining order which lists City locations as being protected areas must immediately provide to the Director of Human Resources and the City's Police Department a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent. City employees must immediately advise their Department

**7.05 Weapons Control and Violence Prevention Policy**

Effective Date: 03/01/2015

Revision Date:

Director and the Director of Human Resources of any protective or restraining order issued against them.

Confidentiality. To the extent possible, while accomplishing the purposes of this policy, the City will respect the privacy of reporting employees and will treat information and reports confidentially. Such information will be released or distributed only to appropriate law enforcement personnel and others on a need-to-know basis and as may otherwise be required by law.

City Property. For purposes of this policy, City property includes but is not limited to owned or leased vehicles, buildings and facilities, entrances, exits, break areas, parking lots and surrounding areas, recreation centers, and parks.

Documentation. When appropriate, threats and incidents of violence will be documented. Documentation will be maintained by the Director of Human Resources and/or the Police Department.

Policy Violations. Violations of this policy may lead to disciplinary action, up to and including termination of employment. Policy violations may also result in arrest and prosecution.

**7.06 Searches**

Effective Date: 03/01/2015

Revision Date:

The City may conduct searches or inspections of the work site, including but not limited to City property used by employees such as lockers, file cabinets, desks, and offices, computer and electronic files, whether secured, unsecured or secured by a lock or password provided by the employee. No supervisor has the authority to deviate from City policy.

All searches must be authorized and conducted under the direction of the Department Director and/or Director of Human Resources. Employees who refuse to cooperate with a search may be subject to disciplinary action up to and including termination.

**7.07 City Property/Equipment Use**

Effective Date: 03/01/2015

Revision Date:

From time to time, the City may issue various equipment or other property to employees, e.g., credit cards, keys, tools, security passes, manuals, written materials, telephone cards, uniforms, cellular telephones, computers, and computer-related equipment. Employees are responsible for items formally issued to them by the City, as well as for items otherwise in their possession or control or used by them in the performance of their duties. At the time of issuance, employees may be required to sign certain forms or other documentation evidencing their receipt of property and/or equipment and authorizing a payroll deduction for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, the City may take any other action it deems appropriate or necessary to recover and/or protect its property.

Employees must notify their supervisor immediately if any vehicle, equipment, machinery, tools, etc. appears to be damaged or defective, or are in need of repair. The appropriate supervisor can answer questions about an employee's responsibility for maintenance and care of equipment used on the job. The improper, careless, negligent, destructive, unauthorized, or unsafe use or operation of equipment will likely result in disciplinary action.

Personal Use Prohibited. City property, materials, supplies, tools, equipment or vehicles may not be removed from the premises or used for personal business without prior written approval by the City Manager, or the Department Director.

Vehicle Allowance. An employee may be given a monthly allowance for consistently using such employee's own vehicle for City business if the use is deemed necessary by the City Manager. The amount of the allowance shall be determined by the City Manager.

Take Home Vehicles. A City vehicle may be assigned to a position or employee when it is more economical than payment of a car allowance or mileage reimbursement. To be eligible for assignment of a take-home vehicle, an employee must be subject to emergency call back during off duty hours to locations other than the employee's normal work station. The primary use of a take-home vehicle is to commute to and from home or work. A City vehicle may be used for minimal personal business such as going to the bank, grocery store, etc. without prior written approval of the Department Director. No alcoholic beverages are allowed in City vehicles. No passengers may be transported in take-home vehicles except as required by official duties.

If approved by the City Manager, use of a City owned vehicle may be included within a contract of employment and may be exempt from this policy.

**7.07 City Property/Equipment Use**

Effective Date: 03/01/2015

Revision Date:

The City's vehicles are classified as either **"exempt" or "non-exempt"** as prescribed by law. Employees to whom a "non-exempt" vehicle is assigned for take-home will likely **incur a federal income tax liability** for the fringe benefit of commuting to and from work. Most pickups, vans and automobiles are classified as "non-exempt" vehicles. Police and fire vehicles used by employees on call 24-hours are normally exempt from the fringe benefit tax liability.

Use of City Vehicles. City-owned or leased vehicles may be used only for official City business. City owned or leased vehicles may only be driven by authorized City employees. If an employee drives a personal vehicle, or a City-owned, rented or leased vehicle on the job or while carrying out City-related business, the employee must comply with the following:

- Drivers must have a valid State of Texas driver's license appropriate for the vehicle operated, must maintain a satisfactory driving record, and must inform their supervisor of any change in status.
- Always observe all posted laws and speed limits.
- Always wear seat belts when the vehicle is in operation.
- No passengers other than City employees or others on City business may ride in a City vehicle unless otherwise approved in advance by the Department Director.
- No personal use of City-provided vehicles is allowed without the prior, specific approval of the Department Director.
- All maintenance and use records for City vehicles must be completed as directed by the Fleet Services Manager.
- Report any broken, missing, or worn parts, tires, etc., or any needed maintenance of City vehicles to the appropriate supervisor immediately.
- Drivers covered by Department of Transportation (DOT) regulations must comply with them at all times.

**7.08 Telephone Contact**

Effective Date: 03/01/2015

Revision Date:

- (A) All supervisory personnel and service personnel must have a telephone number at which they can be reached during off-duty hours. This can be a cell phone or a land line telephone.
- (B) No reimbursement shall be made to the employee for the City's use of such employee's private telephone to contact the employee regarding work related matters.
- (C) All employees must immediately notify supervision of any change in phone number(s), and provide a phone number for a secondary contact, i.e., spouse, parent.

**7.09 Safety**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To define health and safety practices utilized by the City to assist in providing a safe and healthy work environment for employees, citizens, customers, and visitors.

POLICY:

The City has established a Workplace Safety Manual which is available in each department. Human Resources is responsible for implementing, administering, monitoring, and evaluating the safety program. However, its success depends on the alertness and personal commitment of all employees.

A. Report of Accident

The City will take all practical steps to eliminate or reduce an employee's exposure to accidental injury or to conditions that would be injurious to his or her health. In the case of accidents resulting in injury, employees must immediately complete a Risk Management Form, located on the City Intranet and submit the form to their immediate supervisor. The supervisor must then submit the form to Human Resources.

B. Safety Training

Employees and supervisors receive periodic workplace safety training through City-initiated risk/safety procedures. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. A safety advisory group has been established to assist in these activities and to facilitate effective communication between employees and management about workplace safety and health issues.

C. Reporting Unsafe Acts

Employees shall cooperate with the City by observing reasonable safety regulations and working in a safe manner. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, fail to report, or, where appropriate, correct such situations, may be subject to disciplinary action, up to and including termination of employment.

D. Safety Suggestions

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, another supervisor or manager, or bring them to the attention of Human Resources. Reports and concerns about workplace safety issues may be made anonymously, if the employee wishes. All reports can be made without fear of reprisal.

**7.10 Travel**

Effective Date: 03/01/2015

Revision Date: 01/07/2015

Purpose

To establish official travel guidelines to safeguard City funds, define reporting requirements, and ensure reimbursements comply with IRS regulations. This policy will remain in effect until changed or otherwise repealed by the City Manager. It supersedes all prior published travel policies.

Policy

The Travel Policy is applicable to all individuals conducting official City business. Official travel should benefit the City and the traveler should have the desire and ability to make productive use of and share the knowledge gained. Professional conduct is expected while representing the City.

The Chief Financial Officer is responsible for the overall administration and enforcement of the travel policy. Directors may impose more restrictions upon their departments within the confines of IRS regulations and the Fair Labor Standards Act as long as employees are properly notified of the restrictions. Employees should report concerns of travel misuse to the Chief Financial Officer.

The City adheres to the General Services Administration's (GSA) per diem & mileage rates. The policy meets IRS Accountable Plan standards for allowing non-taxable reimbursements under the following conditions:

- A business connection exists
- Adequate receipts are filed within a reasonable period of time (30 days)

Approval Levels

Travel expenses are considered authorized if approved in the Annual Budget. Non-budgeted travel must be funded within current budget parameters.

Directors approve employees in their chain of command.

Travel Authorization Request

Travelers are expected to make the most cost effective travel arrangements possible. A Travel Claim Form (TCF) is to be completed identifying estimated expenses. Obtain travel approval prior to making any non-refundable reservations. If the request is denied, the traveler is financially responsible for expenses. Upon approval, the TCF is submitted to Purchasing for issuance of a "Travel Advance" card. Requests must be received at least five (5) working days prior to the departure date. Those with "P" cards open to travel are not required to submit a TCF until the trip is completed.

**7.10 Travel**

Effective Date: 03/01/2015

Revision Date: 01/07/2015

Expense Reimbursement

All travelers should file a TCF post-travel. Reimbursement is made for ordinary and reasonable expenses (see Allowable Expenses below). Examples include mileage, parking, and tolls. The TCF is due to Purchasing within ten (10) days after return with required detailed receipts attached. Purchasing will review the TCF for compliance to the Travel Policy. If an error is determined, the traveler will be given correction instructions. In case of overpayment, the City reserves the right to deduct amounts owed from the traveler's paycheck.

Note: per IRS guidelines, Reimbursements Requests without detailed receipts or filed after thirty days (30) may be considered taxable income to the traveler.

Allowable Expenses

- Per Diem

Per Diem is an allowance intended to cover daily meals and incidentals, such as tips for food and luggage-handling services. Each October 1, the GSA establishes per diem rates which vary by destination. No deduction is made for conference provided meals. Travel day meals are reimbursed in accordance with the following rules:

- Breakfast is reimbursed if travel day departure is prior to 7:00 a.m.
- Dinner is reimbursed if return travel day arrival is after 6:00 p.m.

- Transportation

Cost-saving methods which include using a City vehicle or ride-sharing are encouraged. Early departure or a later return resulting in a substantial cost saving may be approved by the supervisor. The original airfare, lodging, and per diem expenses must be documented and attached to the TCF to substantiate.

- Air Travel

Authorized fares are based on economy/coach rates. However, the traveler may upgrade using personal reward miles or by paying the difference out-of-pocket. Early booking is encouraged to ensure discounted rates. Luggage reimbursement is limited to one (1) checked bag and excludes any excess fees (i.e. overweight). Special consideration is given for fees on necessary City equipment. Airport Parking is reimbursed up to the DFW Express non-covered parking rate.

- Personal Vehicle

Mileage is calculated using the closest distance, either the traveler's residence or normal work place, to the destination. If travel by personal vehicle is chosen over air travel, the reimbursement will not exceed coach fare plus related expenses.

**7.10 Travel**

Effective Date: 03/01/2015

Revision Date: 01/07/2015

- Traveler Receiving a Car Allowance

The traveler is allowed reimbursement for fuel purchases if the destination exceeds 100 miles one-way. A City issued P-Card may be used for the purchase of fuel. If the traveler is requesting a rental car, the traveler must deduct 200 miles times the standard mileage per diem on the TCF.

- Rental Car

Car rentals must be pre-approved by a Director. Cars must be rented from City approved rental agencies. Rental type shall be compact or intermediate size. Full size, minivans or SUV's are acceptable for parties over two. Any upgrade requested shall be paid by the requesting traveler for the rate daily difference. Free upgrades offered by the rental car agencies are acceptable. The purchase of insurance (loss Damage Waiver) is not authorized. The City has insurance through the Texas Municipal League for car rentals.

- Lodging

Authorized rates are based on single-occupancy rooms. The traveler should request a "government" room rate, which may be lower than the "conference" rate. Internet charges may be authorized by the supervisor/director if conducting City business. The traveler is responsible for room service or other personal charges.

- Registration

Required registration fees and materials are authorized.

- Miscellaneous Expenses

Allowable expenses include tolls, parking, cab fares, copy/fax/phone charges, and other business related expenses.

Special Circumstances

When practical, official travel should occur during regular work hours. In the event that travel occurs outside of regular work hours, every effort should be made to reduce overtime by adjusting the weekly work schedule or accrue compensatory time. Supervisors must approve travel outside of regular work hours.

Official travel may coincide with personal travel plans (i.e. vacation, attend conference golf tournament, etc.) when vacation is approved prior to the trip. Any expenses not related to City business, such as extracurricular events, lodging, and meals will be the responsibility of the traveler.

A traveler is permitted to bring guest(s) and is responsible for any extra charges incurred. If the travel is cancelled, the City is not liable for any guest expenses and the traveler will not be reimbursed. The Director may authorize reimbursement of a guest's travel expenses based upon special circumstances and the benefit to the City.

**7.10 Travel**

Effective Date: 03/01/2015

Revision Date: 01/07/2015

Damage or loss of luggage or other personal items is not covered by the City's insurance. Travelers should file claims with their personal insurance company or, if applicable, the airline.

**7.11 Tobacco Use**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To provide a safe and healthy work environment for citizens, customers, and employees.

POLICY:

In keeping with the City's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited on City property including the parking areas, in City-owned or municipal buildings or in City-owned, rented, or leased vehicles or equipment.

No employee shall use tobacco products while making public contact. In City-owned buildings, employees may use tobacco products outdoors, in non-public entrance areas designated by the Department Director, during their break or meal period.

Willful or repeated violations of this policy will result in appropriate disciplinary actions.

**7.12 Visitors in the Workplace**

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To provide for the safety and security of employees and City facilities.

POLICY:

Restricting unauthorized visitors helps maintain safety standards, protect against theft, ensure security of equipment, protect confidential information, safeguard employee welfare, and avoid potential distractions and disturbances.

All visitors must enter City buildings at the main entrance(s). Authorized visitors will receive directions to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed in restricted employee only areas, employees must immediately notify their supervisor or, if necessary, direct the individual to the public area.



Chapter 8: MISCELLANEOUS

8.01 Media Relations

Effective Date: 03/01/2015

Revision Date:

PURPOSE:

To standardize the City's communication with the media and assure that information about the City and its policies, practices, and programs are communicated properly and reported accurately to the media.

POLICY:

The City of Texarkana seeks to inform its residents, businesses, and visitors by engaging in pro-active communications. The news media and the City both play important roles in keeping the communities they serve informed. The City is committed to maintaining an ongoing positive and dynamic working relationship with the media. The City recognizes the time constraints facing the media and will strive to respond to information requests in an open, helpful, and prompt manner.

A. Types of Media Communication

This policy covers all communication to the news media including: news releases, media advisories, formal statements, interviews, press conferences and briefings, letters to the editor, , technical announcements, and other information or material given to a news media representative, a collective term that includes, but is not limited to reporters, editors, and writers for newspapers, magazines, scientific journals, trade publications, radio or television stations or networks, online news services, and any other electronic or print media related to news distribution that could serve as an information outlet.

B. Media Relations

- The Public Information Office will coordinate media relations activities for the City and act as the official news source and principal contact for all communication between the City and media representative.
- Unless otherwise authorized, the City's spokespersons are:
 - Mayor
 - City Manager, Assistant City Manager
 - Public Information Officer
- Media representatives are asked to place their requests through the Public Information Office in order to expedite a prompt and coordinated response.
- Department Directors or their designee have the authority to communicate with the media within areas of their responsibility and expertise. Other staff should refer media requests to their Department Director or Public Information Office without comment.
- The Public Information Office must be notified of all potentially sensitive, contentious, or controversial media inquiries with respect to City activities. The Public Information Office will promptly identify the appropriate spokesperson and arrange for an interview or statement.

**8.01 Media Relations**

Effective Date: 03/01/2015

Revision Date:

- The City will endeavor to provide open and equal access to all news media and will respect the exclusivity of a story initiated by individual media representatives.

C. Responding to Media Inquiries

The Public Information Office is the City's primary media contact. If employees receive an inquiry from the media, such as reporters, editors, or researchers, for an interview, to provide statistics, or write an article on behalf of the City, employees should get the reporter's name, phone number(s), deadline, and an idea of his/her area of interest. Before responding, the employee should refer the inquiry to the Public Information Office. This enables the Public Information Officer to determine which individual in the City should respond to the inquiry, to make certain that consistent information is being disseminated, to stay abreast of areas of media interest, and to prepare for future inquiries.

D. City Initiated Information

Most proactive media contact is initiated through the Public Information Office. This includes issuing press releases, media advisories, and personal contacts with reporters and editors for coverage. Departments seeking publicity for events or activities should submit the information to the Public Information Office no less than 24 hours before distribution or as much in advance as possible to ensure the best media coverage of their activities. Departments should not initiate news media contact before notifying the Public Information Office.

E. Opinion Pieces and Letters to the Editor

It is recognized that all employees have the right to their personal points of view regarding any issue. However, personal points of view may conflict with the City's official policy. Therefore, City employees who write letters to the editor of any newspaper may not use official City stationery. If an employee chooses to identify himself or herself as a City employee in any personal communication to the editor, he or she must include language which states the views set forth in the letter do not represent the views of the City, but rather, are the employee's personally held opinions. Similar disclaimers must be present even if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program, unless the employee is officially representing the City. Employees who are representing the City in any of the above formats must identify themselves as an official spokesperson for the City and must notify the Public Information Office before representing the City in such a capacity.

F. Litigation, Personnel, and Election Issues

Inquiries regarding election and campaign issues, pending litigation, matters involving a significant exposure to litigation, and certain personnel-related information should be referred to the City Manager's Office.

**8.01 Media Relations**

Effective Date: 03/01/2015

Revision Date:

G. Public Safety Issues

The Police and Fire Departments can generate a high volume of media calls, and should have a designated media spokesperson that follows specific guidelines when releasing information. If a PIO is not designated within the department, the City's Public Information Officer will assume duties and be briefed by the Department Chief. All information released to the media by the Police and Fire Departments must be provided immediately to the Public Information Office, who should be contacted at the time of major incidents. Media calls to other City staff regarding a Police or Fire issue should immediately be referred to the Police or Fire Department and Public Information Officer.

H. Crisis or Emergency Issues

Timely release of breaking news and information during crises, such as natural disasters or personnel tragedies, often requires swift publication and/or dissemination of information in support of public confidence. The Department Director may issue a brief statement or media advisory to the news media in place of a news release. In such cases, the Department Directors must provide the Public Information Office with copies of any such release of information concurrent with its release to the new media.



HR Handbook

APPENDICES

Appendix A: Nepotism Chart

Appendix B: Procedures for the Employee Review Board

Appendix C: Positions Subject to DOT Regulations

Appendix D: Safety Sensitive Positions

Appendix E: Organizational Chart

Appendix F: FORMS

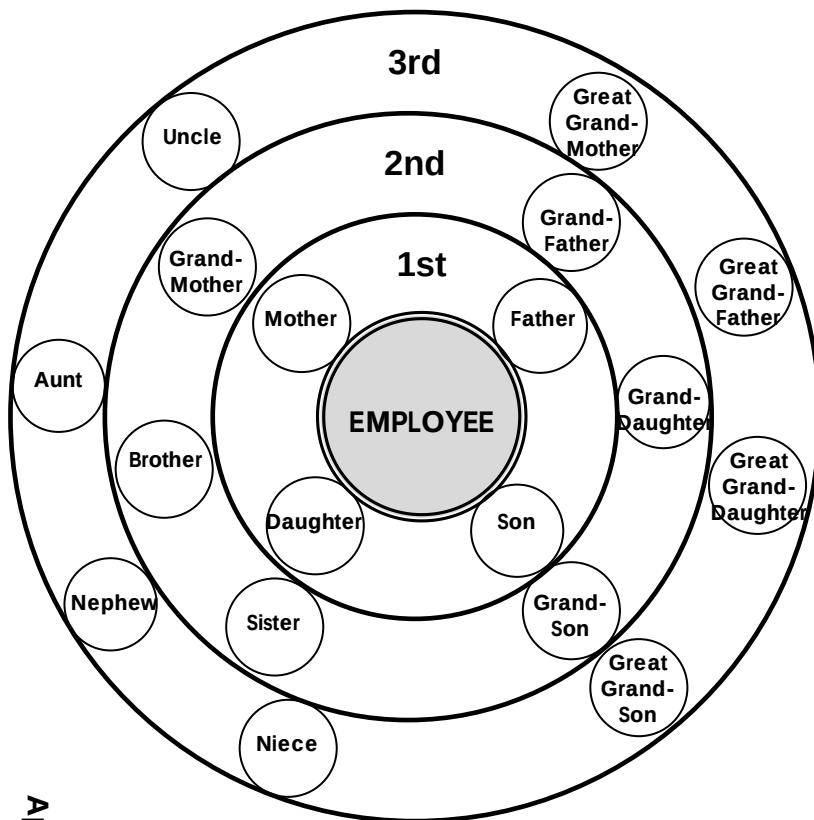
Personnel Request	Form 1
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APPENDICES

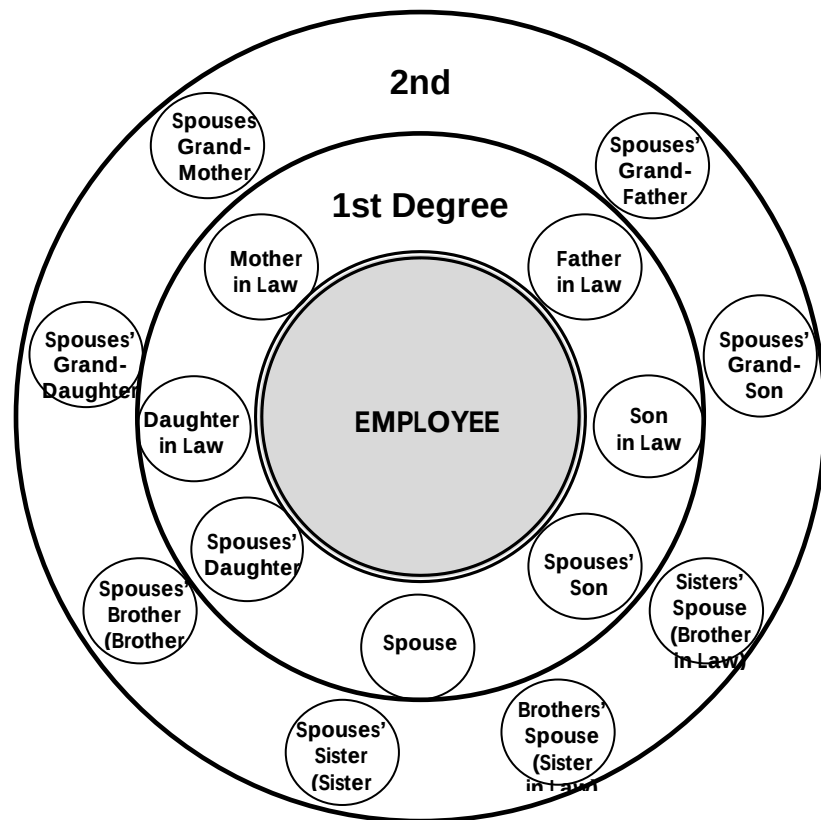


Appendix A: Nepotism Chart

**Consanguinity Kinship Chart
(Relationship by Blood)**



**Affinity Kinship Chart
(Relationship by Marriage)**





Appendix B: Procedures for the Employee Review Board

The following guidelines and rules of procedure shall apply in all hearings before the Texarkana Employee Disciplinary Review Board as Step One of *Policy 6.03 Employee Appeal Process*.

1. Persons attending the hearing shall consist of the employee, who is entitled to bring a representative, and the appropriate Department Director or departmental supervisor. The Director of Human Resources or designee shall be present to guide and coordinate the entire appeal proceedings and deliberation of the Review Board. The Director of Human Resources is also a resource to answer questions, provide additional information, and coordinate witnesses for the Review Board.
2. The Employee Review Board process is confidential. Therefore, there should be no discussion regarding the proceedings and outcomes, except with those that have a right to know. All Review Board Members must sign a confidentiality statement before the proceedings begin.
3. In conducting hearings, the board will not be bound by technical rules of evidence and may direct questions to both parties and witnesses.
4. The employee and/or the City may have representation present at the hearing; however, counsel will serve in an advisory capacity only. The attorneys will not present opening or closing statements or conduct examinations of witnesses.
5. Beginning with the Department Director or supervisor, both parties will relate to the Review Board their best recollections of the facts relevant to the appeal and shall include reasons they believe the Review Board should or should not affirm the action taken against the employee.
6. Members of the Review Board shall be entitled to ask questions of the employee and Department Director, manager or supervisor.
7. Neither the employee, the employee's representative, the Department Director, nor supervisor shall be entitled to cross-examine the other or to ask questions of the members of the Review Board.
8. The hearing is a private, internal City of Texarkana meeting; outside parties, including a court reporter or stenographer are prohibited, as are tape recordings.
9. Neither party shall be allowed to call any witnesses. Should the Review Board determine that statements from witnesses are necessary, they may request witnesses to provide a statement before the Board. The Review Board may determine whether or not the employee and the Department Director will be



allowed to be present during the witness statements.

10. The HR Director or designee will guide and coordinate the hearing proceedings as follows:

- a. Human Resources Director will provide introductions, purpose of the Review Board process, guidelines and overview of the procedures for the proceedings.
- b. Initial presentation by City representative.
- c. Initial presentation by employee.
- d. Closing by City representative.
- e. Closing by employee.
- f. Board questions City representative/employee.
- g. Board requests/questions witnesses.
- h. Director of Human Resources adjourns the proceedings.
- i. Board deliberates and prepares ruling based on evidence received. The ruling shall be a majority consensus of the Review Board.
- j. Board signs ruling to affirm or not affirm the disciplinary action.
- k. Director of Human Resources or designee closes deliberations and sets additional deliberation time if necessary.

Note: During the hearing, the Director of Human Resources may designate a recess, remind or warn employee, city representatives or Review Board regarding breach of protocol, or discontinue the proceedings based on extenuating circumstances.

11. Upon completion of all deliberations by the Review Board, a written finding will be issued to the employee and department within five (5) working days after the hearing deliberations. Human Resources will be responsible for coordinating communication to the employee, department and City Manager or designee.

12. In cases involving written reprimands, probation, and disciplinary suspension for five (5) days or less, the decision of the Review Board is final.

13. In cases involving disciplinary suspension of more than five (5) days, demotion, or dismissal, the decision of the Review Board is final when they affirm the disciplinary action taken by the Department Director.

Should the Review Board **not** affirm the disciplinary action, one of the following will occur:

- a. The Department Director may elect to apply a lesser disciplinary action,
OR
- b. The Department Director may elect not to adjust the level of discipline; therefore, the employee's appeal, along with the decision of the Review Board will be forwarded to the City Manager or designee, who will proceed as outlined in Step Three of *Policy 6.03 Procedure for Appeal of Disciplinary Action* and make the determination. The ruling from the City Manager or designee will be final.



Appendix C: Positions Subject to DOT Regulations

All employees that hold a Commercial Driver's License (CDL), operate a Commercial Motor Vehicle with a gross vehicle weight rating of 26,001 pounds or more.

Street Maintenance Supervisor	Light Equipment Operator	Finisher/Operator
Foreman - Street	Mower Operator	Formsetter/Finisher
Traffic Signal Tech	Truck Driver	Heavy Equipment Operator
Mechanic	Building Maintenance Sup.	Sweeper/Operator
Foreman/Operator	Shop Technician - Street	
TWU		
Plant Mechanic I	Utilities Foreman/Operator	Utility Supervisor
Plant Mechanic II	Laborer II	Sludge Disposal Foreman
Utilities Foreman/Heavy Eq. Op.	Maintenance Chief	Jet Truck Operator
Auto Mechanic		

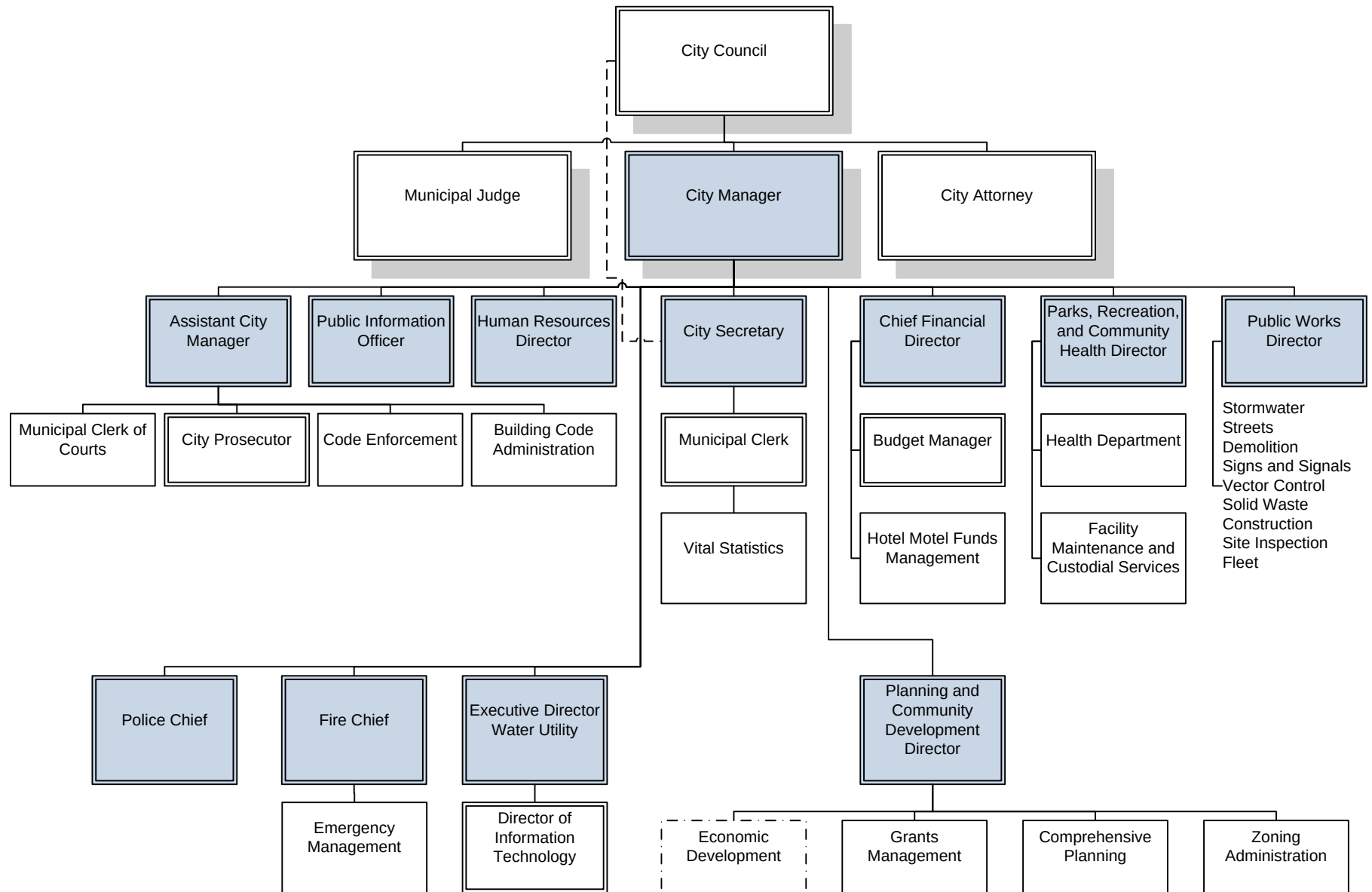


Appendix D:
Safety Sensitive Positions
Revised October 2014

Licensed Police Officers	CRC - Dispatchers	
Licensed Firefighters	Emergency Management	

City of Texarkana, Texas

July 1, 2014



PERSONNEL REQUEST**TO: Human Resources**

FROM: _____

Account No. _____

DATE: _____

Position Grade _____

Position Title _____

Number of Position Vacancies _____

Type of appointment:Full Time ☐ Regular Part-Time ☐ Temporary ☐ Seasonal ☐**Requests for position reclassifications or new classifications must be reviewed and approved.**

No. of positions authorized in budget: _____

No. of positions presently on payroll: _____

Pay plan starting annual salary: _____

Proposed starting annual salary: _____

Please provide justifications for this request:

This request is being made to fill the position that was previously vacated by:_____
Employee's Full Name

Requested by:

Director_____
Date

Approved by:

Director of Human Resources_____
Date



REQUEST FOR CONSIDERATION

This form is for use by current employees who are interested in applying for available employment opportunities within the City. Temporary/seasonal staff may apply using the external application for employment.

Please print answers and complete all blanks. Submit the completed form to HUMAN RESOURCES by deadline indicated on the job announcement. Thank you for your interest.

Position Applying For _____

Name _____ Phone Number _____

Email Address _____

Present Position _____

Department _____ Length of Time in Position _____

Indicate education, skills, training, etc., which you feel qualify you for the available position. Attached resume if available.

I understand if selected for consideration for this position, I must notify my current supervisor. I also understand that the supervisor over the position I am applying for may call my current supervisor for information regarding my work habits and history in my current position.

Signature

Date



PERSONNEL ACTION FORM

EFFECTIVE DATE OR INCLUSIVE DATES OF ACTION _____

NAME _____ EMPLOYEE NO. _____ SOCIAL SECURITY NO. _____

ADDRESS _____ TELEPHONE NO. _____

DEPARTMENT _____ DEPT. NO. _____ POSITION: _____

- | | | |
|--|--------------------------------------|---|
| ☐ APPOINTMENT | ☐ SEPARATION | ☐ OTHER CHANGES |
| ☐ PROBATIONARY | ☐ RESIGNATION | ☐ LEAVE OF ABSENCE |
| ☐ TEMPORARY | ☐ LEFT JOB | ☐ REINSTATEMENT |
| ☐ REGULAR | ☐ LAY-OFF | ☐ INJURY LEAVE |
| ☐ FULL-TIME | ☐ TERMINATION | ☐ SUSPENSION |
| ☐ PART-TIME | ☐ RETIREMENT | ☐ PAY INCREASE |
| ☐ RETURN FROM LEAVE | ☐ DEATH | ☐ PROMOTION |
| | | ☐ TRANSFER |
| | | ☐ DEMOTION |
| | | ☐ OTHER |

APPOINTMENT: RATE OF PAY ANNUAL _____ BI-WEEKLY _____ PAY GRADE _____

BASE PAY: CHANGE FROM _____ PER YEAR TO _____ PER YEAR

OTHER PAY CHANGES: (Please specify auto allowance, performance pay, stipend, education incentive pay, etc.)

TYPE CHANGE _____: FROM _____ PER YEAR TO _____ PER YEAR

TYPE CHANGE _____: FROM _____ PER YEAR TO _____ PER YEAR

TYPE CHANGE _____: FROM _____ PER YEAR TO _____ PER YEAR

SEPARATION: LAST DAY WORKED _____

IS EMPLOYEE RECOMMENDED FOR RE-HIRE? ☐ YES ☐ NO Account General Ledger No. _____

HAS ALL CITY PROPERTY BEEN RETURNED? ☐ YES ☐ NO If no, explain: _____

TWO WEEKS NOTICE GIVEN? ☐ YES ☐ NO WORKED LAST TWO WEEKS? ☐ YES ☐ NO

REASON FOR ACTION:

FOR HUMAN RESOURCE AND FINANCE USE

ONLY: RETIREMENT _____ BIRTHDAY _____ W-4 _____ EXEMPT/NON-EXEMPT _____

INSURANCE ☐ YES ☐ NO ACCRUED LEAVE FOR PAY PURPOSES SICK LEAVE ☐ YES ☐ NO
VACATION LEAVE ☐ YES ☐ NO

☐ WHITE ☐ BLACK ☐ AMERICAN INDIAN ☐ OTHER _____ EEO CODE _____

APPROVAL:

DEPARTMENT DIRECTOR _____

DATE _____

HUMAN RESOURCES DIRECTOR _____

DATE _____

(To be completed by the Supervisor)

Department: _____ Title: _____



WAGE DEDUCTION AUTHORIZATION AGREEMENT

I understand and agree that my employer, the City of Texarkana, may deduct money from my pay from time to time for reasons that fall into the following categories:

1. Any contributions I may make into a retirement or pension plan sponsored, controlled, or managed by the City;
2. The balance of Per Diem advances from the City, if there is a balance remaining when I leave;
3. If I receive an overpayment of wages for any reason, repayment of such overpayments to the City;
4. The cost to the City of personal long-distance calls or faxes made on City phones/faxes or on any City accounts;
5. The cost of repairing or replacing City supplies, materials, equipment, uniforms, money, or other property that I may damage (other than normal wear and tear), lose, fail to return, or take without appropriate authorization from the City during my employment (applies to non-exempt employees only);
6. If I take paid vacation, sick, or holiday bank leave in advance of the date I would normally be entitled to it and I separate from the City before accruing time to cover such advance leave, the value of such leave taken in advance that is not covered.

I agree that the City may deduct money from my pay under the above circumstances.

I also acknowledge that I understand that the City pays its employees fairly and that all work is compensated and no supervisor may authorize work off the clock.

I acknowledge that I must accurately record time worked and should contact HR, my supervisor or my supervisor's manager with any questions. Non-exempt employees who work overtime without receiving proper authorization will be subject to disciplinary action, up to and including possible termination of employment.

I have read the above agreement and have received Policy 4.04 Overtime.

Employee Name (Printed)

Department

Employee Signature

Date

Human Resources

Date



APPLICATION FOR LEAVE DONATION

Name: _____

Date: _____

Department: _____

Title: _____

Purpose for which this request is being made:

Why does the employee not have sufficient leave?

What is the employee's current status?

☐ Working, but anticipating an extended absence due to surgery or hospitalization on or about (date) _____.

☐ Currently hospitalized.

☐ Convalescing at home.

☐ Other, please describe: _____

DEPARTMENT DIRECTOR ACTION

☐ Request Approved

☐ Request Denied

Comments:

Department Director Signature

Date



Revised: 07/10/2014

AUTHORIZATION TO TRANSFER ACCRUED LEAVE

Name: _____ Date: _____

Department: _____ Title: _____

Note: You must have at least an 80 hour balance of the type of leave donated before you can participate.

Check Type of Leave Donated: Sick ☐ Vacation ☐

I freely and voluntarily authorize the immediate transfer of ____ hours (4-hour increments, 40 hour maximum) leave to the following employee:

Name: _____

Employee Number: _____

I understand that all leave transfers are final, and once processed by Payroll, are irrevocable.

Employee Signature

Date

HUMAN RESOURCES DEPARTMENT

Human Resources Signature

Date Received

Time Received



ALTERNATE/COMPRESSED SCHEDULE REQUEST

Name: _____

Date: _____

Department: _____

Title: _____

Proposed Schedule

Day of the Week	Date	Start Hour	Meal Period	End Hour
Sunday	_____	_____	_____ to _____	_____
Monday	_____	_____	_____ to _____	_____
Tuesday	_____	_____	_____ to _____	_____
Wednesday	_____	_____	_____ to _____	_____
Thursday	_____	_____	_____ to _____	_____
Friday	_____	_____	_____ to _____	_____
Saturday	_____	_____	_____ to _____	_____

Total number of work hours per work week: _____

ALTERNATE/COMPRESSED SCHEDULE AGREEMENT

I have read and acknowledge all provisions in *Policy 4.05 Alternative & Compressed Work Week Schedule* and agree to work the approved alternate work schedule from _____, 20 ____ to _____, 20 ____.

Employee Signature

Date

Please Note:

- The Fair Labor Standards Act (FLSA) requires that overtime compensation be paid at one and one-half time the regular hourly rate for each hour worked over 40 hours during the non-exempt employee's designated workweek.
- Averaging work hours over different workweeks is not permitted.

DEPARTMENT DIRECTOR ACTION

☐ Request Recommended: From _____, 20 ____ to _____, 20 ____

☐ Request Denied - Comments: _____

Department Director

Date

Appendix

Form 9
Revised: 20141031



RETIREE NOTIFICATION FORM Group Health Coverage

Name: _____

Address: _____
Street Number Street Name City State Zip

Department: _____ Title: _____

Phone # _____ Retirement Date: _____

- ☐ Yes ☐ No Are you retiring under the Texas Municipal Retirement System?
- ☐ Yes ☐ No Have you been continually employed with the City of Texarkana for the last five years?
- ☐ Yes ☐ No Do you have other group health insurance available to you?
- ☐ Yes ☐ No Does your spouse or covered dependents have other group health insurance available to them?
- ☐ Yes ☐ No Do you agree to inform the City of Texarkana if you or a covered member of your family become covered under another group health plan or entitled to Medicare?
- ☐ Yes ☐ No Do you understand that premium amounts will change from year to year?
- ☐ Yes ☐ No Do you understand that you are responsible for remitting the full amount of the premium by a specific date, and if you fail to remit the required amount coverage will terminate for you and your dependents?

DECLINATION

_____ (initial) I understand that I am eligible for group health coverage continuation; however, I hereby decline retiree health coverage. I understand that this is the only opportunity I will have to continue the City's group health coverage.

I understand that I also have the right to continue coverage subject to COBRA provisions for up to 18 months, and that this declination will not jeopardize those rights under COBRA.

I certify by signature below that I have read the retirement provisions described in the Texarkana policy handbook.

Employee Signature: _____ Date: _____



DISCRIMINATION AND/OR HARASSMENT COMPLAINT FORM

Name: _____ Date: _____

Title: _____

Department: _____ Supervisor: _____

Reason(s) for Unlawful Treatment:

- | | | | |
|---|--|--------------------------------|--------------------------------------|
| ☐ Race | ☐ National Origin | ☐ Age | ☐ Religion |
| ☐ Sex | ☐ Disability | ☐ Color | ☐ Retaliation |
| ☐ Other (Please List): _____ | | | |

Briefly Describe the Nature of the Complaint. Please explain why you believe discrimination and/or harassment has affected your employment with the City of Texarkana. Where possible, specify the date(s) of the incident(s) and name(s) involved. If additional space is needed, please attach additional pages.

The City of Texarkana will not tolerate employment discrimination or harassment based upon an employee's or applicant's race, color, national origin, sex, religion, disability, or age, according to *Policy 6.07 Harassment & Discrimination*.

Employee Signature

Date



EMPLOYEE GRIEVANCE FORM

Grievant Name: _____

Date: _____

Title: _____

Department: _____

EMPLOYEE GRIEVANCE

HISTORY AND FACTS OF GRIEVANCE:

Provide as much specific information as possible, including all pertinent names, dates, and places. Indicate specifically which section of the Personnel Policies you believe was violated (if applicable). Attach additional sheets if necessary.

REMEDY SOUGHT:

State specifically what action(s) you are requesting to resolve the complaint.

Grievant Signature

Date

**STEP I****IMMEDIATE SUPERVISOR RESPONSE**

Grievance response must be returned to the aggrieved employee within ten (10) working days of receipt. Attach additional sheets and documentation if necessary.

Supervisor Signature

Date

GRIEVANT'S ANSWER TO SUPERVISOR RESPONSE:

I accept the resolution to Step I: ☐ Yes ☐ No

If answer is no, grievance must be submitted to Step II within five (5) working days of receipt of Step I response. Give specific reasons why the Step I response is unsatisfactory, and what further action(s) you are requesting to resolve the complaint.

Grievant Signature

Date

**STEP II****DEPARTMENT DIRECTOR RESPONSE** *(If Required):*

The Department Director may schedule a meeting with the employee or provide a written response. The written response shall be provided to the employee within ten (10) working days of receiving the grievance request.

Department Director Signature

Date

GRIEVANT'S ANSWER TO SUPERVISOR RESPONSE *(If Required):*

I accept the resolution to Step II: ☐ Yes ☐ No

If answer is no, grievance must be submitted to Step III within five (5) working days of receipt of Step II response. Give specific reasons why the Step II response is unsatisfactory, and what further action(s) you are requesting to resolve the complaint.

Grievant Signature

Date

**STEP III****CITY MANAGER RESPONSE** *(If Required):*

At a mutually agreeable time, the City Manager may elect to have a meeting with the employee informally or to convene a hearing. Once the meeting or hearing has been held, the Assistant City Manager shall respond to the grievance in within ten (10) days. As per the *Policy 6.04 Grievance*, the decision of the City Manager is final and is not eligible for further appeal.

City Manager Signature_____
Date



PERFORMANCE CORRECTION NOTICE

Employee Name: _____ Date: _____

Department: _____ Supervisor: _____

Disciplinary Level:

- ☐ Verbal Correction
- ☐ Written Reprimand
- ☐ Delay of Step Increase
- ☐ Disciplinary Probation (End date: _____)
- ☐ Suspension (Dates: _____)
- ☐ Demotion
- ☐ Termination

Occurrence: (One sentence summary of incident)

- ☐ Performance
- ☐ Conduct
- ☐ Attendance

Prior Notifications

<u>Level of Discipline</u>	<u>Date</u>	<u>Subject</u>
Verbal	_____	_____
Written	_____	_____



Incident Description and Supporting Details: Include the following information:
Description of Incident, Date of Occurrence, Persons Present as well as Organizational Impact. Attach additional pages, if necessary.

Performance Correction Plan

Immediate and sustained improvement is expected.

1. Measurable/Tangible Correction Goals:

Targeted completion date: _____

2. Training or Special Direction Provided:

3. Interim Performance Evaluation Date (If Necessary): _____

- 4.** In addition, I recognize that you may have certain ideas to improve your performance. Therefore, I encourage you to provide your own **Personal Correction Plan Input and Suggestions**. Attach additional sheets if needed.)

Distribution of copies: 2 Employee Human Resources



Outcomes and Consequences

Positive: If you meet your Correction goals, no further disciplinary action will be taken regarding this issue.

Negative: (Describe the consequence should the incident occur again) Future policy violations or failure to perform job duties in an acceptable manner will result in additional disciplinary action up to and including termination.

Scheduled Review Date (if applicable): _____

Employee Comments and/or Rebuttal (Attach Additional Sheets, if Needed)

Employee Signature

Employee Acknowledgment

I understand that City of Texarkana is an “at-will” employer, meaning that my employment has no specified term and that the employment relationship may be terminated any time at the will of either party. I also realize that City of Texarkana is opting to provide me with corrective action measures, and can terminate such corrective measures at any time, solely at its own discretion, and that the use of progressive discipline will not change my at-will employment status.

I have read the Performance Correction Notice and understand it. It has been discussed with me, and I have been advised to take time to consider it before I sign it. Signing this, I commit to follow the city’s standards of performance, conduct and attendance.

Employee Signature

Date

Supervisor’s Signature

Date

Witness: (if employee refuses to sign)

Name

Date

**A copy of this
document will be
placed in your file.**

3

Distribution of copies: Employee Human Resources



Performance Improvement Plan

The Improvement Plan should be completed as a joint effort by both the supervisor and employee when an employee receives an overall score below "meets job requirement" on their Performance Review or disciplinary action. Each competency that is below a "meets job requirement" should be numbered, listed below and individually addressed. Concerns should be performance, attendance or conduct based.

Employee: _____

Manager: _____

Date: _____

This outlines the Performance Improvement Plan to assist the employee in addressing the performance areas that were below the "meets job requirement" identified during his/her Performance Review on _____.

The Improvement Plan includes:

- The Performance Concern
- The Performance that is required to meet the job requirement
- The Action and Support provided to correct deficiencies
- Dates for subsequent observations, conferences, and/or meetings to monitor progress on the plan

Performance Concern:

(Supervisor: List each performance competency that is below a "meets job requirement")

1.

2.

Performance Required:

(Supervisor: Identify the performance that is expected)

1.

2.

Forward original copy to HR

Make a copy for both Supervisor and Employee

Appendix F

Form 14



Action/Support that will be provided:

(Supervisor and Employee: List the training, mentoring activity, action plan to bring performance to a "meets job requirements")

1.

2.

Dates to monitor progress:

(Supervisor and Employee: Review is usually completed at 30, 60 and 90 days)

1.

2.

3.

*It is the **employee's** responsibility to utilize or request resources needed to carry out these and/or other strategies to improve performance to meet the required Performance standard. Immediate and sustained improvement is expected. Failure to perform job duties in an acceptable manner will result in disciplinary action up to and including termination.*

Signature of Employee: _____

Date: _____

Signature of Supervisor: _____

Date: _____

Follow up Outcome:

(Supervisor and Employee: List: Date Reviewed / Competency Reviewed / Outcome/ follow-up plan and dates as needed)

1.

2.

3.

Signature of Employee: _____

Date: _____

Signature of Supervisor: _____

Date: _____

Forward original copy to HR

Make a copy for both Supervisor and Employee

Appendix F

Form 14

Performance Options

INFORMAL DISCUSSIONS								
Action	Initiator	Prior Approval	Documentation	Employee Signature Required	Distribution	Appealable	Eligible for Transfer	Eligible Comp. Change
POSITIVE CONTACT/COACHING SESSION	Immediate Supervisor	None	Employee Counseling Notice (Optional)	N/A	Department File (Optional)	N/A	Yes	Yes

FORMAL DISCIPLINE OPTIONS									
Action	Initiator	Approval	Documentation	Employee Signature Required	Witness Required	Distribution	Appealable	Eligible for Transfer	Eligible Comp. Change
VERBAL WARNING	Immediate Supervisor	None	Memo or Email Summary	N/A	No	Department File, HR	No	Yes	Yes
WRITTEN REPRIMAND	Immediate Supervisor	Dept. Dir., HR	Employee Counseling Notice	Yes	No	Employee, Department File, HR	Yes	Yes	Yes
SUSPENSION WITHOUT PAY	Immediate Supervisor	Dept. Dir., HR, possibly Legal	Memo	Yes	Yes	Employee, Department File, HR	Yes	No	No
DISCIPLINARY PROBATION	Immediate Supervisor	Dept. Dir., HR	Memo	Yes	Yes	Employee, Department File, HR	Yes	No	No

Performance Options

FORMAL DISCIPLINE OPTIONS									
Action	Initiator	Approval	Documentation	Employee Signature Required	Witness Required	Distribution	Appealable	Eligible for Transfer	Eligible Comp. Change
SUSPENSION DURING CRIMINAL PROCEEDINGS	Dept. Dir.	CM, Legal	Memo	No	No	Employee, Department File, HR	Yes	No	No
DEMOTION	Immediate Supervisor	Dept. Dir., HR, Legal	Memo	Yes	Yes	Employee, Department File, HR	Yes	No	No
DISMISSAL	Immediate Supervisor	Dept. Dir. HR Legal	Chronological Summary	N/A	Yes	Original: Employee Copies: HR, Next Level Supervisor, Dept. Dir., Legal	Yes	N/A	N/A

Appeal Process									
Action	Initiator	Prior Approval	Documentation	Employee Signature Required	Witness Required	Distribution	Appealable	Eligible for Transfer	Eligible Comp. Change
Appeal	Employee	N/A	Letter of appeal	Yes	No	Original: Employee Copies: HR, Dept. Dir	Yes – Step 1 – Employee Review Board Step 2 City Manager	N/A	N/A

****Please note – The City reserves the right to exercise any of the disciplinary options, up to and including termination. Repeating or jumping a step, or moving to immediate discharge may be appropriate depending on the circumstances and management’s judgment.**



SUPERVISOR'S REPORT OF REASONABLE SUSPICION
-Confidential-

Name: _____

Date: _____

Department: _____

Title: _____

PROCEDURE

This form is to be completed whenever there is reasonable suspicion that an employee is under the influence of alcohol and/or prohibited drug substance. A supervisor and a Department Director shall note all pertinent behavior and physical signs which led them to believe that the employee is under the influence of alcohol and/or a prohibited drug substance. The Department Director shall contact Human Resources for reasonable suspicion testing authorization. In the event that Human Resources is unavailable, the Department Director shall contact the City Manager's office. Upon authorization, the employee will be required to undergo drug and/or alcohol testing.

PERSONS OBSERVING BEHAVIOR *(At least one Department Director required.)*

Name/Title: _____

Name/Title: _____

Date of Observation: _____ Time: _____

Location: _____

Circumstances which existed to warrant the testing for reasonable suspicion were as follows:	Yes	No
Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working, while on the employer's premises, or while operating the employer's vehicle, machinery, or equipment.		
Observable phenomena while at work, such as direct observation of drug use or the physical symptoms or manifestations of being under the influence of a drug or alcohol.		
Abnormal conduct or erratic behavior while at work or a significant deterioration work performance.		

WRITTEN SUMMARY

Summarize the facts and circumstances of the accident or incident, employee response, supervisor actions, and any other pertinent information not previously noted on this form. Attach additional sheets as needed.

OBSERVATIONS (Both observers INITIAL their observations below.)**ABILITY TO WALK**

- ☐ Normal
☐ Falling
☐ Grasping for Support
☐ Moved In Circles
☐ On Hands and Knees

- ☐ Staggering
☐ Swaying
☐ Unable to Walk

APPEARANCE

- ☐ Normal
☐ Disheveled
☐ Dirty
☐ Odor

ACTIONS

- ☐ Crying
☐ Profanity
☐ Punching
☐ Resisting
☐ Sleepy
☐ Threatening

ABILITY TO STAND

☐ **OTHER:** _____

- ☐ Normal
☐ Need Support
☐ Rigid
☐ Sagging Knees
☐ Swaying
☐ Unable To Stand

EYES

- ☐ Normal
☐ Constricted
☐ Contacts/Glasses
☐ Dilated
☐ Droopy Lids
☐ Bloodshot
☐ Watery

☐ **FACE**

- ☐ Flushed
☐ Pale

MOVEMENT OF HANDS

- ☐ Trembling
☐ Uncoordinated

BREATHING

- ☐ Normal
☐ Deep

- ☐ Gasping
☐ Laboring
☐ Rapid
☐ Shallow
☐ Slow

SPEECH

- ☐ Normal
☐ Abusive
☐ Boisterous
☐ Confused
☐ Crying
☐ Hoarse
☐ Incoherent
☐ Rambling
☐ Rapid
☐ Shouting
☐ Silent
☐ Slobbering
☐ Slow
☐ Slurred
☐ Stuttering
☐ Whispering

ODOR OF ALCOHOL/DRUG

- ☐ No
☐ Yes

SIGNATURES

Supervisor: Based on my observations noted on this checklist, I **recommend / do not recommend** (*circle one*) that an alcohol/drug test be administered.

Supervisor Signature _____ Date _____

Department Director: Based on my observations noted on this checklist, I **recommend / do not recommend** (*circle one*) that an alcohol/drug test be administered.

Department Director Signature _____ Date _____

Contact the Human Resources Department immediately after completion of this checklist to proceed.

HUMAN RESOURCES DIRECTOR (OR DESIGNEE) ACTION

Employee underwent: ☐ alcohol test ☐ drug test

Date: _____ Time: _____

Location: _____

Employee *refused* testing: ☐ Yes ☐ No

Comments: _____

Human Resources Director (or designee)

Date



**EMPLOYER NOTIFICATION OF TRAFFIC VIOLATION
FOR COMMERCIAL DRIVER'S LICENSE (CDL)**
(Not necessary for parking violations)

Name: _____ Date: _____

Department: _____ Title: _____

Driver's License # _____ State: _____

Date Ticketed: _____ Citation No: _____

Type of Traffic Violation: _____

Resolution of Citation: _____

Vehicle Operated (check one): ☐ Personal ☐ City ☐ Other

Was vehicle a commercial motor vehicle? ☐ Yes ☐ No

Location of offense (City/County): _____ State: _____

Issuing Agency: _____

Did violation result in loss of driving privileges? ☐ Yes ☐ No

If yes, please explain: _____

Employee Signature

Date

Supervisor: Send to the Human Resources Department within 24 hours of receipt.

**Confidential****City of Texarkana****Employee Request for Accommodation Form**

Applicant or Employee Name: _____ Date: _____

Position or Title: _____

Department/Supervisor: _____

Applicant or Employee – Please complete this section, and return the completed form to the Human Resources department. Request is confidential and will only be shared with those who have a right to know.

Identify your condition(s) and indicate how you believe each condition affects your ability to perform the essential duties of the position:

State the requested accommodation(s) and any alternatives.

Human Resources Use only

Date Received: _____ Date (s) reviewed: _____

Accommodation approved or denied: _____

Summary of outcome (attach any supporting documents)

Request for Appeal, yes or no

Date Received: _____ Dates Reviewed: _____

Summary of outcome (attach any supporting documents)

Signature of ADA Coordinator or designee: _____ Date _____



SOCIAL MEDIA APPROVAL/AGREEMENT FORM

Name: _____

Position/Title: _____

Department: _____

Name of Social Media site: _____

Approval of Dept. Manager: _____ Date: _____
Signature

Public Information Officer Approval: _____ Date: _____
Signature

I agree to use City-approved Social Media Sites for City business as appropriate and in compliance with this Policy. I understand that I must have approval from my Department Manager and the City Manager to create or participate in a Social Media Site on behalf of the City. I also understand that I am responsible for all postings made by me on City Social Media Sites, including those made in the comments sections. I further understand that this policy also applies to City-related postings made by me on personal (non-City) Social Media Sites, and I agree to adhere to the guidelines in this policy when so doing.

I acknowledge that all City-approved Social Media Sites are considered to be City property and may be monitored by officials of the City. I understand that employees do not have privacy rights in the use of City Social Media Sites and the postings, data, access to or distribution of such materials is subject to Texas Public Information Act, Federal e-discovery rules, and the City's records retention schedules.

I agree to abide by all City security policies and procedures before accessing or posting to any Social Media Site. I acknowledge that any abuse of Social Media Sites, including violation of the rules and guidelines set forth in this Policy or in any current or future modified City Personnel Handbook can be grounds for disciplinary action, up to and including termination of my employment.

Printed Name _____ Date: _____

Employee Signature _____



**APPLICATION FOR DEGREE PLAN APPROVAL
Step 1: TUITION REIMBURSEMENT**

PROCEDURE:

1. EMPLOYEE: completes form, attaches required documents, and submits form to the Department Director.
2. DEPARTMENT DIRECTOR: reviews, makes a recommendation, and submits form to the HR Department.
3. HUMAN RESOURCES DEPARTMENT: reviews for completion and forwards form to City Manager's Office.
4. CITY MANAGER: reviews, makes a decision, sends original to HR Department, and copy to the employee.

Name: _____ Date Employed: _____

Position: _____ Department: _____

Name of College or University: _____

Degree Plan Sought: _____

Semester/Year Course(s) to Commence: _____

Please state how the degree sought meets the objectives of the Tuition Reimbursement Program:

A copy of degree plan must be attached to this request.

Are you eligible for or will you be receiving any other financial assistance for your education? **Yes** ☐ **No** ☐
Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc) are required to submit reimbursement requests for the balance of the tuition not covered by the alternate source.

The City of Cedar Hill has the right to audit the employee's educational and financial records that may be contained in the employee's records at the institution attended. Any right that the employee may have pursuant to the Family Education Rights and Privacy Act of 1974, or any similar act, are waived by acceptance of tuition reimbursement. By signing this application, I acknowledge that I am familiar with the requirements for tuition reimbursement pursuant to the City's Personnel Policy and agree to abide by those requirements.

Employee Signature: _____ **Date:** _____

DEPARTMENT DIRECTOR ACTION

☐ Recommend Approval ☐ Do not recommend this application for tuition

Dept. Director Signature: _____ **Date:** _____

CITY MANAGEMENT ACTION

☐ Approved ☐ Disapproved

City Manager Signature: _____ **Date:** _____



TUITION REIMBURSEMENT AGREEMENT
Step 2: TUITION REIMBURSEMENT

Under the terms of the Tuition Reimbursement Policy I hereby acknowledge that an employee who receives tuition reimbursement must remain in service to the City, as a full time employee, for at least one year beyond the date of reimbursement; otherwise, all sums for tuition and books paid by the City over the past year must be refunded to the City.

I understand and agree that if I receive tuition assistance from any source(s) that do not require repayment, (i.e. Veteran's benefits, grants, scholarships, etc) I will submit reimbursement requests only for the balance of the tuition and fees not covered by the alternate source.

I hereby agree that should I be reimbursed for the tuition and/or textbooks under the tuition reimbursement program and I leave the full time employment of the City of Texarkana within a period of one year following reimbursement, I will refund the City of Texarkana the full amount of the tuition and book reimbursement paid to me over the year preceding voluntary resignation. In lieu of a cash refund my signature below authorizes the City to deduct such amount from my final paycheck.

WITNESS BY MY HAND THIS THE _____ DAY OF _____, _____

 Employee Printed Name

 Employee Signature

SUBSCRIBED AND SWORN TO THIS THE _____ DAY OF _____, _____

Notary Seal

 Notary

 Commission Expires



COURSE PRE-APPROVAL REQUEST
Step 3: TUITION REIMBURSEMENT
*To be completed **BEFORE** semester begins.*

NOTE: To be eligible for tuition and book reimbursement, the employee must have an approved Application for Degree Plan Approval on file with the HR Department. This request form must be completed by the employee and submitted to the Human Resources Director prior to taking a course.

Name: _____

Department: _____ Title: _____

Name of College or University: _____

Semester course(s) to be taken: _____

<u>Course Title(s) and Catalog Number</u> _____	<u>Number of Semester Hours</u> _____
---	---------------------------------------

1. _____	_____
----------	-------

2. _____	_____
----------	-------

3. _____	_____
----------	-------

Approximate Cost: Tuition \$ _____	Books \$ _____
------------------------------------	----------------

Did you receive funds from any other source for payment of tuition/textbooks? **YES** **NO**

Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc) are required to submit reimbursement requests for the balance of the tuition not covered by the alternate source. The City of Cedar Hill has the right to audit the employee's educational and financial records that may be contained in the employee's records at the institution attended. I agree that any right I may have pursuant to the Family Education Rights and Privacy Act of 1974, or any similar act, is waived by acceptance of tuition reimbursement. I understand that the penalty for fraudulently seeking a tuition reimbursement benefit may include disciplinary action. By signing this application, I acknowledge that I am familiar with the requirements for tuition reimbursement pursuant to the city's personnel policy and agree to abide by those requirements.

Employee Signature

Date

HUMAN RESOURCES DEPARTMENT

Human Resources Director

Date

Appendix F
Form 22



REIMBURSEMENT REQUEST
Step 4: TUITION REIMBURSEMENT
*To be completed at **END** of semester.*

NOTE: To receive tuition and book reimbursement, the employee must attach a **grade report** for all course(s) indicated, as well as a **fee receipt for tuition and textbook payment**.

Name: _____

Department: _____ Title: _____

Name of College or University: _____

Semester course(s) taken: _____

	<u>Course Title(s)</u>	<u>Tuition Cost</u>	<u>Textbook Cost</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

Approximate Cost: Tuition \$ _____ Books \$ _____

Did you receive funds from any other source for payment of tuition/textbooks?
Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc) are required to submit reimbursement requests for the balance of the tuition not covered by the alternate source.

By signing this request form, I certify that this tuition reimbursement request is a true and accurate statement of my enrollment, course completion, grade, and tuition/textbook expense. I am hereby requesting reimbursement pursuant to the city's personnel policy.

Employee Signature _____ Date _____

HUMAN RESOURCES DEPARTMENT: Reimbursement

Human Resources Director _____ Date _____



REQUEST FOR OUTSIDE EMPLOYMENT

Name: _____ Date: _____

Department: _____ Title: _____

As directed by *Policy 1.12 Outside Employment*, I hereby request approval to engage in outside employment as described below:

Nature of Employment:

Time required for Employment:

I understand that City policy forbids me from engaging in any form of outside employment or business opportunity, for myself or another employer, which would conflict or interfere with my job at the City of Texarkana, while on City time, or using City equipment or materials. I understand that in order to engage in outside employment, I must receive approval from my supervisor and Department Director in advance of performing such outside employment, and that the approval may be withdrawn at any time. I also understand and agree that my outside employment must be suspended if my work status is sick leave, workers' compensation leave, or restricted duty.

Employee Signature

Date

DEPARTMENT DIRECTOR ACTION

☐ Request Approved

☐ Request Denied

Comments or Special Conditions:

Department Director Signature

Date

Forward completed form to the Human Resources Department.



NON-DICLOSURE OF PERSONNEL INFORMATION

Under the Texas Public Information Act, Section 552.024 of the Government Code, you may designate whether you want the City of Texarkana to release your address, telephone number(s), or information on family members, when a requests is made. Please indicate by checking the appropriate box below to authorize release of this information or withhold this information.

☐ I elect to withhold this information from public release.

☐ I authorize release of this information.

Print Employee Name

Department

Employee Signature

Date

Department Director: Please forward original form to Human Resources

Summary Changes to HR Handbook

Introduction:

Amendment of Policy: Page 4 allows amendments to the HR Handbook by the City Manager. Amendments of substance require Council approval.

Chapter 1 Employment:

- Section 1.0 Page 1: Added reference to Genetic Information Nondiscrimination Act.
- Section 1.06 Page 8: Disqualifications: Added last bullet item to combine all Civil Service rules, orders and directives.
- Section 1.07 Added Employment Relations to communicate expectations for an effective professional work environment.
- Section 1.08 Added Work Ethic to define ethical conduct.
- Section 1.09 Modified Employment Classifications:
 - A. Introduced "Orientation Period" to replace "probation" for non-civil service employees.
 - E. Established a specific time period for the employment of temporary and seasonal workers.
 - G. Retained Exempt Employees are not eligible to receive overtime.
- Section 1.10 Modified Orientation Period to:
 - Allows the use of sick/vacation leave during the orientation period with Director approval.
 - Defines performance evaluation during orientation as a continual process with formal evaluations at 3 and 6 months.
- Section 1.11 Clarified Nepotism: Employees who are related through blood, marriage, adoption, cohabitation or as roommates may work in the same department however, not in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. No person related through blood, marriage, adoption, cohabitation or as roommates to the City Manager, Mayor, or any member of the City Council, shall be employed in a paid position in the City. The City prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, cohabitation or as roommates.
- Section 1.12 Outside Employment: Added to establish procedure for outside employment.
- Section 1.15 Procedural Referral: Added as an additional option to assist employees.
- Section 1.16 Personal Relationships: Added To provide guidance in areas where personal relationships overlap with working relationships and avoid potential conflicts of interest in the workplace.

Summary Changes to HR Handbook

Chapter 2 Personnel Actions and Records:

Section 2.01 Personnel Files: Added policy regarding maintenance and access to files.

Section 2.02 Confidentiality of Medical Information: Added policy.

Section 2.04 Attendance and Work Hours: Added to defined attendance, punctuality and notification procedure.

Section 2.05 Breaks: Added Break Time for New Mothers and defined practices not permitted such as “banking” rest periods.

Section 2.09 Separation of Employment: Established the types of separation and the basis for automatic termination.

Section 2.10 Retirement: Recommended a change to current buyout language for employees hired after January 1, 2010;

Para. #3

From: 25% of their current sick leave balance, sick leave balance may not exceed 2,080.

To: 720 hours of their sick leave balance.

Retirees shall select cash payment or convert total amount to insurance premium, not both.

para. #5; ceases health and dental insurance to retirees when they become Medicare eligible.

para. #7; allows retiree to insure dependents through buyout and on the retiree medical plan.

Chapter 3 Leave:

Section 3.01 Attorney suggests adding a floating administrative holiday to replace Good Friday. Evaluation Committee and Cabinet elected to leave Good Friday.

Section 3.02 Item A,4: recommend adjusting vacation accrual carry over balance from 160 hours to 200 hours.

Section 3.02 Item 5: Allows Department Directors to approve vacation leave for full time employees during orientation period.

Section 3.02 C: Requires five years of continuous service to be eligible for vacation pay at termination. Statistically, if an employee leaves the city it will occur in the first five years of employment.

Section 3.02 E: Added: If the employee is terminated or resigns without a two (2) week notice, or fails to work the final full two (2) weeks after notice, no payment for accrued vacation leave shall be made, unless the two (2) week notice is waived by the Department Directors and the Director of Human Resources.

Summary Changes to HR Handbook

- Section 3.03 Sick Leave: Allows Department Directors to approve sick leave for full time employees during orientation period.
- Section 3.03 Sick Leave: Establishes minimum increments of one hour for sick leave use.
- Section 3.04 and 3.05 Family Medical Leave and Military Leave: Provided more policy detail and application information for clarity.
- Section 3.06 Bereavement Leave: Made bereavement leave chargeable to administrative leave instead of sick leave.
- Section 3.07 Jury and Witness Duty Leave: Defined when jury duty is compensated as actual work hours and when it is charged to administrative leave.
- Section 3.08 Voting Leave: Allows for paid leave to vote under certain restrictive conditions.
- Section 3.11 Leave of Absence: Add this policy that previously did not exist. Expectations are this leave will be rare and must be approved by the City Manager.
- Section 3.12 Leave Donation Program: Allows employees to contribute leave to other employees in need based on specific qualifying events. Previous program was too restrictive and did not achieve the desired results.

Chapter 4 Compensation:

- Section 4.01 para. B, Time Not Worked; defined paid leave does not count as time worked which aligns with the Fair Labor Standards Act.
- Section 4.04 See last para. Under Non-Exempt Employees. The proposed policy removes vacation, holiday and jury duty from the calculation of overtime pay. Evaluation Committee could not reach a consensus and deferred to Department Directors.
- Section 4.04 Compensatory Time: Must be documented on the time sheet, used by the 25th pay period and the employee must be paid for accrued comp time balance on the 26th pay period. Policy allows a 40 hour carryover.
- Section 4.04 Exempt Employees: Evaluation Committee agreed to not allow overtime compensation for exempt employees.
- Section 4.05 Added: Alternative/Compressed Schedule policy. Department Directors have the authority to approve alternative or compressed work schedules.
- Section 4.07 On Call and Call Back; to standardize On Call/Emergency Call Back pay across the City and provide guidelines for employees who are subject to on call or emergency call back pay. Eliminates on-call standby overtime compensation.
- Section 4.09 Certification Pay; opens access to certification pay to all city employees.

Chapter 5:

The purpose of this chapter is to educate employees on the types of benefits available to them.

Summary Changes to HR Handbook

- Section 5.06 Deferred Compensation Plan: Added to inform employees they have access to our 457 deferred compensation plan.
- Section 5.08 Employee Assistance Program: City Manager and Finance Director were instrumental in the establishment of this program. It is the first of it's kind for the city. Several employees have participated and received assistance from the program.
- Section 5.11 Tuition Reimbursement; to provide employees with the procedures to access and utilize the City of Texarkana's Tuition Reimbursement Program. Policy was completely revised. Books and mandatory fees are included at 50% not to exceed the cost of tuition.
- Section 5.12 Education Pay: Eliminated with the adoption of this policy. Contains a grandfather clause.

Chapter 6: Employee Conduct

- Section 6.01 Defined the levels of progressive discipline.
- Section 6.02 Page 5, Lists specific examples of conduct subject to discipline. (A-X)
- Section 6.03 Disciplinary Actions Appeal Process: Created the Employee Disciplinary Review Board also referred to as a peer review. Allows employees to appeal any disciplinary action involving a written reprimand, probation and disciplinary suspension. The decision of the Review Board will be final except suspensions greater than five days may be appealed to the City Manager for final disposition.
- Section 6.04 Grievance: Established a three step process for the filing of grievances.
- Section 6.07 Harassment: Created the guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.
- Section 6.09 Political Activity: Adopted the Texas Municipal Human Resources Association model policy.

Chapter 7: Work Environment

- Section 7.01 Cell Phone Use in the Workplace: Addresses personal cell phone use at work and provides for supervisor approval for the privilege.
- Section 7.02 Electronic Communications and System Access Use: This policy governs user behavior pertaining to access and usage of the City's electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City's electronic communications systems.
- Section 7.03 Social Networking: Adopted the Texas Municipal Human Resources Association model policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. This

Summary Changes to HR Handbook

policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City. This policy was reviewed and edited by the Public Information Officer.

Section 7.04 Arrests, Confinements and Indictments: Adopted the Texas Municipal Human Resources Association model policy. City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.

Section 7.05 Weapons Control and Violence Prevention Policy: Adopted the Texas Municipal Human Resources Association model policy. The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur. Policy addresses concealed weapons permits.

Section 7.07 City Property/Equipment Use: Adopted the Texas Municipal Human Resources Association model policy. The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times. The policy addresses take home vehicles and the likelihood of an employee to incur a federal income tax liability for the use of a take home vehicle not classified as exempt.

Section 7.11 Tobacco Use: Adopted the Texas Municipal Human Resources Association model policy. In keeping with the City's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited on City property including the parking areas, in City-owned or municipal buildings or in City-owned, rented, or leased vehicles or equipment. No employee shall use tobacco products while making public contact. In City-owned buildings, employees may use tobacco products outdoors, in non-public entrance areas designated by the Department Director, during their break or meal period.

Chapter 8: Miscellaneous

Section 8.01 Media Relations: Adopted the Texas Municipal Human Resources Association model policy. Standardizes the City's communication with the media and assure that information about the City and its policies, practices, and programs are communicated properly and reported accurately to the

Summary Changes to HR Handbook

media. Policy was reviewed and edited for content by the Public Information Officer.

Unless otherwise authorized, the City's spokespersons are:

- Mayor
- City Manager, Assistant City Manager
- Public Information Officer
- Department Directors or their designee have the authority to communicate with the media within areas of their responsibility and expertise. Other staff should refer media requests to their Department Director or Public Information Office without comment.
- The Public Information Office must be notified of all potentially sensitive, contentious, or controversial media inquiries with respect to City activities.

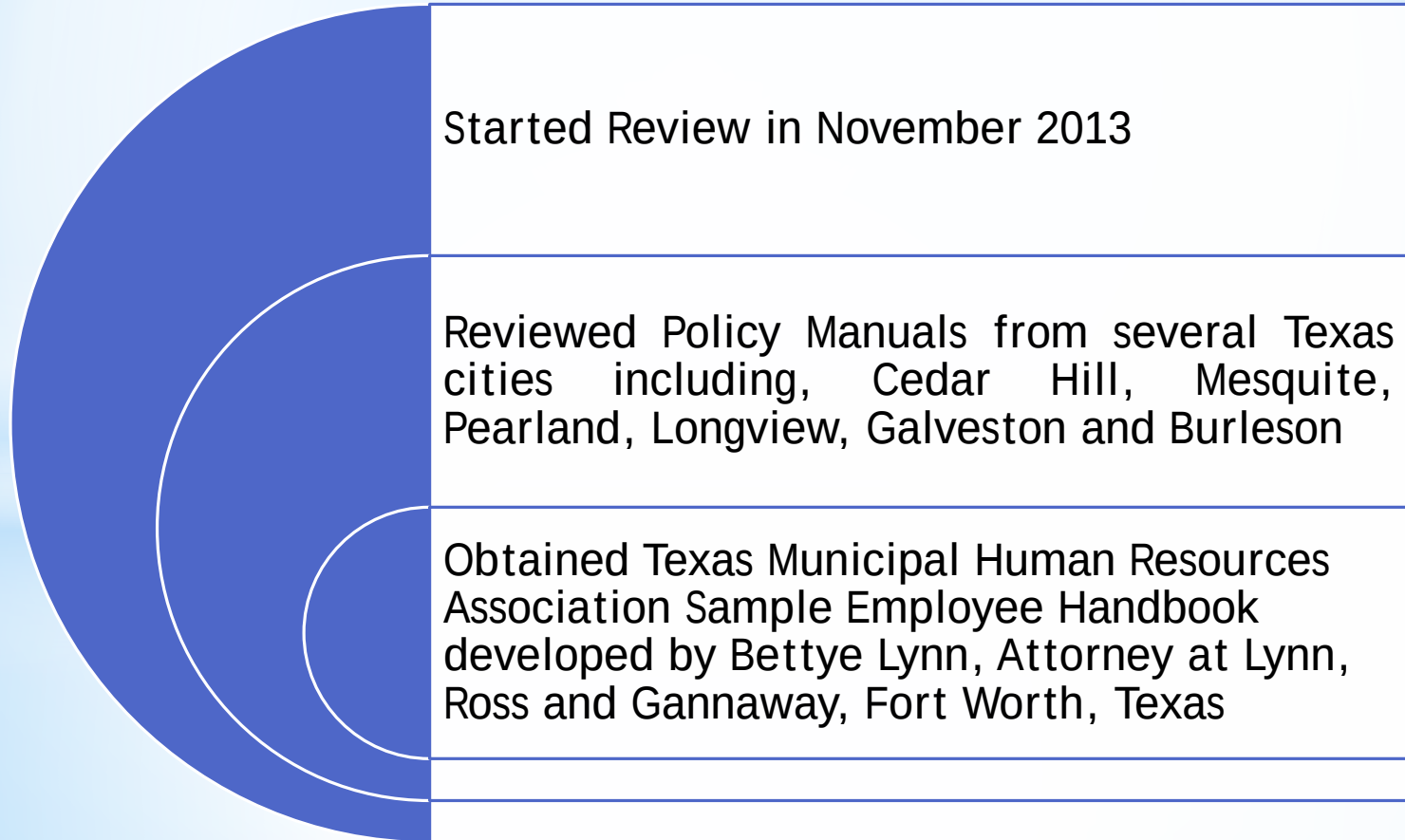


HR HANDBOOK 2015

A Comprehensive Review of Policy

*In the beginning:

5.3.e



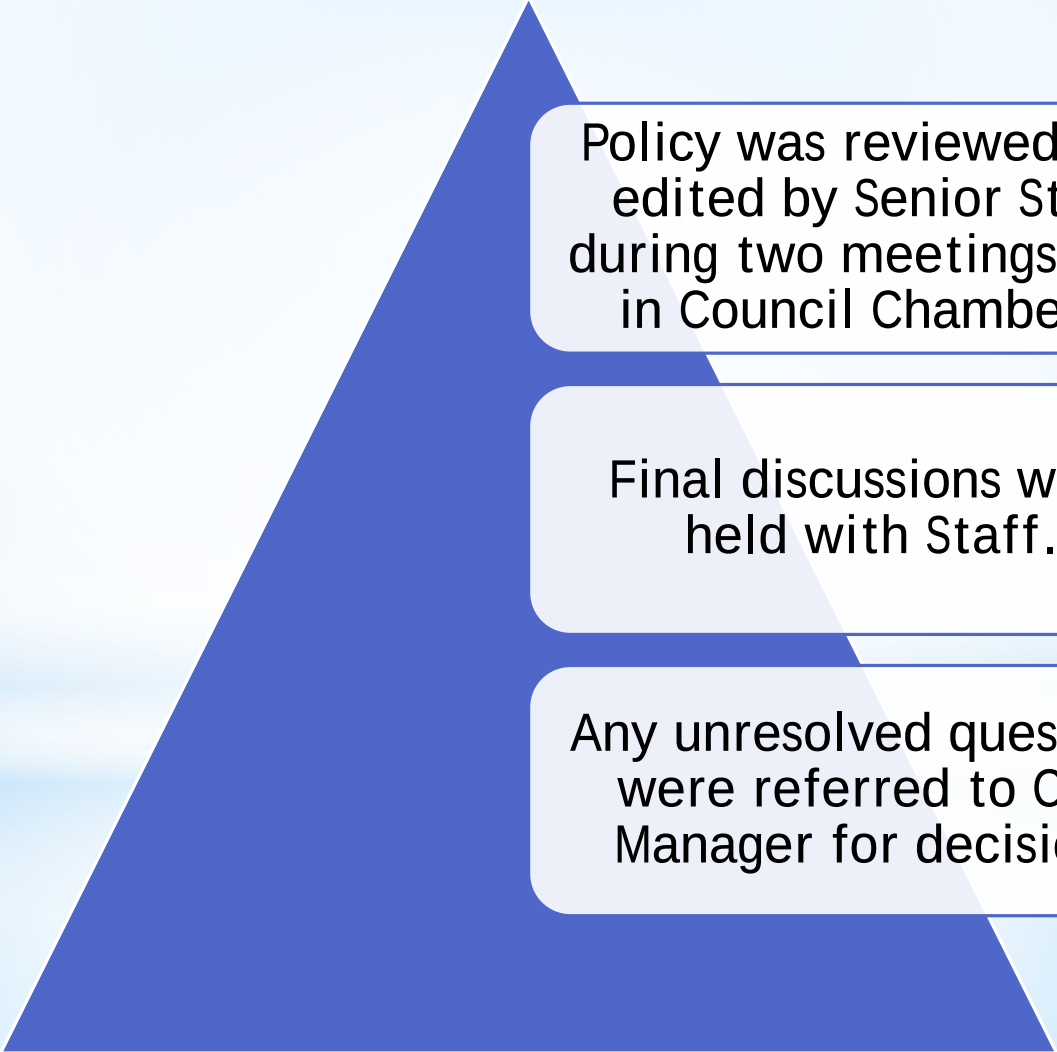
*Review Process

Evaluation Committee was created

- | | |
|--------------------|-----------------------|
| • Paula Jeans | TWU |
| • Charles Kreidler | Police |
| • Kyle Dooley | Public Works |
| • Robby Robertson | Parks |
| • Cheryl Haff | Health |
| • Jeff Heminger | Fleet |
| • Nancy Carter | Finance |
| • Chris Black | Fire |
| • Jennifer Evans | City Manager's Office |

*Staff Review

5.3.e



Policy was reviewed and edited by Senior Staff during two meetings held in Council Chambers.

Final discussions were held with Staff.

Any unresolved questions were referred to City Manager for decision.

*FINAL ATTORNEY REVIEW

5.3.e

The final draft document was submitted for review and editing
by Louise Tausch, City Attorney



SUMMARY OF CHANGES TO HR HANDBOOK

*INTRODUCTION

Amendment of Policy

Page 4 allows amendments to the HR Handbook by the City Manager.

Amendments of substance require Council approval

* Chapter 1 Employment

5.3.e

Section 1.09

Modified Employment Classifications

E. Established a specific time period for the employment of temporary and seasonal workers.

F. Retained Exempt employees are not eligible to receive overtime.

*Chapter 1 Employment

5.3.e

Section 1.10

Modified Orientation Period

Allows the use of sick/vacation leave during the orientation period with Director approval.

* Chapter 1 Employment

5.3.e

Section 1.11

Clarified Nepotism

Employees who are related through blood, marriage, adoption, cohabitation or as roommates may worker in the same department however, not in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. No person related through blood, marriage, adoption, cohabitation or as roommates to the City Manager, Mayor, or any member of the City Council, shall be employed in a paid position in the City. The City prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, cohabitation or as roommates.

* Chapter 2

Personnel Actions and Records

Section 2.10

Retirement

Recommended a change to current buyout language for employees hired after January 1, 2010;

Para.#3

From: 25% of their current sick leave balance, sick leave balance may not exceed 2,080.

To: 720 hours of their leave balance.

Retirees shall select cash payment or convert total amount to insurance premium, not both.

* Chapter 2

Personnel Actions and Records

Section 2.10

Retirement

Para.#5

Ceases health and dental insurance to retirees when they become Medicare eligible.

Para.#7

Allows retiree to insure dependents through buyout and on the retiree medical plan.

* Chapter 3 Leave

5.3.e

Section 3.01

Attorney suggests adding a floating administrative holiday to replace Good Friday. Evaluation Committee and Cabinet elected to leave Good Friday.

Section 3.02

Item A,4:

Recommend adjusting vacation accrual carry over balance from 160 hours to 200 hours.

Item 5:

Allows Department Directors to approve vacation leave for full time employees during orientation period.

* Chapter 3 Leave

5.3.e

Section 3.02 C:

Requires five years of continuous service to be eligible for vacation pay at termination. Statistically, if an employee leaves the city it will occur in the first five years of employment.

* Chapter 3 Leave

5.3.e

Section 3.06

Bereavement Leave:

Made bereavement leave chargeable to administrative leave instead of sick leave.

Section 3.07

Jury and Witness Duty Leave:

Defined when jury duty is compensated as actual work hours and when it is charged to administrative leave.

Section 3.08

Voting Leave:

Allows for paid leave to vote under certain restrictive conditions.

* Chapter 3 Leave

5.3.e

Section 3.11

Leave of Absence:

Add this policy that previously did not exist. Expectations are this leave will be rare and must be approved by the City Manager.

Section 3.12

Leave Donation Program:

Allows employees to contribute leave to other employees in need based on specific qualifying events. Previous program was too restrictive and did not achieve the desired results.

* Chapter 4 Compensation

5.3.e

Section 4.01

Para. B, **Time Not Worked**; defined paid leave does not count as time worked which aligns with the Fair Labor Standards Act.

Section 4.04

See last para. **Under Non-Exempt Employees**. The proposed policy removes vacation, holiday and jury duty from the calculation of overtime pay.

* Chapter 4 Compensation

5.3.e

Section 4.04

Compensatory Time

Must be documented on the time sheet, used by the 25th pay period and the employee must be paid for accrued comp time balance on the 26th pay period. Policy allows a 40 hour carryover.

Section 4.04

Exempt Employees

Evaluation Committee agreed to not allow overtime compensation for exempt employees.

* Chapter 4 Compensation

5.3.e

Section 4.05

Added:

Alternative/Compressed Schedule Policy. Department Directors have the authority to approve alternative or compressed work schedules.

Section 4.07

On Call and Call Back

To standardize On Call/Emergency Call Back pay across the City and provide guidelines for employees who are subject to on call or emergency call back pay. Eliminates on-call standby overtime compensation.

Section 4.09

Certification Pay

Opens access to certification pay to all city employees.

* Chapter 5 Benefits

5.3.e

Section 5.06

Deferred Compensation Plan

Added to inform employees they have access to our 457 deferred compensation plan.

Section 5.08

Employee Assistance Program

City Manager and Finance Director were instrumental in the establishment of this program. It is the first of it's kind for the city. Several employees have participated and received assistance from the program.

* Chapter 5 Benefits

5.3.e

Section 5.11

Tuition Reimbursement

To provide employees with the procedures to access and utilize the City of Texarkana's Tuition Reimbursement Program. Policy was completely revised. Books and mandatory fees are included at 50% not to exceed the cost of tuition.

Section 5.12

Education Pay

Eliminated with the adoption of this policy. Contains a grandfather clause.

* Chapter 6 Employee Conduct

5.3.e

Section 6.03

Disciplinary Actions Appeal Process

Created the Employee Disciplinary Review Board also referred to as a peer review. Allows employees to appeal any disciplinary action involving a written reprimand, probation and disciplinary suspension. The decision of the Review Board will be final except suspensions greater than five days may be appealed to the City Manager for final disposition.

Section 6.04

Grievance

Established a three step process for the filing of grievances.

* Chapter 6 Employee Conduct

5.3.e

Section 6.07

Harassment

Created the guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.

Section 6.09

Political Activity

Adopted the Texas Municipal Human Resources Association model policy.

* Chapter 7 Work Environment

5.3.e

Section 7.01

Cell Phone Use in the Workplace

Addresses personal cell phone use at work and provides for supervisor approval for the privilege.

Section 7.02

Electronic Communications and System Access Use

This policy governs user behavior pertaining to access and usage of the City's electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City's electronic communications systems.

* Chapter 7 Work Environment

5.3.e

Section 7.03

Social Networking

Adopted the Texas Municipal Human Resources Association model policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. This policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City. This policy was reviewed and edited by the Public Information Officer.

* Chapter 7 Work Environment

5.3.e

Section 7.04

Arrests, Confinements and Indictments

Adopted the Texas Municipal Human Resources Association model policy. City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.

* Chapter 7

Work Environment

Section 7.05

Weapons Control and Violence Prevention Policy

Adopted the Texas Municipal Human Resources Association model policy. The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur. Policy addresses concealed weapons permits.

* Chapter 7 Work Environment

5.3.e

Section 7.07

City Property/Equipment Use

Adopted the Texas Municipal Human Resources Association model policy. The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times. The policy addresses take home vehicles and the likelihood of an employee to incur a federal income tax liability for the use of a take home vehicle not classified as exempt.

* Chapter 7 Work Environment

5.3.e

Section 7.11

Tobacco Use

Adopted the Texas Municipal Human Resources Association model policy. In keeping with the City's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited on City property including the parking areas, in City-owned or municipal buildings or in City-owned, rented, or leased vehicles or equipment. No employee shall use tobacco products while making public contact. In City-owned buildings, employees may use tobacco products outdoors, in non-public entrance areas designated by the Department Director, during their break or meal period.

*QUESTIONS?



CITY OF

TEXARKANA
TEXAS

5.3.f

HR HANDBOOK 2015

A Comprehensive Review of Policy

Attachment: HR HANDBOOK PRESENTATION 2015 PIO (1236 : Res. 2015-004 Adoption of

In the beginning:

- Started Review in November 2013
- Reviewed Policy Manuals from several Texas cities including, Cedar Hill, Mesquite, Pearland, Longview, Galveston and Burleson
- Obtained Texas Municipal Human Resources Association Sample Employee Handbook developed by Bettye Lynn, Attorney at Lynn, Ross and Gannaway, Fort Worth, Texas



Evaluation Committee:

Paula Jeans	TWU
Charles Kreidler	TTPD
Kyle Dooley	Public Works
Robby Robertson	Parks
Cheryl Haff	Health
Jeff Heminger	Fleet
Nancy Carter	Finance
Chris Black	TTFD
Jennifer Evans	City Manager's Office



Staff Review:

- Policy was reviewed and edited by Senior Staff during two meetings held in Council Chambers.
- Final discussions were held with Staff.
- Any unresolved questions were referred to City Manager for decision.

Final Attorney Review:

- The final draft document was submitted for review and editing by Louise Tausch, City Attorney



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Introduction	Page 4 allows amendments to the HR Handbook by the City Manager.	Amendments of substance require council approval.
Chapter 1: Employment Section 1.09 Modified Employment Classifications	Established a specific time period for the employment of temporary and seasonal workers.	
Chapter 1: Employment Section 1.09 Modified Employment Classifications	Retained Exempt employees are not eligible to receive overtime.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 1: Employment Section 1.10 Modified Orientation Period	Allows the use of sick/vacation leave during the orientation period with Director approval.	
Chapter 1: Employment Section 1.11 Clarified Nepotism	Employees who are related through blood, marriage, adoption, cohabitation or as roommates may work in the same department. However, they may not work in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. (cont.)	No person related through blood, marriage, adoption, cohabitation or as roommates to the City Manager, Mayor, or any member of the City Council, shall be employed in a paid position with the City. The City prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, cohabitation or as roommates.

Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 2 Personnel Actions and Records: Section 2.10 Retirement	Recommended a change to current buyout language for employees hired after January 1, 2010;	Para.#3 From: 25% of their current sick leave balance, sick leave balance may not exceed 2,080. To: 720 hours of their leave balance. <i>Retirees shall select cash payment or convert total amount to insurance premium, not both.</i>
Chapter 2 Personnel Actions and Records: Section 2.10 Retirement	- Para.#5 Ceases health and dental insurance to retirees when they become Medicare eligible. - Para.#7 Allows retiree to insure dependents through buyout and on the retiree medical plan.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 3 Leave: Section 3.01	Attorney suggests adding a floating administrative holiday to replace Good Friday. Evaluation Committee and Cabinet elected to leave Good Friday.	
Chapter 3 Leave: Section 3.02	Item A,4: Recommend adjusting vacation accrual carry over balance from 160 hours to 200 hours.	
Chapter 3 Leave: Section 3.02	Item 5: Allows Department Directors to approve vacation leave for full time employees during orientation period.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 3 Leave: Section 3.02 C	Requires five years of continuous service to be eligible for vacation pay at termination.	Statistically, if an employee leaves the city it will occur in the first five years of employment.
Chapter 3 Leave: Section 3.06 Bereavement Leave	Made bereavement leave chargeable to administrative leave instead of sick leave.	
Chapter 3 Leave: Section 3.07 Jury and Witness Duty Leave	Defined when jury duty is compensated as actual work hours and when it is charged to administrative leave.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 3 Leave: Section 3.08 Voting Leave	Allows for paid leave to vote under certain restrictive conditions.	
Chapter 3 Leave: Section 3.11 Leave of Absence	Add this policy that previously did not exist.	Expectations are this leave will be rare and must be approved by the City Manager.
Chapter 3 Leave: Section 3.12 Leave Donation Program	Allows employees to contribute leave to other employees in need based on specific qualifying events.	Previous program was too restrictive and did not achieve the desired results.



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 4 Compensation Section 4.01	Para. B, Time Not Worked; defined paid leave does not count as time worked which aligns with the Fair Labor Standards Act.	
Chapter 4 Compensation Section 4.04	See last para. Under Non-Exempt Employees. The proposed policy removes vacation, holiday and jury duty from the calculation of overtime pay.	
Chapter 4 Compensation Section 4.04 Compensatory Time	Must be documented on the time sheet, used by the 25th pay period and the employee must be paid for accrued comp time balance on the 26th pay period. Policy allows a 40 hour carryover.	



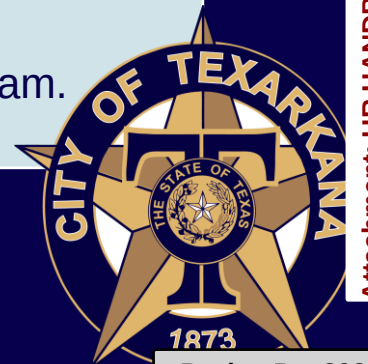
Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 4 Compensation Section 4.04 Exempt Employees	Evaluation Committee agreed to not allow overtime compensation for exempt employees.	
Chapter 4 Compensation Section 4.05	Added: Alternative/Compressed Schedule Policy. Department Directors have the authority to approve alternative or compressed work schedules.	
Chapter 4 Compensation Section 4.07 On Call and Call Back	To standardize On Call/Emergency Call Back pay across the City and provide guidelines for employees who are subject to on call or emergency call back pay. Eliminates on-call standby overtime compensation.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 4 Compensation Section 4.09 Certification Pay	Opens access to certification pay to all city employees.	
Chapter 5 Benefits Section 5.06 Deferred Compensation Plan	Added to inform employees they have access to our 457 deferred compensation plan.	
Chapter 5 Benefits Section 5.08 Employee Assistance Program	Added information about EAP	City Manager and Finance Director were instrumental in the establishment of this program. It is the first of its kind for the city. Several employees have participated and received assistance from the program.



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 5 Benefits Section 5.11 Tuition Reimbursement	To provide employees with the procedures to access and utilize the City of Texarkana's Tuition Reimbursement Program. Policy was completely revised.	Books and mandatory fees are included at 50% not to exceed the cost of tuition.
Chapter 5 Benefits Section 5.12 Education Pay	Eliminated with the adoption of this policy.	Contains a grandfather clause.
Chapter 6 Employee Conduct Section 6.03 Disciplinary Actions Appeal Process	Created the Employee Disciplinary Review Board also referred to as a peer review. Allows employees to appeal any disciplinary action involving a written reprimand, probation and disciplinary suspension. The decision of the Review Board will be final except suspensions greater than five days may be appealed to the City Manager for final disposition.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 6 Employee Conduct Section 6.04 Grievances	Established a three step process for the filing of grievances.	
Chapter 6 Employee Conduct Section 6.07 Harassment	Created the guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.	
Chapter 6 Employee Conduct Section 6.09 Political Activity	Adopted the Texas Municipal Human Resources Association model policy.	



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 7 Work Environment Section 7.01 Cell Phone Use in the Workplace	Addresses personal cell phone use at work and provides for supervisor approval for the privilege.	
Chapter 7 Work Environment Section 7.02 Electronic Communications and System Access Use	This policy governs user behavior pertaining to access and usage of the City's electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City's electronic communications systems.	
Chapter 7 Work Environment Section 7.03 Social Networking	Adopted the Texas Municipal Human Resources Association model policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites.	This policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City. This policy was reviewed and edited by the Public Information Officer.

Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 7 Work Environment Section 7.04 Arrests, Confinements and Indictments	Adopted the Texas Municipal Human Resources Association model policy. City employees are subject to disciplinary action and/or job restrictions for violations of law.	This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.
Chapter 7 Work Environment Section 7.05 Weapons Control and Violence Prevention Policy	Adopted the Texas Municipal Human Resources Association model policy. The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur.	Policy addresses concealed weapons permits.



Summary of Changes to HR Handbook:

Section	Amendment of Policy	Detail
Chapter 7 Work Environment Section 7.07 City Property/Equipment Use	Adopted the Texas Municipal Human Resources Association model policy. The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times.	The policy addresses take home vehicles and the likelihood of an employee to incur a federal income tax liability for the use of a take home vehicle not classified as exempt.
Chapter 7 Work Environment Section 7.11 Tobacco Use	Adopted the Texas Municipal Human Resources Association model policy. In keeping with the City's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited on City property including the parking areas, in City-owned or municipal buildings or in City-owned, rented, or leased vehicles or equipment. No employee shall use tobacco products while making public contact.	In City-owned buildings, employees may use tobacco products outdoors, in non-public entrance areas designated by the Department Director, during their break or meal period.



CITY OF

TEXARKANA
TEXASP.O. Box 1967
Texarkana, TX 75504
Phone (903) 798-3900

To: John Whitson, City Manager

From: Jim Powell, Human Resources Director

Date: February 2, 2015

Subject: Options for Vacation Buy Out at Termination

During the City Council meeting on January 26, 2015 Councilmember Casteel expressed concerned with wording used in Chapter 3, Section 3.02 regarding the payment of accrual leave balances (Buy Out) to an employee at separation.

Our proposed policy requires five years of continuous service to be eligible.

A recommendation was made to bring eligibility options for vacation buy out to the council for consideration.

Option 1: Retain the current policy of one year of continuous service.

Option 2: Adopt the proposed policy of five years of continuous service.

Option 3: Raise the benefit from 120 hours to 240 hours and establish vacation pay as a retirement benefit, payable when the employee retires from TMRS.

Recommendation:

All three options were discussed during meetings with the HR Handbook Review Committee. The unanimous consensus of the committee was to adopt option 2.

Attached for your consideration is a listing of seven other Texas cities and their retirement buy out elections.

	<u>Vacation</u>	<u>Sick</u>	<u>Employee Class</u>
San Angelo	240	720	NCS and PD
	360	1080	Fire

Retirement pay out for vacation and sick leave balances: San Angelo pay 240 vacation and 720 sick for non-civil and police. They pay 360 vacation and 1080 sick for fire.

Tyler	240	0	NCS
	240	720	PD and Fire

Retirement pay out for vacation and sick leave balances: Tyler pays 240 vacation to non-civil and civil. Tyler pays 720 sick to civil.

Mesquite	160	720	All Employees
Friendswood	320	0	Not Civil Service City
Round Rock	288	0	NCS and PD
	288	720	Fire

Haltom City	120 to 240	240*	NCS
	180 to 240	240*	PD and Fire Regular Shift
	252 to 360	240*	PD and Fire Shift Work

*Pays excess of 240 hours of sick each November, Max of 96 hours. Pays 240 at retirement.

New Braunfels	240	0	NCS
	240	720	PD and Fire
	240	1080	Fire Operations
Texarkana	120	720	Hired prior to 01/01/2010
		720	Equivalent insurance prem.
	120	720	NCS hired on or after
			01/01/2010 must choose
			Lump sum or insurance only.

NCS = Non-Civil Service



CITY OF
TEXARKANA
TEXAS

P.O. Box 1967
Texarkana, TX 75504
Phone (903) 798-3900

To: John Whitson, City Manager

From: Jim Powell, Human Resources Director

Date: January 23, 2015

Subject: Recommended Revision to Proposed HR Handbook
Regarding the Use of Paid Leave in the Calculation of Overtime

Question:

Is the City of Texarkana required to count leave including vacation, holiday, compensatory, jury duty or military leave counted towards "hours worked" for the purposes of calculating overtime?

Executive Summary:

Under Tex. Loc. Gov't Code Section 142.015 (f)(2), a police officer may not be required to work more than 40 hours per week, except in the instance of an emergency or if a majority of officers executes a waiver of this section's prohibition.

Overtime for firefighters does not accrue until the fire fighter works in excess of 53 hours in a 7 day pay period or 212 hours in a 28 day pay period. Neither 29 U.S.C. Section 207(k) or Tex. Loc. Gov't Code Section 142.015 (f)(2) requires leave to be counted toward hours worked for the purposes of overtime calculation.

Further, the employer is not required under either the Fair Labor and Standards Act (FLSA) or the Texas Local Government Code to schedule or allow an employee to work overtime.

Texas Local Government Code Section 142.015 prohibits police officer from being required to work more than 40 hours in a calendar week. However, in the past, the City of Texarkana has obtained a waiver of this prohibition from a majority of officers as is allowed under Tex. Loc. Gov't Code Section 142.015 (j). These waivers allow for the flexible scheduling of officers during a pay period. For example, an officer may be scheduled to work 4 twelve-hour shifts in week one and only 3 twelve-hour shifts in week two for a total of 80 hours worked per pay period without incurring overtime. This is based upon the normal number of hours

worked by the majority of municipal employees other than fire and police, which you relayed is 40 hours per week. If the officer is scheduled to work or does work more than 80 hours during the two-week pay period, he or she would be entitled to overtime at the rate of one and one-half the regular hourly rate for all time worked over 80 hours.

This is in contrast to employees of the fire department who operate under the exemption allowed by 29 U.S.C. Section 207(k). This section exempts the employer from overtime until the employee has worked more than 53 hours in a seven day work period or 212 hours worked in a 28 day work week.

Also, although the statute is difficult to interpret, Texas Local Government Code Section 142.0015 (f)(1) does not apply to the City of Texarkana based upon the facts, as follows:

- A.) Texarkana does NOT have a population of more than one million residents.
- B.) Texarkana is not subject to 142.017 (which applies exclusively to the City of Houston.)
- C.) Texarkana has NOT adopted Chapter 174, allowing Collective Bargaining with the respective police association.

Instead, Texarkana falls under Tex. Loc. Gov't Code Section 142.015 (f)(2), which applies to Cities not described by section (f)(1). For cities falling under (f)(2), except as provided in Tex. Loc. Gov't Code Section 142.015(g) or (j), the officer may not be required to work more hours during a calendar week than the number of hours in the normal work week of the majority of the employees of the municipality other than fire fighters and police officers. You have expressed that the normal hours worked for general government employees of the City is 40 hours per week. Therefore, waivers as described in section (j) are required to schedule police officers to work more than 40 hours per week.

Importantly, since the City of Texarkana is governed by Tex. Loc. Gov't Code 142.015(f)(2), the City is **NOT** required to count leave toward hours worked in a pay period for the purposes of calculating overtime.

Recommendation:

One of our goals during the revision to the HR Handbook was create as much consistency as possible between civil services and non-civil service employees. I find no statutory requirement to require the city to allow the use of paid leave in the calculation of overtime.

Current policy allows for vacation, holiday and jury duty to be used as work time in the calculation of overtime. It is my recommendation we continue allowing vacation and holiday time to be used in the calculation of overtime, while eliminating jury duty. After a thorough evaluation of our compensation schedule and necessary adjustments are implemented we could revisit the calculation of overtime.

City of Texarkana, Texas

Version: A

Update Date: 2/19/2015 2:57 PM

Briefing Sheet

Lead Department:	<u>Planning and Community Development</u>	Action Officer:	<u>David Orr, Administrative Services Manager</u>
Subject:	<u>Resolution No. 2015-022 authorizing support for the Texarkana, Texas Housing Authority Robison Terrace Development.</u>		
Briefing:	Public Hearing:	Second Briefing:	Council Vote:
<u>2/23/2015</u>			<u>2/23/2015</u>

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

HATT Executive Director Johnny Riley has requested the City's support for the proposed Robison Terrace tax credit application. The City will commit to provide up to \$10,175 per unit, for up to 130 units, in loans and/or in-kind contributions for the development of Robison Terrace (estimated at \$1,322,750), which may be in the form of repayable loans, fee waivers, infrastructure improvements, regulatory offsets and/or alternative designs, other in-kind contributions, and/or over sizing of utilities if deemed beneficial to the City for future development. Specific in-kind contributions will be determined by August 3, 2015.

Potential Options:

- None
-

Fiscal Implications:

\$1,322,750 in loans and/or in-kind contributions

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Goals & Perspectives HATT (DOCX)
- b. Res No 2015-022 Robison Terrace (DOC)
- c. Reso. 2015-022 signed (PDF)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	02/13/2015 4:37 PM		
Public Works Department	Kyle Dooley	Review	Completed
	02/13/2015 8:46 PM		
Finance Department	Charlie Bassett	Review	Completed
1:20 PM			02/16/2015
Assistant City Manager	Shirley Jaster	Review	Completed
	02/16/2015 1:29 PM		
Public Information Officer	Lisa Thompson	PIO Review	Completed
	02/16/2015 1:30 PM		
City Manager	John Whitson	City Manager Review	Completed
1:45 PM			02/16/2015
City Council	Jennifer Evans	Meeting	Completed
6:00 PM			02/23/2015

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☒ Provide a Safe Community ☒ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☒ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☒ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☒ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐ Newspaper Notice (Required by Statute)	☐ Public Hearing (Required by Statute)
☐ Public Forum/Input Session	☐ Press Release
☐ E-News Distribution	☐ Website Notice
☐ Social Media (Twitter, Facebook, etc.)	☐ Special Mailing
☐ Flyers Posted	☐ Banners Posted
☐ Survey	☐ Automated Phone Call
☒ None Required	☐

Other:

RESOLUTION NO. 2015 - 022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE 2015 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY THE HOUSING AUTHORITY OF THE CITY OF TEXARKANA, TEXAS AS ROBISON TERRACE DEVELOPMENT, L.P. FOR THE PROJECT KNOWN AS “ROBISON TERRACE” LOCATED AT 1010 DAN HASKINS WAY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana has adopted the Goals and Objectives for its 2013 - 2017 Consolidated Plan for Community Planning and Development following public hearings and the receipt of comments on housing and community development needs and funding requests within the City; and

WHEREAS, the primary objective of the Community Planning and Development Program is to develop a viable urban community, including decent, safe, affordable housing and a suitable living environment, and to expand economic opportunities for persons of low- and moderate income; and

WHEREAS, one of the objectives of the proposed 2013 - 2017 Consolidated Plan is to increase the availability, financial accessibility, and support for safe, decent, and affordable housing to enhance the quality of life for citizens; and

WHEREAS, one of the objectives of the 2013 - 2017 Consolidated Plan is to increase the availability, financial accessibility, and support for affordable and subsidized rental units; and

WHEREAS, one of the objectives of the Rose Hill Redevelopment Plan adopted by Council Consolidated Plan is to increase the availability of affordable rental housing in the designated Rose Hill Redevelopment area; and

WHEREAS, the Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. has advised that it intends to submit an application to the TDHCA for 2014 9% Competitive Housing Tax Credits for the Robison; and

WHEREAS, consistent with said objectives, and other goals and strategies eligible under applicable Federal regulations, the City of Texarkana has previously supported Federal assistance to encourage construction of qualified HTC housing development projects; and

WHEREAS, the City of Texarkana has determined that the application for Robison Terrace being submitted to the TDHCA by Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. qualifies as the development contributing most significantly to the concerted revitalization efforts of the Rose Hill Neighborhood and the City of Texarkana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the City supports Application Number 15299 by Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. for HTCs as administered by the TDHCA to develop Robison Terrace to be located at 10110 Dan Haskins Way to meet the needs for affordable multifamily rental housing for citizens of modest means in Texarkana, Texas.

SECTION 2: That the support stated herein will enable the City to carry on appropriate community development activities directed toward meeting the specified objectives of the Consolidated Plan, Rose Hill Neighborhood Revitalization Plan and other potentially applicable adopted City Plans.

SECTION 3: That the City of Texarkana will commit to provide up to \$10,175 per unit, for up to 130 units, in loans and/or in-kind contributions for the development of Robison Terrace (estimated at \$1,322,750), which may be in the form of repayable loans, fee waivers, infrastructure improvements, regulatory offsets and/or alternative designs, other in-kind contributions, and/or over sizing of utilities if deemed beneficial to the City for future development. Specific in-kind contributions will be determined by August 3, 2015.

SECTION 4: That the development contribution being committed was not first provided to the City of Texarkana by the Applicant, the Developer, Consultant, Related Party, or any individual, or entity acting on behalf of the proposed application.

SECTION 5: That the City authorizes Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. to apply for TDHCA State allocated HOME Program funds.

SECTION 6: That the governing body of the City of Texarkana hereby identifies the Robison Terrace as the development in the 2015 tax credit applicant pool that contributes most significantly to the concerted revitalization efforts of the Rose Hill Neighborhood and the City of Texarkana.

SECTION 7: That for and on behalf of the City Council, the City Secretary will certify this resolution to the TDHCA.

SECTION 8: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

RESOLUTION NO. 2015 - 022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE 2015 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY THE HOUSING AUTHORITY OF THE CITY OF TEXARKANA, TEXAS AS ROBISON TERRACE DEVELOPMENT, L.P. FOR THE PROJECT KNOWN AS "ROBISON TERRACE" LOCATED AT 1010 DAN HASKINS WAY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana has adopted the Goals and Objectives for its 2013 - 2017 Consolidated Plan for Community Planning and Development following public hearings and the receipt of comments on housing and community development needs and funding requests within the City; and

WHEREAS, the primary objective of the Community Planning and Development Program is to develop a viable urban community, including decent, safe, affordable housing and a suitable living environment, and to expand economic opportunities for persons of low- and moderate income; and

WHEREAS, one of the objectives of the proposed 2013 - 2017 Consolidated Plan is to increase the availability, financial accessibility, and support for safe, decent, and affordable housing to enhance the quality of life for citizens; and

WHEREAS, one of the objectives of the 2013 - 2017 Consolidated Plan is to increase the availability, financial accessibility, and support for affordable and subsidized rental units; and

WHEREAS, one of the objectives of the Rose Hill Redevelopment Plan adopted by Council Consolidated Plan is to increase the availability of affordable rental housing in the designated Rose Hill Redevelopment area; and

WHEREAS, the Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. has advised that it intends to submit an application to the TDHCA for 2014 9% Competitive Housing Tax Credits for the Robison; and

WHEREAS, consistent with said objectives, and other goals and strategies eligible under applicable Federal regulations, the City of Texarkana has previously supported Federal assistance to encourage construction of qualified HTC housing development projects; and

WHEREAS, the City of Texarkana has determined that the application for Robison Terrace being submitted to the TDHCA by Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. qualifies as the development contributing most significantly to the concerted revitalization efforts of the Rose Hill Neighborhood and the City of Texarkana.

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SECTION 1: That the City supports Application Number 15299 by Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. for HTCs as administered by the TDHCA to develop Robison Terrace to be located at 10110 Dan Haskins Way to meet the needs for affordable multifamily rental housing for citizens of modest means in Texarkana, Texas.

SECTION 2: That the support stated herein will enable the City to carry on appropriate community development activities directed toward meeting the specified objectives of the Consolidated Plan, Rose Hill Neighborhood Revitalization Plan and other potentially applicable adopted City Plans.

SECTION 3: That the City of Texarkana will commit to provide up to \$10,175 per unit, for up to 130 units, in loans and/or in-kind contributions for the development of Robison Terrace (estimated at \$1,322,750), which may be in the form of repayable loans, fee waivers, infrastructure improvements, regulatory offsets and/or alternative designs, other in-kind contributions, and/or over sizing of utilities if deemed beneficial to the City for future development. Specific in-kind contributions will be determined by August 3, 2015.

SECTION 4: That the development contribution being committed was not first provided to the City of Texarkana by the Applicant, the Developer, Consultant, Related Party, or any individual, or entity acting on behalf of the proposed application.

SECTION 5: That the City authorizes Housing Authority of Texarkana, Texas as Robison Terrace Development, L.P. to apply for TDHCA State allocated HOME Program funds.

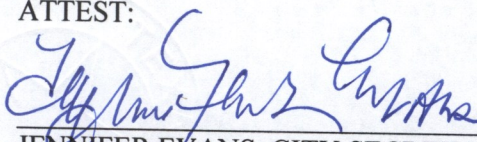
SECTION 6: That the governing body of the City of Texarkana hereby identifies the Robison Terrace as the development in the 2015 tax credit applicant pool that contributes most significantly to the concerted revitalization efforts of the Rose Hill Neighborhood and the City of Texarkana.

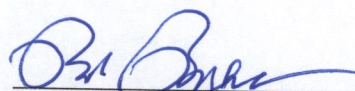
SECTION 7: That for and on behalf of the City Council, the City Secretary will certify this resolution to the TDHCA.

SECTION 8: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

7:13 p.m.

City of Texarkana, Texas

Version: A

Update Date: 2/19/2015 3:01 PM

Briefing Sheet

Lead Department: Police **Action Officer:** Kevin Schutte,
Ordinance No. 2015-023 amending Ordinance No. 2014-073 concerning Fiscal
Year 2014-2015 City of Texarkana Texas budget to allow for a monetary
donation of \$10,000 to be added to the police department budget account
number 101-1702-52207 (Minor Tools and Equipment) for the purpose of using
Subject: donation funds to purchase body cameras to be utilized by patrol officers.

Briefing: 2/23/2015 **Public Hearing:** **Second Briefing:** **Council Vote:** 2/23/2015

Item Schedule**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

The police department was recently approached by the Sadowski family who expressed a desire to make a monetary donation of \$10,000 to assist the police department in purchasing body worn audio and video recording devices.

The monies have been received and have been deposited in the city general fund.

This ordinance amends Ordinance No. 2014-073 in which Council approved the City of Texarkana Texas Budget for Fiscal Year 2014-2015. This amendment is needed to allow for the money donated to be added to the police department budget account 101-1702-52207 Minor Tools and Equipment. This ordinance will publicly acknowledge receipt of the money and authorize its allocation to a line item in the police department's budget to facilitate the purchase of body worn audio and video recording devices.

Potential Options:

- NONE
-

Fiscal Implications:

Increase of \$10,000 in donated revenue to the city.

Staff Recommendation:

Staff recommends accepting this donation and increasing the department's budget to reflect the monies donated.

Advisory Board/Committee Review:

NONE

City of Texarkana, Texas

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Ord No 2015-023 Ordinance (DOCX)
- b. Goals & Perspectives (DOCX)
- c. Ord. 2015-023 signed (PDF)

Staff Coordination

Finance Department	Charlie Bassett	Finance Review	Completed	02/16/2015
3:06 PM				
Public Information Officer		Lisa Thompson	PIO Review	Completed
	02/16/2015 3:21 PM			
City Manager	John Whitson	City Manager Review	Completed	02/16/2015
3:31 PM				
City Council	Jennifer Evans	Meeting	Completed	02/23/2015
6:00 PM				

Meeting History

ORDINANCE NO. 2015 - 023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE POLICE DEPARTMENT BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the budget estimate of the expenditures of the police department of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2014, and ending September 30, 2015, be amended to reflect additional expenditures appropriated as a result of a citizen donation.

1. Increase appropriations in the Texarkana, Texas Police Department budget account number 101-1702-52207 (Minor Tools and Equipment) in the amount of \$10,000.

SECTION 2: It is further provided that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☒ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☒ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☐ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
X	None Required	☐	
Other:			

ORDINANCE NO. 2015 - 023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE POLICE DEPARTMENT BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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1. Increase appropriations in the Texarkana, Texas Police Department budget account number 101-1702-52207 (Minor Tools and Equipment) in the amount of \$10,000.

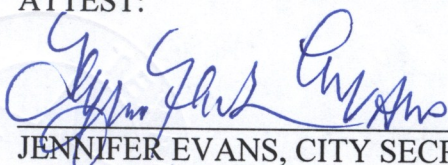
SECTION 2: It is further provided that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

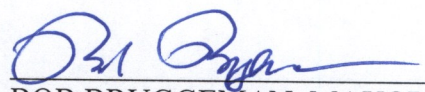
SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

7:16 p.m.

City of Texarkana, Texas

Version: G

Update Date: 2/17/2015 9:32 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** John Whitson, City Manager
Ordinance No. 2015-021 amending the FY15 Budget for personnel adjustments,
Subject: establishing the city's minimum salary level and adding a Health Inspector
position.
Public **Second** **Council**
Briefing: 3/23/2015 **Hearing:** 3/9/2015 **Briefing:** March 23, 2015 **Vote:** 4/13/2015

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Pay Adjustment (ATTH 01):

According to the U.S. Census Bureau the per capita income in Texarkana, Texas is \$23,569. This the mean money income for all people 15 years old and over in a geographic area by the total population in the area (note – income is not collected for people under 15 years old even though those people are included in the denominator of per capita income).

No Texarkana civil service employee earns less than \$36,000 (152% of Texarkana per capita income). However, 148 general schedule employees are paid less than \$36,000 including 13 employees/positions who are paid less than \$20,000 (85% of Texarkana per capita income).

Setting the city's employee minimum pay at \$20,000 and increasing these 13 employees/positions pay to \$20,000 will require a \$21,350 increase in the annual operating budget. For the remainder of FY15 the budget adjustment will be \$9,850.

Current Year Budget Requirement:

\$ 9,850 Salary and Benefits

Recurring annual Budget Requirement:

\$21,350 Salary and Benefits

Health Inspector (New Position) (ATTH 03):

Currently the city has one Health Inspector position with an annual salary of \$38,000 (annual budget for salary and benefits = \$55,025). There are 363 permitted establishments to be inspected twice annually or 726 routine inspections to be performed. Some inspections take a few hours and some require a full day (supermarket with deli, bakery, meat/fish market which is four different inspections). The Health Inspector must also perform inspections in response to food service

City of Texarkana, Texas

complaints and conditions of food service facilities. The position will also require a vehicle, computer, and communications equipment.

Current Year Budget Requirement:

\$25,400	Salary and Benefits
\$40,000	Vehicle
<u>\$ 5,000</u>	Communications/Automation
\$70,400	Total FY15 Adjustment

Recurring annual Budget Requirement:

\$55,025	Salary and Benefits
<u>\$ 5,000</u>	Overhead Costs
\$60,025	Annual Budget

Chamber of Commerce Membership:

Currently the city is a member of the Chamber of Commerce at the "Chairman Level" paying \$15,000 annually from the General Fund. There are six levels of membership ranging from \$360 to \$15,000 in annual dues (see ATTH 02). The benefits of each level of membership have value to business entities but do not cater to government entity members. Chamber membership should greatly benefit the business members. Local government interaction with local businesses should likely be in a participatory fashion to show support of all local businesses, be they chamber members or not.

The city will likely be well served by a Business Level (\$360) membership and an Economic Development Council (\$1,000) membership and purchasing individual tickets to chamber events that are not included in these two memberships. The Chamber also performs a contracted function for the city promoting tourism paid from the Hotel Occupancy Taxes which will not be affected by a change in membership level. The city is also prepared to contract for other Chamber of Commerce provided services that meet identified public purpose needs.

Potential Options:

- Approve as recommended, or
- Approve pay adjustment and set minimum salary at \$20,000, or
- Approve the requested Health Inspector position, or
- Deny all requests

Fiscal Implications:

FY15 Budget Increase:

+ \$ 9,850 Pay Adjustment
 + \$25,400 Health Inspector position
+ \$45,000 Equipment
 + \$80,250 Total

Beyond FY15 (annual impact):

+ \$21,350 Pay Adjustment
 + \$60,025 Health Inspector
- \$10,000 Savings in change in Chamber of Commerce membership and participation
 + \$71,375 Total

Staff Recommendation:

Approve as requested.

City of Texarkana, Texas

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2015-021 Goals & Perspectives (PDF)
- b. 2015-021 ATTH 01 Positions increased to \$20k Minimum Salary (PDF)
- c. 2015-021 ATTH 02 Chamber of Commerce Membership Information (PDF)
- d. 2015-021 ATTH 03 Health Inspector Justification (PDF)
- e. 2015-021 ORD FY15 Budget Amendment for Personnel Adjustments (PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	
	02/16/2015 1:30 PM			
Parks, Recreation & Health		Robby Robertson	Review	Completed
	02/16/2015 1:43 PM			
Public Works Department		Kyle Dooley	Review	Completed
	02/16/2015 1:52 PM			
Human Resources	Jim Powell	Review	Completed	02/16/2015
2:09 PM				
Finance Department	Charlie Bassett	Finance Review	Completed	02/16/2015
3:03 PM				
Assistant City Manager		Shirley Jaster	Review	Completed
	02/17/2015 9:13 AM			
Public Information Officer		Lisa Thompson	PIO Review	Completed
	02/17/2015 9:20 AM			
City Manager	John Whitson	City Manager Review	Completed	02/17/2015
9:40 AM				
City Council	Jennifer Evans	Meeting	Completed	02/23/2015
6:00 PM				

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☒ Provide a Safe Community ☒ Deliver Quality Services ☒ Foster a Healthy Community
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Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☒ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
x	Public Forum/Input Session	☐	Press Release
x	E-News Distribution	x	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☐	None Required	☐	

Other:

Budget Adjustment Required to Adjust to City Minimum Salary of \$20,000

	Department	Position	Current Salary	Minimum Salary	Salary Adjustment Required	Benefits Rate	Benefits Cost Increase	Total Cost Adjustment (Annual)	Cumulative Cost Adjustment	Per Pay Period	Remaining Pay Periods (FY15)	Required for FY15	Cumulative Cost Adjustment (FY15)
1	2203	Building Custodian	\$17,817.02	\$20,000.00	\$2,182.98	0.23457	\$512.06	\$2,695.04	\$2,695.04	\$103.66	12	\$1,243.87	\$1,243.87
2	2202	Laborer I	\$18,227.82	\$20,000.00	\$1,772.18	0.23457	\$415.70	\$2,187.88	\$4,882.92	\$84.15	12	\$1,009.79	\$2,253.71
3	1904	Laborer I	\$18,227.82	\$20,000.00	\$1,772.18	0.23457	\$415.70	\$2,187.88	\$7,070.80	\$84.15	12	\$1,009.79	\$3,263.50
4	1904	Laborer I	\$18,227.82	\$20,000.00	\$1,772.18	0.23457	\$415.70	\$2,187.88	\$9,258.68	\$84.15	12	\$1,009.79	\$4,273.29
5	1904	Laborer I	\$18,227.82	\$20,000.00	\$1,772.18	0.23457	\$415.70	\$2,187.88	\$11,446.56	\$84.15	12	\$1,009.79	\$5,283.08
6	1904	Laborer I	\$18,227.82	\$20,000.00	\$1,772.18	0.23457	\$415.70	\$2,187.88	\$13,634.44	\$84.15	12	\$1,009.79	\$6,292.87
7	1904	Laborer I	\$18,227.82	\$20,000.00	\$1,772.18	0.23457	\$415.70	\$2,187.88	\$15,822.32	\$84.15	12	\$1,009.79	\$7,302.66
8	2203	Building Custodian	\$18,354.70	\$20,000.00	\$1,645.30	0.23457	\$385.94	\$2,031.24	\$17,853.56	\$78.12	12	\$937.49	\$8,240.15
9	2308	Medical Records Clerk	\$19,435.52	\$20,000.00	\$564.48	0.23457	\$132.41	\$696.89	\$18,550.45	\$26.80	12	\$321.64	\$8,561.79
10	2306	Medical Records Clerk	\$19,436.04	\$20,000.00	\$563.96	0.23457	\$132.29	\$696.25	\$19,246.70	\$26.78	12	\$321.35	\$8,883.14
11	2301	Admn Receptionist (Health)	\$19,436.04	\$20,000.00	\$563.96	0.23457	\$132.29	\$696.25	\$19,942.95	\$26.78	12	\$321.35	\$9,204.49
12	2306	Medical Records Clerk	\$19,436.04	\$20,000.00	\$563.96	0.23457	\$132.29	\$696.25	\$20,639.20	\$26.78	12	\$321.35	\$9,525.84
13	2306	Medical Records Clerk	\$19,436.04	\$20,000.00	\$563.96	0.23457	\$132.29	\$696.25	\$21,335.44	\$26.78	12	\$321.35	\$9,847.19

Attachment: 2015-021 ATTH 01 Positions increased to \$20k Minimum Salary [Revision 3] (1265 : Ord No.

Chamber of Commerce Membership Levels and Associated Benefits

	Business Level	Associate Level	Corporate Level	Executive Level	Presidential Level	Chairman Level	City Value (0 - 5)
Dues	\$360	\$750	\$1,200	\$5,000	\$10,000	\$15,000	
Partnership Certificate	x	x	x	x	x	x	0
Two listings in the Partnership Directory & Community Profile	x	x	x	x	x	x	0
Advertising Opportunities in the Partnership Directory and Community Profile	x	x	x	x	x	x	0
One copy of the Partnership Directory & Community Profile	x	x	x	x	x	x	5
Chamber Online Directory Listing & Link	x	x	x	x	x	x	0
Access to Chamber Partnership Listings & mailing labels	x	x	x	x	x	x	0
Access to the Partners Only Section of the Chamber Website	x	x	x	x	x	x	0
First Hand Customer Referrals	x	x	x	x	x	x	0
Partner Only Opportunities for Chamber Brochure Rack Space	x	x	x	x	x	x	0
Partner Only Opportunities for Promotion Distribution at Tradeshows/Conventions	x	x	x	x	x	x	0
Weekly Chamber Business Blasts	x	x	x	x	x	x	5
Sponsorship Opportunities of the Weekly Chamber Business Blast	x	x	x	x	x	x	0
Partner to Partner Discount Program Opportunities	x	x	x	x	x	x	0
Invitations to Exclusive Chamber Events	x	x	x	x	x	x	5
Opportunity for Partner Referral Discounts	x	x	x	x	x	x	0
Ribbon cutting, Grand Opening, & Anniversary Celebration Promotion Opportunities	x	x	x	x	x	x	5
Business After hours Hosting Opportunities	x	x	x	x	x	x	0
Opportunity for all other Chamber Partner Sponsorships	x	x	x	x	x	x	0
Use of the Chamber Board and/or Legacy Room for meetings - Subject to availability	x	x	x	x	x	x	0
Certificates of Origin for International Trade	x	x	x	x	x	x	0
Unlimited Opportunities for Business Networking	x	x	x	x	x	x	5
Business Advocacy at the Local, County, State, and National Levels	x	x	x	x	x	x	5
Credibility & Visibility in the Texarkana Business Community	x	x	x	x	x	x	5
Membership Level recognition in the Partnership Directory & Community Profile		x	x	x	x	x	0
Membership Level recognition on the Chamber website		x	x	x	x	x	0
Up to two Locations listed as Partners		x			x	x	3
Copies of the Partnership Directory & Community Profile for all Locations		x	x	x	x	x	0
Membership Level recognition at the event of your choice		x	x	x	x	x	0
Annual membership of one employee in the GTYP		x			x	x	0
One Sponsorship of the Weekly Chamber Business Blasts to be used at any time		x	x		x	x	0
Up to three Locations listed as Partners			x		x	x	0
One ticket to the Chamber Annual Celebration			x		x	x	0
Premium Ad in the Partnership Directory & Community Profile w/opportunity for upgrade at 10% discount			x		x	x	0
Up to five Locations listed as Partners				x	x	x	0
Bronze Sponsorship of the Chamber Annual Celebration w/four seats				x	x	x	0
\$500 Sponsorship Credit for the Event of your choice, other than Annual Celebration				x	x	x	0
Annual membership of two employees in the GTYP				x	x	x	0
Quarter Page Ad in the Partnership Directory & Community Profile w/opportunity for upgrade at 10% discount				x	x	x	0
Three Sponsorships of the Weekly Chamber Business Blasts to be used at any time				x	x	x	0
Special Presidential Level Plaque					x		0
Up to ten Locations listed as Partners					x		0
Recognition on Presidential Signage at all Chamber Events					x		0
Annual Membership in the Chamber Economic Development Council					x	x	5
Two Golfers in the EDC Industry Appreciation Golf Tournament					x		0
Gold Sponsorship of the Chamber Annual Celebration (1 table)					x		0
\$1,500 Sponsorship Credit for the Event of your Choice, other than Annual Celebration					x		0
Half Page Ad in the Partnership Directory & Community Profile w/opportunity for upgrade at 10% discount					x		0
Annual membership of one employee in the Chamber Ambassadors					x	x	0
Annual membership of three employees in the GTYP					x		0
Five Sponsorships of the Weekly Chamber Business Blasts					x		0
Special Chairman's Plaque for all Locations						x	0
All locations in the Texarkana area listed as Partners						x	0
Recognition on Chairman Banner in the Chamber Lobby						x	0
Recognition on Chairman Banner at all Chamber Events						x	0
Four Golfers in the EDC Industry Appreciation Golf tournament						x	0
Chairman Level Sponsorship of Chamber Annual Celebration (2 tables)						x	0
Chairman Level Sponsorship for Every Chamber Event						x	0
Full Page Ad in the Partnership Directory & Community Profile w/opportunity for upgrade at 10% discount						x	0
Annual Breakfast with the President & Chairman of the Board						x	5
Annual membership of five employees in the GTYP						x	0
Recognition on all Weekly Chamber Business Blasts						x	0

PARTNERSHIP INFORMATION

Point your business in the
right direction!



TEXARKANA USA CHAMBER OF COMMERCE

Thank you for your interest in the Texarkana USA Chamber of Commerce! For more than a century we have been serving the business community through leadership, advocacy and networking, and we look forward to seeing how we can serve YOU.

The Chamber's powerful network of relationships provides access to resources that can help strengthen your business opportunities, help your business grow, and ultimately enhance member and community prosperity. Come join the organization that is here to promote, support, and advocate on behalf of the Texarkana business community!

We invite you to partner with us as we work diligently toward building the best economic climate possible for your growth and prosperity.

BUSINESS LEVEL \$360

Available for individuals promoting their business or profession and Businesses with no more than 20 employees.

Membership Dues: \$360

- Partnership Certificate (\$5 value)
- Two Listings in the Partnership Directory & Community Profile (\$360 value)
- Advertising Opportunities in the Partnership Directory & Community Profile (priceless)
- One copy of the Partnership Directory & Community Profile (\$20 value)
- Chamber Online Directory Listing & Link (\$360 value)
- Access to Chamber Partnership Listings & mailing labels (\$65 value)
- Access to the Partners Only Section of the Chamber Website (\$360 value)
- First hand Customer Referrals (priceless)
- Partner Only Opportunities for Chamber Brochure Rack Space (priceless)
- Partner Only Opportunities for Promotion Distribution at Tradeshow/Conventions (priceless)
- Weekly Chamber Business Blasts (priceless)
- Sponsorship Opportunities of the Weekly Chamber Business Blast (limitless)
- Partner to Partner Discount Program Opportunities (limitless)
- Invitations to Exclusive Chamber Events (priceless)
- Opportunity for Partner Referral Discounts (\$360 potential value)
- Ribbon Cutting, Grand Opening, & Anniversary Celebration Promotion Opportunities (\$250 value)
- Business After Hours Hosting Opportunities (\$600 potential value)
- Opportunity for all other Chamber Partner Sponsorships (limitless)
- Use of the Chamber Board and/or Legacy Room for meetings – subject to availability (\$200 value minimum)
- Certificates of Origin for International Trade (\$50 value minimum)
- Unlimited Opportunities for Business Networking (priceless)
- Business Advocacy at the Local, County, State, and National Levels (priceless)
- Credibility & Visibility in the Texarkana Business Community (priceless)

ASSOCIATE LEVEL \$750

Available for businesses with no more than 50 employees.

Membership Dues – \$750

All Business Level Benefits plus:

- Associate Level recognition in the Partnership Directory & Community Profile (\$360 value)
- Associate Level recognition on the Chamber website (\$360 value)
- Up to two Locations listed as Partners (\$480 value)
- Copies of the Partnership Directory & Community Profile for all Locations (\$20 value minimum)
- Associate Level recognition at the event of your choice (\$100 value +)
- Annual membership of one employee in the GTYP (\$25 value)
- 25% discount in the Partnership Directory & Community Profile (\$134 value minimum)
- One Sponsorship of the Weekly Chamber Business Blasts to be used at any time throughout the year (\$60 value)

CORPORATE LEVEL \$1,200

Available for businesses with no more than 100 employees.

Membership Dues – \$1,200

All Business Level Benefits plus:

- Corporate Level recognition in the Partnership Directory & Community Profile (\$360 value)
- Corporate Level recognition on the Chamber website (\$360 value)
- Up to three Locations listed as Partners (\$600 value)
- Copies of the Partnership Directory & Community Profile for all Locations (\$20 value minimum)
- One ticket to the Chamber Annual Celebration (\$75 value)
- Corporate Level recognition at the event of your choice (\$100 value +)
- Annual membership of one employee in the GTYP (\$25 value)
- Premium Ad in the Partnership Directory & Community Profile with an opportunity for upgrade at a 10% discount (\$450 value +)
- One Sponsorship of the Weekly Chamber Business Blasts to be used at any time throughout the year (\$60 value)

"The best advertising for our local business is word of mouth. The Chamber is our voice to new members and businesses in the community."

Jennifer Tanner, Executive Chef
Julie's Deli & Market

EXECUTIVE LEVEL \$5,000

Available for businesses with no more than 250 employees.

Membership Dues - \$5,000

All Business Level Benefits plus:

- Executive Level recognition in the Partnership Directory & Community Profile (\$360 value)
- Executive Level recognition on the Chamber website (\$360 value)
- Up to five Locations listed as Partners (\$840 value)
- Copies of the Partnership Directory & Community Profile for all Locations (\$20 value minimum)
- Bronze Sponsorship of the Chamber Annual Celebration (\$750 with 4 seats)
- Executive Level recognition at the event of your choice (\$1000 value +)
- \$500 Sponsorship Credit for the Event of your Choice, other than Annual Celebration (\$500 value)
- Annual membership of two employees in the GTYP (\$50 value)
- Quarter Page Ad in the Partnership Directory & Community Profile with an opportunity for upgrade at a 10% discount (\$750 value +)
- Three Sponsorships of the Weekly Chamber Business Blasts to be used at any time throughout the year (\$180 value)

“Throughout the 52 year history of MTG Engineers & Surveyors, we have viewed our Chamber and Economic Development Council partnership as an investment in our community, bringing a significant return in connectivity to our clients and many business opportunities.”

Robert Murray
MTG Engineers & Surveyors



PRESIDENTIAL LEVEL \$10,000

Membership Dues – \$10,000

All Business, Corporate, and Executive Level Benefits plus:

- Presidential Level recognition in the Partnership Directory & Community Profile (\$360 value)
 - Presidential Level recognition on the Chamber website (\$360 value)
 - Special Presidential Level Plaque (\$20 value minimum)
 - Up to ten Locations listed as Partners (\$1440 value)
 - Copies of the Partnership Directory & Community Profile for all Locations (\$20 value minimum)
 - Recognition on Presidential Signage at all Chamber Events (limitless)
 - Annual Membership in the Chamber Economic Development Council (\$1000 value)
 - Two Golfers in the EDC Industry Appreciation Golf Tournament (\$300 value)
 - Gold Sponsorship of Chamber Annual Celebration (\$1500 with one table)
 - \$1500 Sponsorship Credit for the Event of your Choice, other than Annual Celebration (\$1500 value)
 - Half page Ad in the Partnership Directory & Community Profile with an opportunity for upgrade at a 10% discount (\$1100 value +)
 - Annual membership of one employee in the Chamber Ambassadors (\$25 value)
 - Annual membership if three employees in the GTYP (\$75 value)
 - Five Sponsorships of the Weekly Chamber Business Blasts to be used at any time throughout the year (\$300 value)
- 

CHAIRMAN LEVEL \$15,000

Membership Dues – \$15,000

All Business, Corporate, and Executive Level Benefits plus:

- Chairman Level recognition in the Partnership Directory & Community Profile (\$360 value)
- Chairman Level recognition on the Chamber website (\$360 value)
- Special Chairman's Level Plaque for all locations (\$20 value minimum)
- All Locations in the Texarkana area listed as Partners (limitless value)
- Copies of the Partnership Directory & Community Profile for all Locations (\$20 value minimum)
- Recognition on Chairman Banner in the Chamber Lobby (limitless)
- Recognition on Chairman Banner at all Chamber Events (limitless)
- Annual Membership in the Chamber Economic Development Council (\$1000 value)
- Four Golfers in the EDC Industry Appreciation Golf Tournament (\$600 value)
- Chairman Level Sponsorship of Chamber Annual Celebration (\$2500 with two tables)
- Chairman Level Sponsorship for Every Chamber Event (limitless)
- Full page Ad in the Partnership Directory & Community Profile with an opportunity for upgrade at a 10% discount (\$1400 value minimum)
- Annual Breakfast with the President & Chairman of the Board (priceless)
- Annual membership of one employee in the Chamber Ambassadors (\$25 value)
- Annual membership if five employees in the GTYP (\$125 value)
- Recognition on all Weekly Chamber Business Blasts (\$3200 value)

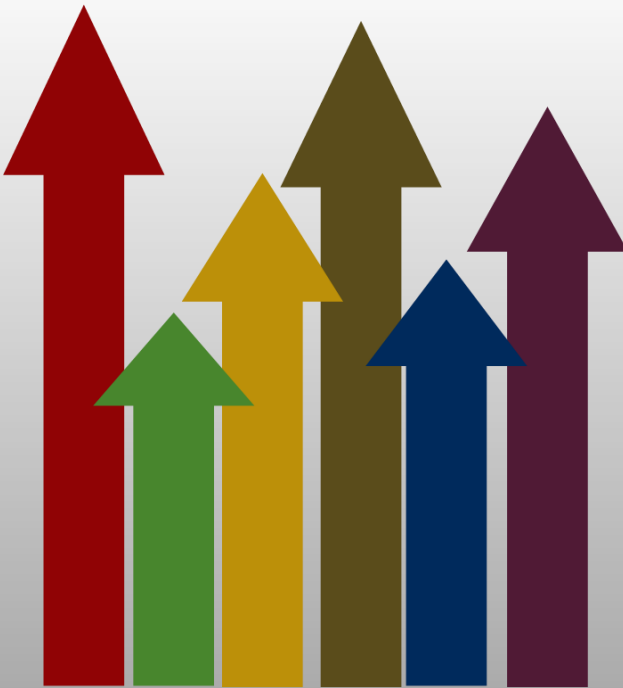
"The Texarkana Chamber of Commerce has the resources and skills that any business, large or small, can plug into and find great value."

**Curtis Schneekloth, Texarkana Plant Controller
Cooper Tire & Rubber Company**

SPECIAL PARTNERSHIPS

- Local and State Level Elected Officials will receive a Business Level Partnership for \$120
- Churches will receive a Business Level Partnership for \$120
- Non-profits with no paid staff will receive a Business Level Partnership for \$120
- Non-profits with paid staff will receive a Business Level Partnership for \$360 regardless of the number of employees
- Retired Individuals and Students will receive an Individual Partnership for \$60
- Apartments, Hotels/Motels, Hospitals, and Retirement Homes will receive a Business Level Partnership for \$360 + \$2 per unit/bed
- Business Level Partners with a current partnership may add additional locations at the Business Level for \$120

Membership levels may be increased if so desired by the Partner.



ADDITIONAL BENEFITS

Partner Referral Program -

Help grow your Chamber and earn a discount on your partnership dues by referring new partners! For every new Partner you recruit, a 10% discount will be applied to your current or upcoming annual dues. (Limited to a maximum of 10 discounts per year, at equal or greater value to that of your partnership dues. Lower level partners recruited will be assigned a smaller discount. New partner must mention your company at the time of application)

Partner-To-Partner Discount Program -

Drive more traffic through your doors while cashing in on other discounts! This program entitles Chamber Partners to significant savings and discounts when shopping at other Chamber Partner businesses—just for being an active Partner. Contact the Chamber for more information on including your business in this exclusive program.

ADDITIONAL MEMBERSHIPS

Greater Texarkana Young Professionals - GTYP - \$25

Have a young professional in your office who is yearning to be more involved in the business community? GTYP gives young professionals a voice and an outlet for affecting change in the Texarkana community. GTYP seeks to work hand-in-hand with current community and business leaders to learn from their experiences and to create a young professional-friendly atmosphere.

Texarkana Chamber Ambassadors - \$25

The Texarkana Chamber Ambassadors are a special group of people who volunteer their time to help promote the Texarkana business community and serve as an “Action Arm” for the Texarkana Chamber of Commerce. The Chamber’s Ambassador Program is highly respected in the community and allows for the *professional growth* of each participant. Ambassadors are given the opportunity to *network* with regional business and government leaders. By being involved your *sphere of influence & professional network* will grow!

TEXARKANA USA CHAMBER OF COMMERCE

A LA CARTE BENEFIT OPPORTUNITIES

If you prefer to select your sponsorship or advertising opportunities a la carte, choose from the list below. For one easy payment, include your selections with your benefit investment or we are happy to invoice you quarterly or at the time of the event. Contact the Chamber staff to learn more about these opportunities.

A la Carte Sponsorships (limited number, please call Chamber to confirm availability)

Communications

◇ E-Blast Sponsorship Ad	\$60
◇ Sponsored Email	\$250
◇ Facebook Post Sponsorship	\$50

Partnership Directory & Community Profile

◇ Premium Business Card Size Ad	\$450
◇ 1/8 Page Ad	\$680
◇ 1/4 Page Ad	\$750
◇ 1/2 Page Ad	\$1,100
◇ Full Page Ad	\$1,400
◇ Inside Front Cover - Full Page Ad	\$1,700
◇ Inside Back Cover - Full Page Ad	\$1,850
◇ Outside Back Cover - Full Page Ad	\$2,000
◇ Graphic Design	\$100

Individual Sponsorship

◇ Wall of Dedication Sponsor	\$1,000
◇ Annual Dinner Platinum Sponsor	\$2,500
◇ Annual Dinner Gold Sponsor	\$1,500
◇ Annual Dinner Silver Sponsor	\$1,000
◇ Annual Dinner Bronze Sponsor	\$750
◇ Business After Hours	\$700
◇ Business to Business Breakfast	\$1,500
◇ Business to Business Breakfast Food & Venue Sponsor	Negotiable
◇ College & Career Fair Presenting Sponsor	\$1,500
◇ College & Career Fair Booth Fee	\$100
◇ Chamber Mix	\$700
◇ DLA Hail & Farewell	\$750
◇ Economic Development Council	\$1,000
◇ Annual Golf Platinum Sponsor	\$2,000
◇ Annual Golf Gold Sponsor	\$1,000
◇ Annual Golf Silver Sponsor	\$750
◇ Annual Golf Green Sponsor	\$500
◇ Annual Golf Hole Sponsor	\$300
◇ Leaders Luncheon Presenting Sponsor	\$1,500
◇ Leaders Luncheon Food & Venue Sponsor	Negotiable
◇ Red River Army Depot Hail & Farewell	\$1,500
◇ Speed Networking	\$500
◇ Speed Networking Food & Venue Sponsor	Negotiable
◇ State of the Chamber	\$2,000



819 N. STATE LINE AVENUE
TEXARKANA, USA 75501
PH: (903) 792-7191 | FAX: (903) 793-4304
WWW.TEXARKANA.ORG
CHAMBER@TEXARKANA.ORG



CITY OF
TEXARKANA
 Environmental Services Unit
 TEXAS

P.O. Box 1967
 Texarkana, TX 75501
 Phone (903) 798-3535
 Fax (903) 794-1257

TO: John Whitson, City Manager

THRU: Shirley Jaster, Assistant City Manager

FR: Daphnea Ryan, Manager, Environmental Services Unit

D. Ryan

DA: February 10, 2015

REJ: Health Inspector Position

As you are aware, Texarkana Texas continues to grow in many areas with a concentrated growth in food establishments, both food service and retail. Currently, the City of Texarkana, Texas employs one Health Inspector that is tasked with servicing 363 permitted establishments. The recommended ratio from the Texas Department of State Health Services is one inspector to every 200 establishments, and the maximum, not recommended, by the FDA is one inspector to every 275 establishments. I request to add one Health Inspector position during our current budget year.

I have attached a breakdown of the establishment types we inspect. Each establishment should be inspected twice per year, which is a total of 726 routine inspections. The time commitment required for an inspection depends on the size and scope of the establishment. As an example, a supermarket that has a deli, bakery, meat/fish market, has four different inspections. An establishment this size will consume a large part of one day, whereas smaller food establishments that have a quality corporate food safety and management training such as McDonald's, Taco Bell, etc. may only require an hour to inspect.

In addition to these routine inspections, the Health Inspector must inspect any complaint received on a food service establishment. These complaints may be regarding food, cleanliness, food borne illness, operating without a permit, pool conditions, worker in food prep area with certain medical conditions, foul odors, pests, etc.

Another duty of the Health Inspector is to review all building plans for food related establishments that fall into the attached categories, and conduct courtesy walk through inspections during construction phases.

Attachment: 2015-021 ATTH 03 Health Inspector Justification (1265 : Ord No. 2015-021 FY15 Budget Amendment for Personnel Adjustments)

Also, the Health Inspector consults with citizens wanting to open an establishment regarding laws and requirements a food establishment must meet.

Although we do not inspect private swimming pools, complaints regarding stagnant pools are also investigated by the Health Inspector. The Health Inspector may be required to dedicate many hours to locating an owner and addressing this issue. The inspector will coordinate with Vector Control in order to address the mosquito issue caused from the conditions.

The Health Inspector serves on the East Texas Environmental Health Association general counsel, serves on the 4-H Agri-Life Planning Committee; City of Texarkana, Texas Plumbing Code Committee, Coordinates/hosts a Certified Pool Operator Training Course Yearly, speaks to the Farmers Market group yearly, speaks at the Food Protection Management Classes held in Texarkana by Texas Agri-Life, speaks locally once a year at a UCRC meeting, and will be speaking for the first time this year at the Food and Nutrition Sciences Four States Convention which will be held at the Texarkana Texas Convention Center.

The growth in food related industry in Texarkana has greatly surpassed the need for two inspectors. Currently we are able to conduct approximately half of the required routine inspections while keeping pace with other duties involved with this position. If we had a second inspector, we would be able to conduct all inspections required each year in a timely manner, we would be able to add an educational component to our division by having one inspector certified to teach a food handlers course once per month. Offering a food handlers course would complement training currently offered in this area but would not negatively affect other state offered training programs. Upon approval, we would have the capability to initiate new guidelines for food establishments such as posting their grade on the entry of the establishment. We would have the ability to create initiatives for high performing restaurants and highlight those establishments in media venues.

Environmental Health generates enough revenue to support two inspectors. Revenue in 2013 and 2014 was just under \$160,000.00. Current budget for Environmental Health is just under \$62,000.00, with some line items needing minor increases to be self-supportive without line item transfer from other budgets. This budget does not, of course, include vehicle cost.

Thank you for your consideration.

City of Texarkana, Texas
Health Inspections

Duties

Inspect all Food Service Establishments in the City of Texarkana, Texas.
Review plans for new construction and remodels of establishments inspected.
Conduct courtesy walk-through inspections during construction phases.
Consult with citizens regarding laws and regulations for operating a food establishment.
Inspect complaints regarding private pools holding stagnant water.
Speaking engagements.
Serve on designated boards.

Average Yearly Activity

Routine Inspections

Restaurants/Food Establishment	198
Retail Food	59
Day Care Facilities	21
School Cafeterias	17
Pools/Spas	46
Mobile Food Units	16
Seasonal Food Establishments	6

Subtotal Routine	363
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Total Routine Inspections	726
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Complaint Inspections	90
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Courtesy/Walk Through Insp. New Construction/Remodel	100
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Stagnant Pools	5
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Total Health Inspections	921
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Consults/Information Calls	100
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Plan Reviews	15
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Speaking Engagements	6
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East Texas Environmental Health Association Quarterly Meetings	4
--	---

4-H Agri-Life Planning Committee	4
----------------------------------	---

Host Certified Pool Operator Training yearly (2-day course)	2
---	---

Current Budget - \$62,000.00

Yearly Revenue - \$160,000.00

Estimated Yearly Budget Needs - \$127,000.00

ORDINANCE NO. 2015 - 021

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF TEXARKANA, TEXAS, AMENDING THE FY15
BUDGET MAKING PERSONNEL ADJUSTMENTS; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, there are thirteen (13) full-time employees whose salaries are less than \$20,000; and

WHEREAS, according to the Census Bureau Texarkana's per capita income is \$23,569; and

WHEREAS, a salary of \$20,000 is 85 percent of the city's per capita income, or average income; and

WHEREAS, the city council approved the FY15 budget with one city health inspector position; and

WHEREAS, the city performs 726 routine annual health inspections, additional complaint related inspections, and reviews building plans that involve food preparation or other amenities that require a health inspection in order to obtain a certificate of occupancy;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: Appropriates from the fund balance of the general fund a total amount of \$80,250 to provide pay increases for 13 employees who are currently paid less than \$20,000 annually; and to fund a second health inspector; and to purchase all equipment necessary to support the new health inspector position.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 13th day of April, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Version: G

Update Date: 2/10/2015 8:39 AM

Briefing Sheet

Lead Department: Police **Action Officer:** Charles Kreidler,
Ordinance No. 2015-016 creating the rank of Assistant Chief of Police by
approving and authorizing the reclassification of two (2) non-tested Police
Captain Positions to two Assistant Chief Positions and eliminating assignment
pay for the Police Department Chief of Staff.

Subject:

Briefing: 2/23/2015 **Public Hearing:** 2/23/2015 **Second Briefing:** March 9, 2015 **Council Vote:** 3/23/2015

Item ScheduleSchedule 1: Brief twice - vote once (six weeks)**Updates/History of Briefing:**Not Applicable**Executive Summary and Background Information:**

The recent announcement that Captain Tony Autrey will retire at the end of January has presented an opportunity to move forward with Phase Two of the Police Department restructuring plan that was initiated early last year. The first phase, in 2014, saw the Department reduce the number of divisions from four to three, and the appointment of a Chief of Staff to facilitate inter-divisional cooperative efforts. While the changes have seen success the Department is poised to move into the next phase of reorganization.

The second phase of the reorganization will incorporate the remaining non-department head functions of the Administrative Services Division into the Support Services Division, resulting in a two division organization. In keeping with the recommendation of the Matrix Report and the goals of Chief Shiner since being appointed in 2007, the two remaining divisions (Support Services and Operations) will be commanded by the incumbents currently appointed to the position immediately below that of Department Head. The move is designed to reduce or eliminate what the Matrix Group described as “a significant disparity between the level of responsibility, staff oversight and general span of control between the four Captains.”

The appointed positions immediately below that of Department Head are currently classified as Captains. With this reorganization the responsibilities, span of control and oversight vested in the appointed division commanders will be increased, including the direct oversight of the other two department Captains. In order to bring clarity to the new roles, staff proposes that the rank of the two appointed Captains be changed and reclassified as Assistant Chiefs. This modification mirrors a similar change that has already been approved in the Fire Department, wherein the appointed position of Assistant Fire Chief was recently approved by the council.

City of Texarkana, Texas

Concurrent with the approval of two Assistant Chiefs, the assignment of a Police Chief of Staff, along with the council approved assignment pay for those duties, is negated. The ordinance presented herein includes a provision to eliminate the aforementioned Chief of Staff assignment pay.

Potential Options:

- None

Fiscal Implications:

See attached document for description of the savings/cost for the creation of the new rank.

Staff Recommendation:

Staff recommends the approval of the change to the Civil Service Classification System that will allow the Chief of Police to appoint two Assistant Chiefs who will command the two Divisions within the Department.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

- a. Goals and Perspectives (DOCX)
- b. Fiscal Impact 2 (DOCX)
- c. Ordinance No. 2015-016 (DOC)
- d. organizational_chart_2015 (PDF)
- e. Matrix Study Final Report (PDF)
- f. Ord. 2015-016 signed (PDF)

Staff Coordination

Police	Dan Shiner	Department Head Review	Completed	
	01/28/2015 5:04 PM			
Finance Department	Charlie Bassett	Review	Completed	01/29/2015
Human Resources	Jim Powell	Review	Completed	01/29/2015
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/29/2015 1:31 PM			
City Manager	John Whitson	City Manager Review	Completed	02/05/2015
City Council	Jennifer Evans	Meeting	Completed	02/09/2015

City of Texarkana, Texas

Meeting History

02/09/15 City Council MOVED FORWARD Next: 02/23/15

Mayor Bruggeman announced that this item will be moved to the first briefing section of our agenda.

02/09/15 City Council MOVED FORWARD Next: 02/23/15

Dan Shiner briefed this item.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☒ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☒ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☒ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☒ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

None

Resource Impact:

Staff time required if item is approved: Low

Other Potential Impacts:

"NONE APPLICABLE"

Public Information Plan:

☐ Newspaper Notice (Required by Statute)	☐ Public Hearing (Required by Statute)
☐ Public Forum/Input Session	☐ Press Release
☐ E-News Distribution	☐ Website Notice
☐ Social Media (Twitter, Facebook, etc.)	☐ Special Mailing
☐ Flyers Posted	☐ Banners Posted
☐ Survey	☐ Automated Phone Call
☒ None Required	☐

Other:

Current Positions

Captain \$77,368
 Captain \$75,218

Total \$152,586 (Monies in Current Budget)

<u>Proposed Positions</u>	<u>Years 1-3</u>	<u>Years 4-6</u>	<u>Year 7</u>
Assistant Chief	\$79,500	\$82,000	\$84,500
Assistant Chief	\$79,500	\$82,000	\$84,500
Annual Total	\$159,000	\$164,000	\$169,000

<u>Difference</u>	<u>Years 1-3</u>	<u>Years 4-6</u>	<u>Year 7</u>
Net Difference	\$6,414	\$11,414	\$16,414
35% Benefits	1,842	3,994	5,744
Total Increase	\$8,256	\$15,408	\$22,158

Funds Available to Fund Proposed Positions (Annual Savings as a Result of New Promotions)

Year	1	2	3	4	5	6
Officer Promotion	\$10,790	\$9,245	\$7,700	\$4,095	\$1,005	\$1,005
Sergeant Promotion	\$ 4,120	\$4,120	\$4,120	\$2,060	\$2,060	\$2,060
Lieutenant Promotion	\$ 4,120	\$4,120	\$4,120	\$2,060	\$2,060	\$2,060
Total Amount Available to Fund Proposed Reclassification	\$19,030	\$17,485	\$15,940	\$8,215	\$5,125	\$5,125

ORDINANCE NO. 2015 - 016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS; CREATING THE RANK OF ASSISTANT CHIEF OF POLICE BY APPROVING AND AUTHORIZING THE RECLASSIFICATION OF TWO NON-TESTED POLICE CAPTAIN POSITIONS TO TWO ASSISTANT CHIEF POSITIONS AND ELIMINATING ASSIGNMENT PAY FOR THE POLICE DEPARTMENT CHIEF OF STAFF; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 007-1948 dated May 25, 1948 the City of Texarkana, Texas adopted the Fireman's and Policeman's Civil Service Law as then found in Article 1269m, Texas Revised Civil Statutes, now codified at Texas Local Government Code, Section 143.001, et seq.; and

WHEREAS, the municipality's governing body shall establish the classifications by ordinance, including the number of positions in each subsequent classification; and

WHEREAS, by Ordinance No. 143-1977 the City Council provided for a comprehensive redrafting of the Civil Service Classification System and authorized the number of positions within the Classification System; and

WHEREAS, by Ordinance No. 069-2003 the City Council approved the ability of the Police Department Head (Police Chief) to appoint two non-tested Captains thereby giving a total of four Captains in the Classification System; and

WHEREAS, there currently exists a need to amend the number of Captain positions within the Classification System under Ordinance No. 143-1977 to accomplish restructuring of the Police Department to include two Divisions commanded by two Assistant Chiefs; and

WHEREAS, to accomplish the aforementioned Police Department restructuring, and upon approval of the council, the Classification System should be amended to reflect a reduction/abolishment of two non-tested Police Captains and the creation of the rank of Assistant Chief of Police above the rank of Police Captain. The two newly-created Assistant Chief positions, being in the rank immediately below the Police Chief, may be appointed pursuant to Texas Local Government Code §143.014; and

WHEREAS, Texas Local Government Code, § 143.021(a) states the commission shall provide for the classification of all police officers and said commission has approved the addition of the rank of Assistant Chief of Police to the Classification System on January 27, 2015; and

WHEREAS, the aforementioned restructuring of the Police Department will eliminate the need for the assignment of Chief of Staff along with the council approved assignment pay for those duties under Ordinance No. 2014-066;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1:

That, on the date prior to the effective date of this ordinance, the following Classification System for the Police Department was as follows:

<u>CLASSIFICATION</u>	<u>AUTHORIZED POSITIONS</u>
Police Captain	4
Police Lieutenant	6
Police Sergeant	13
Police Officer	73
Total	96

That, as of the effective date of this Ordinance, the two non-tested (appointed) Captain positions are abolished, the rank of Assistant Chief of Police is created, and the addition of two non-tested (appointed) Assistant Chiefs is hereby approved. This Council action is authorized by authority of the Texas Local Government Code §143.014 and §143.021. Section 3 of Ordinance No. 142-1977, as last amended by Section 2 of Ordinance No. 2014-066, is hereby amended and thereby substitutes “Exhibit to Section 3” which shall reflect the current Classification System for the Police Department and shall read in its entirety as follows:

Exhibit to Section 3

<u>CLASSIFICATION</u>	<u>AUTHORIZED POSITIONS</u>
Assistant Chief of Police	2
Police Captain	2
Police Lieutenant	6
Police Sergeant	13
Police Officer	73
Total	96

SECTION 2: Assignment pay in the amount of \$250.00 per month for assignment of a Captain as the Police Department Chief of Staff granted under ordinance No. 2014-066 is hereby rescinded in accordance with the Texas Local Government Code § 143.042.

SECTION 3: The purpose and intent of this Ordinance on the Civil Service Classification System of the Texarkana Texas Police Department is to abolish the two non-tested Police Captain positions, establish the rank of Assistant Chief of Police and approve the addition of two Assistant Chief of Police positions to be filled by appointment pursuant to Texas Local

Government Code §143.014. There is no intent to create additional promotional positions in the Texarkana Texas Police Department.

SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:

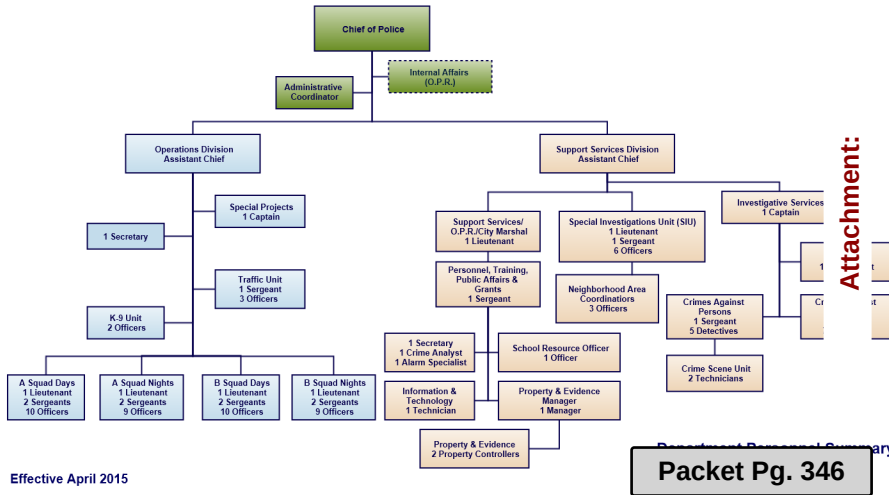
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



Texarkana Texas Police Department Organizational Chart

7.1.d



Attachment:

Effective April 2015

Packet Pg. 346

Master Plan Study for the Police Department TEXARKANA, TEXAS

matrix 
consulting group
4322 N. Beltline, Suite B 112
Irving, TX 75038
v. 972.871.7950 f. 972.871.7951

January 6, 2006

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January 6, 2006

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1. INTRODUCTION AND EXECUTIVE SUMMARY

This first chapter of this report provides a summary of the process utilized by the Matrix Consulting Group to conduct this assignment and provides an Executive Summary of our principal findings and recommendations.

1. INTRODUCTION

The Matrix Consulting Group was retained by the City of Texarkana, Texas to conduct a Master Plan Study of the Texarkana Texas Police Department (TTPD). The scope of services defined in the City's original request for proposals was comprehensive and focused on the following broad topical areas:

- Management systems including policies, procedures, accreditation, etc.
- Organizational structure of the Department.
- Staffing and deployment of personnel.
- Police patrol services.
- Internal affairs.
- Criminal investigations.
- Service level goals and performance measures.

The project was conducted during the summer of 2005 by the Matrix Consulting Group project team. To conduct the assignment, the members of the project team engaged in a variety of activities, including the following:

- Met with senior management staff in the City.
- Interviewed all members of the command staff in the Police Department.
- Conducted one-on-one and small group interviews with approximately half of the staff in the Police Department in all functions.

- Collected data describing workload, finances, policies and procedures, accreditation, salaries and wages, benefits, use of leave and other key descriptive factors.
- Developed a descriptive profile of the Police Department which was reviewed with staff and the project steering committee. This has been included as an appendix to this document.
- Compared the TTPD to a series of best management practices to identify potential issues for further study in the course of this project. This has also been included as an appendix to this document.

The final step in this process has been the development of this final report. The following section provides a summary of the project team's key findings and recommendations.

2. EXECUTIVE SUMMARY

This section provides a summary of the project team's analysis of the management, organization, staffing and operations of the Texarkana Texas Police Department. This document also includes a summary descriptive profile as well as a summary of the results of the employee survey, each provided as appendices. The primary recommendations included within this study are summarized in the matrix, which follows:

CITY OF TEXARKANA, TEXAS
Master Plan Study for the Police Department

(Report Section) / Finding	Recommendation	Fiscal Impact
2.1 (1) Current policies and procedures in the Police Department have been developed in three separate official tracks: General Orders, Policy Statements and Standard Operating Procedures. A fourth method is the use of memos or emails within a division to establish policies and procedures. The project team found that there is no uniform method for tracking or distributing policies, there is no central holding place for all such documents and that, in many cases, personnel rely on “word of mouth” to gain an understanding about the expectations for them in a given unit.	The Chief and the command staff of the Department must be tasked with reviewing, cataloging and updating these critical documents.	None
2.1(2) The Chief has attempted to initiate a review of the General Orders and other key documents. However, there is a lack of consistency in the way in which policies are developed, reviewed and implemented. The project team found a number of examples of General Orders which had been developed but never implemented.	The Chief should be tasked with the development of a staff committee for the purpose of reviewing all governing documents of the Police Department. Consideration should be given to obtaining “model” policies from other Texas law enforcement agencies. The Chief should report to the City Manager every 15 days on the progress made on making these changes.	None
2.1(3) – 2.2(3) A review of the “high liability” policies of the Police Department shows that a number of key tracking mechanisms are in place. However, there appears to be little time spent reviewing these critical data to identify issues or trends of concern. The project team also found a number of issues relating to the internal affairs (professional standards) processes in the Department.	High risk issues should be monitored with monthly comparative reports. Current activity levels should be compared to prior years for illustrative purposes. The Department has a revised internal affairs policy written. However, this must be implemented for it to be the policy of the TTPD. Implement a disciplinary decision making guide as part of the internal affairs policy. Implement an “early warning system” as part of the new internal affairs policy.	None

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(Report Section) / Finding	Recommendation	Fiscal Impact
2.3(1) The Police Department currently operates with few performance targets or measures. This places the command staff at a disadvantage in terms of planning and managing the TTPD.	Adopt a series of performance targets and measures directed at the various functions of the Police Department.	None
2.3(2) The project team found that the command staff had no standing meetings. Interactions between the Chief and the command staff were limited to infrequent one-on-one meetings, with very few meetings involving the Chief and all four Captains.	The command staff should institute a series of approaches to improve internal communication. These steps should include standing meetings between the Chief and each command staff member, reinstitution of general staff meetings (monthly), and weekly "calendar" meetings involving the Chief and the Captains.	None
2.3(3) The Police Department currently has no mechanisms in place to support individual accountability.	The Department, in conjunction with City staff, should re-institute individual employee appraisals. These should be done so as to be compliant with the civil service requirements impacting the Department.	None
2.4 The Police Department's current General Orders and other governing documents currently require significant investment in time and effort in order to make them a practical tool for governing the operations of the Department.	The accreditation process through CALEA or some other venue could be useful to the TTPD as a way in which to structure the General Orders, policies and procedures. The Department should pursue this approach as a way of enhancing its management systems.	1x \$15,000 \$5,000 annual
3.3 Current authorized staffing in Patrol leads to excess proactive time for these units. This also indicates that staffing in Patrol exceeds that which is necessary to achieve a 50% proactive time target.	Reduce Patrol staffing by five (5) positions.	(\$234,505)
3.4 Population growth in the City over the next 15 years will result in moderately increasing workload demands on the Police Department as well.	If workload grows at projected rates, the Police Department will require two (2) additional police officers in five years and four (4) in fifteen years. These staffing levels are dependent on the workload and population growth.	None

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(Report Section) / Finding	Recommendation	Fiscal Impact
3.5 Currently, proactive time in Patrol is not well directed. The Department has endeavored to develop a community policing / problem oriented policing model but it has not been fully implemented as yet.	The Police Department should fully implement a problem oriented policing model for Patrol operations. This should include pushing accountability for problem identification and resolution down to the Patrol Officers.	None
3.6 Traffic enforcement productivity in the Police Department does not match typically targeted levels. Productivity has also been impacted by the vacancies in the unit in the past year and by the lack of productivity in traffic enforcement from Patrol.	Proceed with the effort to fill vacancies in the Traffic Enforcement unit. Focus management attention on ensuring that unit productivity meets the Department's enforcement and accident reduction objectives.	None
3.7 The Police Department is shifting towards a problem oriented policing approach to service delivery. The training for this program has not been provided to all personnel at this time.	All personnel should be provided training in problem oriented policing. The Police Department has trainers for this program, so it can be conducted with on-duty staff.	None
4.1 Current workload in Investigative Services Division is not supported by the current level of staffing. There were two vacancies in the Division at the time of the study.	The project team's findings show that the unit should have three additional authorized positions beyond current levels. This means that there are five (5) positions required in the unit – two (2) of which are represented by current vacancies.	\$156,102
4.2 Supervision and oversight of caseloads is currently done using an informal case assessment system. Furthermore, at the time of the study, the Sergeant in the unit was responsible for the direct supervision of all personnel.	Develop a case management system. The current software package in use in the Department has a case management module. The Sergeant and Lieutenant should divide the Division staff between them, resulting in more balanced supervisory responsibilities.	None

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(Report Section) / Finding	Recommendation	Fiscal Impact
4.3 The project team found that the policies and procedures, physical plant, security, controlled access and other key elements of the property and evidence facility are in good condition. The major gaps in this area include the lack of integration between two information systems, lack of a culling procedure for old property / evidence and the lack of an inspection / audit program.	The Department should modify the property evidence policies to address the need for frequent culling of old property and evidence. The policy should also require inspections and audits that are conducted by personnel not in the chain of command of the evidence facility. Audits should be conducted randomly several times a year and should be performed whenever there is a staffing change in the unit.	None
4.4(1) Officers in the Police Department receive a high level of training (more than 70 hours per year per person). While some of this training is driven by state (TCLEOSE) requirements, much of it is not. The Department has not done a “training needs assessment” to determine where there may be gaps in current training.	Develop a training needs assessment to guide police training in the TTPD.	None
4.5 The Police Department’s current crime prevention programming is provided largely by a single position with little assistance from line personnel. Moreover, the focus of the department is on fairly traditional crime prevention programs.	Focus on developing Texarkana-specific crime prevention programming. Identify opportunities to involve the line personnel – particularly those in Patrol.	None
4.6 Fleet management software and approaches in the City’s fleet management division do not provide effective management information. The City recycles fleet numbers, making it difficult to track maintenance, etc., on units during their life-cycle with the City. The use of a Police Officer as a Fleet Coordinator presents an opportunity for cost savings through civilianization.	The City should examine the fleet maintenance operation, including the acquisition of software to support fleet management. Unit numbers should no longer be recycled. The Police Department Fleet Coordinator should be civilianized at the retirement of the current incumbent.	Unknown None (\$6,000)

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(Report Section) / Finding	Recommendation	Fiscal Impact
5.4 The current organizational structure of the Police Department has one Chief and four Captains. This has resulted in an uneven distribution of roles and responsibilities where two Captains have the majority of the personnel and responsibilities. The project team considered several alternative organizational structures that would address this issue.	Eliminate the Captain classification. Create two Assistant Chief positions. This would also require the addition of an additional Sergeant in Investigations and the creation of a Professional Standards Lieutenant. Several units would be shifted within the Department to balance roles and responsibilities for the two Assistant Chiefs.	(\$21,000)

2. MANAGEMENT OF THE POLICE DEPARTMENT

This chapter focuses on the critical management systems and infrastructure in place to support the daily operations of the Texarkana Texas Police Department. These management systems should serve to ensure that the Department is operated in a manner designed to hold managers and staff accountable for their roles in the organization and to ensure that personnel are managed in a fair and consistent manner.

Key management systems that must be in place in an effectively managed police department include the following:

- Documented and up to date policies and procedures which are accessible to all personnel. This should include a process by which policies and procedures are reviewed and updated regularly.
- Regular executive management and supervisory meetings to ensure effective internal communications and accountability of senior personnel. This should include both formal and informal interaction focused on addressing issues and on furthering the goals and objectives of the department.
- Utilization of data, from management reporting systems, for decision making and for assessing the impacts of various programs and other issues.
- Inspections conducted of all major operational components on a regular basis to ensure daily operating practices conform to agency policies and procedures. This system should allow for inspections of all organizational components no less frequently than once every three years.
- A system for tracking administrative investigations and all citizen complaints against department personnel. This system should insure that investigations are conducted in a timely manner with disposition information used to identify training deficiencies, to develop training curricula, and for policy development.

The following sections in this chapter address these managerial issues and provide recommendations for any enhancements.

1. ANALYSIS OF DEPARTMENT POLICIES AND PROCEDURES SHOW THAT THEY ARE OUT OF DATE, LACK ORGANIZATION, AND DO NOT EMPLOY SUFFICIENT PROCESSES FOR ONGOING REVIEW AND EMPLOYEE ACCOUNTABILITY.

This section examines the processes that the Department employs to review, revise, develop, distribute and review policies and procedures that provide essential uniform guidelines for day to day Department operations.

(1) Current Policies and Procedures Are Dated and Require Procedural Adjustments Among the Various Directive Formats.

The project team reviewed the current key policies and procedures of the TTPD which establish department policy and provide uniform guidelines for day to day operations. The points which follow, describe the team's findings from that review:

- The Department has three types of protocols to direct and guide Department Members. These are:
 - General Orders: Used to direct and clarify procedures. They are used to implement permanent procedures or programs that affect one or more sections, units, or divisions in the Department.
 - Policy Statements: Used to clarify General Orders or to set new direction pending the development of a General Order. Policy Statements are maintained at the back of the General Orders Manual.
 - Standard Operating Procedures: Procedures specific to operations of a particular Division.

These three sources for personnel and program direction are out-dated, not appropriately indexed and are at times in conflict with one another:

- General Orders: Have not generally been reviewed and updated in the past five years. The review, revision, and approval of critical liability, sensitive and legislative driven policies have proven to be protracted and not well coordinated by the Department executive staff. Orders are out of date or just not addressed with current Department Operations (no Community Oriented Policing program direction, job descriptions, SWAT / Hostage, etc.). Critical policies such as Use of Force and Pursuit do not stand alone for specific direction but rather are incorporated as a

subsection of the more general Chapters of “Department Motor Vehicles” and Weapons and the Use of Force.

- Policy Statements: These “Statements” used to clarify / modify General Orders have been made over time. When issued these directives are to be placed in the back of the General Order Manual. The Statements are neither indexed nor codified and are virtually lost for immediate reference and direction. The intent of the “Statements” is to modify existing procedures pending the timely review and update of a particular procedure. Many of these have been in place for extended periods.
- Standard Operating Procedures: These procedures are a collection of directives specific to Division operations. These directives are in the form of a “memorandum” from the Division Commander, a “memo” from a Division Supervisor or an e-mail to Division personnel or some other form of communication. Many of these directives are dated, having a term from 1985. Some SOP’s are in conflict with or address similar issues contained in the General Orders (pursuit -1885, use of canine, etc.). SOP’s for Patrol are indexed, those for Investigations are not indexed. The project team found that there was no central collection of these.
- With the current approach to policy and procedure maintenance, many of the day to day operational directives are by “word of mouth” from supervisors or peers. This has a significant impact on field training for new personnel. This also has the potential for impacting discipline and for setting expectations for staff.

Although the Department has the framework in place and has identified defined systems for directing Department members, the processes have eroded over time and are in critical need of specific and general review. The disorder created is recognized by all members of the Department as an essential task to be addressed.

Recommendation: The Chief and the command staff of the Department must be tasked with immediately reviewing, updating and compiling a unified set of governing documents for the Police Department.

- (2) The Approach Used by the Department for Reviewing and Updating Policies and Procedures Is Informal and Displays a Lack of Planning and Direction Needed to Assure a Continued Base of Contemporary Directives.**

The project team reviewed the processes employed by the Department to review, update, and distribute policies and procedures, and how Department staff are

held accountable to adhere to these directives. As the following points describe, the review and update process of Department directives and protocols has been protracted and the Department has many opportunities to reinforce inspection mechanisms:

- Although some General Orders have been updated (Response to Terrorism – 01, Racial Profiling – 04, Sexual Assault – 01, Canine Management – 04), most have not been reviewed since 2000.
- New policy development in most cases was required by new legislation.
- Existing General Orders call for G.O. Manual review every January by a committee appointed by the Chief. This has not been done (1.09.02).
- A number of General Orders have been identified for revision including: Internal Affairs, use of force and pursuit. These have been revised and have been pending review by the Chief of Police for adoption for an extended period, in some examples for more than a year.
- General Orders and Policy Statements are made available to Department Members through the in-house computer system. Inspections of manuals by Division Commanders every six months, (1.09.01) has been discontinued, thus there is no inspection process.
- The Department abandoned the use of the individual performance appraisal system which offered an annual opportunity for supervisors to cover and confirm specific knowledge of critical policies such as use of force, racial profiling, pursuit, hostile work environment reporting, use of criminal justice reporting systems and others.
- The Department does not employ a process for prioritized review of policies / procedures.
- The aforementioned issues become further exacerbated when considering those directives in Division SOP's, their lack of formal distribution, and potential conflict with Department General Orders.

In order to address these issues, the Department should take the following steps:

- The Chief of Police should appoint a committee representing a cross-section of personnel from the Department.
- At the same time, one of the command staff members should be appointed by the Chief as the “coordinator” for this assignment.

- This committee should be tasked with reviewing all General Orders and other documents which govern the Police Department. An initial review should take place within 30 days. This subcommittee must include the members of the command staff, unit heads and others with key responsibilities. The success (or failure) of this effort should be viewed as the success (or failure) of the group, not of one individual.
- Sub-committees of subject matter experts should be tasked with reviewing and recommending changes to these documents. They should also be focused on reconciling written directives with current operational practices, state and federal laws, legal opinions, etc.
- One option that Texarkana should consider is to seek out a model policies manual from another Texas law enforcement agency. This approach is commonly utilized in situations where the General Orders, policies and procedures have been allowed to fall into a state of significant disrepair.
- This is such a critical issue that the Chief of Police should provide status reports to the City Manager every 15 days. These reports should provide a description of the status of the review and update process. Once progress is clearly underway, this reporting could be reduced to every 30 days.
- The national accreditation bodies assume that this process, not including potential facility or other capital changes, should take approximately one year from start to finish.
- Once this process is completed, and a new policy manual is being issued, the Chief of Police should issue an order to rescind all previously issued documents, memoranda, emails, etc.

Recommendation: The Chief of Police should be tasked with developing a staff committee for reviewing all governing documents of the Police Department. The Department should consider seeking out model policy manual from other Texas law enforcement agencies to speed up the process of development and modification. The Chief should report to the City Manager on a regular basis (every 15 days) on the status of this critical process.

(3) Review of Specific High-Liability Policies and Procedures Show That the Department Has Systems in Place to Document These Activities. However, Review of This Information Is Not Being Performed on a Regular Basis.

The project team examined a sampling of key directives governing high-liability activities and associated administrative responsibilities. Although Department policy requires thorough documentation of these activities the Department does not evaluate

documentation formally, for training or policy modification purposes. The high-liability topics included in this review were:

- Vehicle Pursuit:
 - An after action report is required and is advanced for review through the chain of command to the office of the Chief.
 - All reports are retained in file by calendar year (not individual) following review.
 - The procedure does not call for an annual (or historical) review of all pursuits.
- Use of Force Incidents:
 - Reporting is the same as for vehicle pursuits.
 - Annual Use of Force training is required. Curriculum is predetermined.
- Internal Affairs Investigations / Personnel Administrative Inquiries:
 - No formal systems are now in place such as a “discipline decision matrix” that would include a formal review of training or policy modification.
 - The Internal Affairs Policy does not include an annual reconciliation of review of allegations for formal evaluation.
- Racial Profiling / Bias Based Policing:
 - Internal reporting and disposition is handled in the same manner as the Internal Affairs process.
 - The Racial Profiling policy is mandated by law (SB 1074).
 - Annual reporting to the City Council is required.
 - Periodic supervisory role call training is the only training requirement.
- Harassment / Violence in the Work Place:
 - The City Personnel Director coordinates this process.
 - The policy is contained in the Department General Orders Manual.

The project team determined that the Department has systems in place to ensure high-liability activity information is collected on an individual basis as these incidents occur with the reports forwarded through the chain of command for appropriate action. However, the directives governing these activities do not clearly define positions responsible for conducting periodic comprehensive collection of data or reviews of all such activities.

Recommendation: Effective management practices dictate that high risk activities be monitored individually and collectively to determine if there are any trends or patterns indicating deficiencies in training of policy. Usually, such reports are prepared in memorandum format with tables and graphs with comparisons to past years and current activity.

2. ASSESSMENT OF THE TTPD's INTERNAL AFFAIRS PROCESSES SHOW THAT THE DEPARTMENT HAS AN OPORTUNITY TO SIGNIFICANTLY CHANGE THIS FUNCTION TO MITIGATE THE LACK OF CONFIDENCE ASSOCIATED WITH THE PRESENT SYSTEM.

The internal affairs function is a key element for the maintenance of professional conduct in a law enforcement agency. The manner in which an agency responds to allegations of employee misconduct and the quality of such investigations greatly influences not only the public's perception regarding the agency's integrity, but also the employees' confidence that the application of the process will be objective and bias free. The agency must respond appropriately and in a timely manner to various kinds of allegations against its members.

(1) There Are a Number of Issues with the Internal Affairs Process.

The project team examined the TTPD's policies and processes in place for the receipt, investigation, and disposition of complaints of misconduct by Department personnel. Understanding that a revised policy has been submitted and is under

review, consideration should be given to the following for incorporation in the revised policy:

- The Department's Internal Affairs Policy is outdated and does not meet contemporary standards. A new Policy has been developed and has been "under review" since April of 2005. This has been a protracted process and should be implemented as a high priority.
- The Internal Affairs process is loosely coordinated by the Administrative Services Captain (ASC) and offers no consistency in process application:
 - Complaints are first sent to the employee's Division Commander for evaluation as to whether or not the complaint merits formal investigation. The decision then for a formal investigation will vary from commander to commander over time and through position turnover.
 - The responsibility for reviewing the initial complaint, assigning a control number for all complaints received (major and minor misconduct), assignment for, and monitoring of, investigative follow-up to disposition, and appropriate internal and external notifications, is not the responsibility of a single person.
- The Master Control Log that is now being used should include additional information:
 - The Master Control Log, now maintained by the ASC, tracks only formal investigations with basic tracking information that includes the nature of complaint (use of force, rudeness), employee identifier and complaint disposition.
 - No specific policy direction is provided for inclusion of information such as the number of external and internal complaints received, the time required to complete the complaint, disposition of discipline for sustained complaints, the classification of complaint (A,B or C, Class 1,2 or 3) that would be useful for annual reporting or evaluation for increased training or potential policy modifications.
 - The policy does not provide guidelines for purging information. A policy should be incorporated in proposed policies to identify timelines for purging information predicated on the nature of and finding of an allegation. Master control logs of 2000 and 2001 had a purge date which was discontinued from 2002 to the present.
- The present procedure does not have any timelines to guide the investigative or administrative process:

- Timelines are part of all contemporary Internal Affairs procedures and provide Department employees and the public with a sense of accountability that allegations of misconduct will be reviewed and investigated in a timely fashion.
- The revised policy provides administrative and investigative timelines.
- The Department provides good public access to the Internal Affairs process, however it lacks follow-up feedback or any formal annual reporting back to the City of misconduct allegations. The present policy does not articulate a process to get back to the complainant with the finding of the allegation. The Department does not have a reliable system in place to assure that all allegations of misconduct are accounted for.
- There is no system in place for the identification of external vs. internal (self policing) complaints in order for the formal annual analysis of administrative and internal affairs investigations to determine training needs or policy modification. Use of Force and Pursuit incidents require an after action report and formal review for training / policy purposes.
- The Internal Affairs process does not incorporate a formal Employee Intervention / Warning System used by many police agencies to provide employee assistance in the form of counseling or training in an effort to mitigate causes of misconduct.

The Matrix Consulting Group found that the Internal Affairs Process that TTPD employs is not contemporary and lacks the necessary administrative controls and policy definition to promote consistent application from complaint receipt to disposition.

Recommendation: The Department must move forward immediately to put in place the revised policy now under review with specific focus on processes that promote consistent, defined, and time driven protocols.

- (2) The Office of Professional Responsibility (ASC), as Part of the Internal Affairs Process, Should Evaluate the Implementation of a “Disciplinary Decision Guide”.**

The Department members have expressed, through sworn employee surveys in 2003 and 2004, that the Internal Affairs process lacks consistency in terms of complaints requiring investigation and the discipline imposed for sustained complaints. The following table displays the results of these surveys, administered by Research

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Associates of Wichita Falls, TX, at the request of the TTPD Police Officers Association.

There were forty-five respondents:

Internal Affairs Confidence Rating

Survey Question	Strongly Agree 2003 / 2004	Strongly Disagree 2003 / 2004
There is little or no favoritism shown in my division	1.6% / 6.8%	61.3% / 59.1%
I am satisfied with the I.A. disciplinary process	3.2% / 0.0%	58.1% / 63.8%
I would be treated fairly if accused of wrongdoing	3.2% / 0.0%	56.5% / 59.1%
I have confidence in the quality of Internal Affairs investigations.	3.2% / 2.3%	51.6% / 54.5%

As displayed, the preceding table raises “sworn” department member concern regarding their lack of confidence in the present Internal Affairs process. The existing policy loosely defines minor and major misconduct that allows the application of different standards, (by an individual or Division) for formal investigation. The revised policy now under consideration provides more definition to complaint classification and more policy direction to Division commanders for the criteria necessary to initiate a formal investigation. This will mitigate the broad discretion now available and add consistency among Department commanders in initiating an investigation.

The revised policy additionally calls for the immediate supervisor and Division commander to recommend appropriate discipline. This process raises employee questions regarding consistency and objective justification among commanders for the recommendation and application of discipline.

The Department does not have a guide to help in establishing discipline for sustained allegations. Without a “Disciplinary Decision Guide” to assist as a point of reference in determining discipline, the Department, over time with different administrators, can apply different levels of discipline for similar acts of misconduct. This has an adverse impact on employee morale, as we see from the surveys, in that it

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fosters a sense of employee favoritism for those receiving a lower level of discipline than others for similar acts of misconduct. The following table displays a very brief example of what a Disciplinary Decision Guide might look like.

Policy Number	Conduct	1 st Offense	2 nd Offense	3 rd Offense	4 th + Offense
#	Alcohol related incidents not related to DWI	Written Reprimand / Minor	Major	Major / Terminate	Terminate
#	Neighborhood Disputes / Personal	Minor	Major	Major / Terminate	Terminate
#	False Information in Reports	Terminate			
#	Truthfulness of Internal investigations	Terminate			

The discipline matrix should be developed by the Department executive staff in conjunction with the adoption of the revised Internal Affairs Policy. The development and adoption of this guide will certainly set the organizational tone from the executive team and mitigate to a great degree the lack of objective confidence now expressed by Department members.

Recommendation: Evaluate and develop a Disciplinary Decision Guide with the adoption of the revised Internal Affairs Policy.

(3) The Department Should Employ a Formal “Employee Early Intervention” System.

Early Intervention Systems (EI) originated out of a growing recognition that a few officers are responsible for a disproportionate number of department problems related to “use-of-force” and citizen complaints. The “EI” system is a data-based (manual or computer driven) management tool designed to identify officers and other Department members whose performance exhibits problems, and then to provide interventions, usually counseling or training, to correct those performance problems. EI systems have emerged as an important mechanism for ensuring police accountability. Systems

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identify potential officer job-related stress and/or personal problems that could impact job performance and interactions with the public. EI systems typically have specific departmentally developed alert “triggers” that are monitored and reported through the Department’s information (manual or computer based) system. Examples of potential triggers are presented in the following table.

Performance Support Alert Triggers	
Category	Trigger
Investigated Complaints (I and II)	3 in 6 months
Vehicle Accidents (ARB)	2 in 6 months
Use of Force Investigations	2 in 6 months
Use of Force Officer Reports	2 in 6 months
Arrests for Obstructing a Police Officer, Resisting Arrest, or Disorderly Conduct	2 in 6 months
Criminal Investigations	1 in 6 months
Biased-based Policing Investigations	1 in 6 months
Hits any three categories within a rolling 6-month period	
Secondary Elements (Monitored Only – No Triggers)	
Wage Garnishments	Civil Claims Lawsuits
Voluntary Bankruptcy	Risk Management Reports

Department policies should be modified to require that individual Department member files be maintained for the examples displayed in the preceding table in conjunction with the requirement that all “use of force” and “pursuit” incident files be maintained by calendar year. The Administrative Services Captain has recently begun the consolidation. EI systems have evolved in the past ten years. Implementation of an EI system should involve careful planning with full involvement and support of executive management of both the Department and the City.

Recommendation: The Department should formally explore the feasibility of adopting an appropriate Early Intervention (Warning) System as an essential component of the Internal Affairs Process.

3. CURRENT MANAGEMENT SYSTEMS AND ASSOCIATED ACCOUNTABILITY MECHANISMS ARE NOT EFFECTIVE.

For this section the project team focused on the current systems utilized by the Department executive team and supervisors to manage and control operations, and the administration of the Texarkana, Texas Police Department. In reviewing these systems the project team focused on four broad aspects of current internal Department management.

- Overall management of operations and administrative support functions.
- Management practices that develop and are consistent with long term planning objectives and priorities.
- Management initiatives that focus on goal setting, evaluation, and performance accountability.
- Systems used for internal and external communications.

The first section deals with the development of the elements of a formal management system.

(1) Strong Consideration Should Be Given to Developing a “Performance Based Management Plan” to Focus Very Specifically on Long Range Planning.

The project team has identified opportunities to improve the Department Management Systems. The following issues certainly have had an adverse impact on the executive team’s ability to provide an orderly environment of long term objective driven planning processes.

- The current Department Mission Statement and Value Statement were developed by past Department Administrations. These statements are very broad and are not used to provide focus for current levels of police service.
- The Community, City Council and City Management team are not used as a resource for setting police objectives. Work activities are short term, anecdotal

and set by individual Divisions in the form of short term projects. There are no measurements, annual reconciliation, or accountability consequences in place.

- The budget is not used for setting police objectives. Programs and associated outcomes for expenditures are not part of the budget planning process. This is specifically apparent for the efforts committed to the District Policing Model.
- The District Policing Model (Community Oriented – Problem Oriented Policing) does not have program objectives. This program, in place for 2.5 years has no expressed Department / Community objectives. No displayed efforts to assess the impact of the program vs. a traditional policing model, its expense, its impact on existing personnel resources, or what the program might look like in 1,3, or 5 years. Program objectives were articulated by the Chief and incorporated in executive staff meeting minutes of August 31, 2004. In short, program objectives are to focus on “reduction of crime”, “prevention of crime”, and “reduction of the fear of crime.”
- An environment of ‘disorder’ exists among the management team which makes addressing any of the issues described above difficult.

The preceding issues certainly convey that the Department does not have a long term planning process in place. The Police Department executive team should take steps to develop these goals and objectives through a facilitated off-site team building exercise that would include all Department administrative staff, (Captains and Lieutenants), with initial attendance by the City Manager. The first off-site focus should be to discuss long-term vision, discuss the impact of the undermining atmosphere between and among the executive team and develop the parameters of a new Mission Statement. This should include the City Manager setting his expectations for the Police Department management team as a group.

Recommendation: The executive team apply the processes included in the “Recommended Management Plan” posted at the end of this Chapter (section 4), and associated Performance Measures added as an addendum to the chapter as “Appendix A”.

(2) Management Meetings at the Executive Level Can Be Improved to Facilitate Communication and Improve Operating (Business) Relationships. Division Meetings Are Effectively Used.

The project team examined the processes for meetings used by TTPD management staff to meet among themselves and with other member of the larger command and supervisory staff. The project team's finding are summarized as follows:

- The executive team has a meeting every other week, on Tuesdays, following the Monday City Council meeting. This is the only management meeting that the executive team has. Included in this meeting is the Arkansas Captain that administers the Communication Center. The Chief prepares the meeting agenda, a recap / review of assignments from the last meeting. Limited input is solicited from the Captains. Meeting focus is on updates and short term planning. Meeting minutes are taken and developed by the Chief's Administrative Assistant.
- The Chief does not have a set standing meeting with individual members of his staff. Communication is by e-mail or phone with "impromptu" meetings called to discuss emerging issues:
 - An established personal meeting would offer an opportunity to discuss individual work plans and potentially enhance interpersonal relations.
 - The Chief expressed at the December, 2004 staff meeting that he wanted to employ these meetings in 2005. The meetings are not yet in place.
 - The Chief does not have a "standing meeting" with the City Manager. Meetings, up to three per week, are informal.
- The Chief does not have a weekly "calendar meeting" with his staff. Weekly 30 minute Monday morning staff meetings offer an opportunity for the executive team to discuss significant organizational events from the previous week and weekend and also to share significant events / meetings with other member's of the executive team.
- The Chief in May of 2004 discontinued the Department General Staff Meeting that included all Department supervisors (Captains, Lieutenants, Sergeants). This was the only standing meeting for this group and the Chiefs only opportunity to interact with Department subordinate personnel.
- The Chief does not currently have any other meetings with Department members:

- Meetings are arranged “as needed” with the Police Association.
- In March and May of 2003 the Chief established an “Employee Concerns Unit”. This “diagonal slice” of Department members met on two occasions to discuss various Department issues impacting morale and operations. These meetings have been discontinued.
- Role call appearances by the Chief for information exchange are sporadic and not common.
- In January of 2005 the Chief initiated two monthly meetings to discussed issues associated with the three District Policing Areas. Meetings are chaired by the Uniform Services Captain, with attendance of the three District Lieutenants and the Investigative Division Supervisory Staff:
 - Meeting are productive in that this is the first time that Units and Divisions have come together on a regular scheduled basis to discuss criminal activity, and community activity by District.
 - ISD reports on investigative case progress, Patrol Lieutenants provide information about activity in the three Districts, and Narcotics talks about recent neighborhood narcotics activity.
 - This is a new process and the group has received limited information / direction on meeting expectations. Prior to the first meeting the Chief handed out a half-dozen articles on the “CompStat” process.
- The Uniform Services Division has good information exchange through weekly meetings. Meetings are set for Thursday to convey information from the Tuesday executive team meetings:
 - Captain and three District Lieutenants meet to discuss Division operations.
 - District (POP) meeting chaired by the Patrol Captain.
 - General Division Staff meeting, including the Captain, Lieutenants, and Sergeants.
 - District (POP) meeting chaired by the Patrol Captain.
- The Criminal Investigations Division meets daily with all investigators and supervisors in a “briefing format” to discuss new and ongoing case follow-up progress. The Division supervisors have also recently initiated meetings with the Arkansas CID supervisors for coordination of information and investigative resources.

The Department at the Executive level can improve its ability to communicate and provide improved direction not only to Executive Team Members but to the rest of the organization.

Recommendation: The Chief and Executive Team should develop strategies to improve communication between Team Members and the rest of the organization. The following steps should receive strong consideration:

- **Establish Standing Meeting Between the Chief and Individual Executive Team Members.**
- **Reinstate Monthly General Staff Meetings**
- **Establish Weekly Calendar Meetings**

(3) Department Accountability Mechanisms Are Deficient.

The following points summarize the project team's observations and findings concerning the use of Department and management accountability mechanisms:

- The Department does not have established annual internal or external performance objectives, collectively by Department, Division, Unit, or Program, and individually by program administrators and unit supervisors.
- The Department does not have an annual performance appraisal system for year end reconciliation. The lack of performance measures impacts the ability of Department managers and supervisors to hold Department members accountable. An effective appraisal system offers:
 - Opportunity to set personal goals and objectives that tie to Division / Department goals.
 - Ability to assess personal accomplishments and areas for further development.
 - Establish a plan for professional growth through training or specialty assignment.
 - Opportunity to receive and provide feedback about job performance.
 - Opportunity to review and assure that all personnel know and understand high liability policies and procedures, i.e. pursuit, use of force, hostile work environment, (sexual harassment) etc.

- Again, the Department does not formally set long or short term objectives by Division, Unit, or individual. With no expressed work product outcome through the goal and objective setting process the Department has no accountability mechanisms in place.

Without built-in accountability associated with job performance through the goal and objective setting process and without “formal” mechanisms to provide each employee feedback about job performance through an annual appraisal system, all members of the Department set their own work standard.

Recommendation: The Department should reinstate an annual employee appraisal system that is job specific (patrol, traffic, detective, etc.). This will have to be constructed to meet Civil Service objectives and requirements.

(4) Development of Comprehensive, Meaningful and Quantifiable Performance Measures Will Enhance the Management of the Police Department.

The project team has identified several key themes in this management section. These include the following central points:

- The Department Mission / Value Statement was set by a prior administration and is not used by the Department to direct Department service delivery.
- The Department does not set internal or external service delivery goals or objectives.
- The Department is generally run using informal management systems.
- Key meetings need to be used to produce accountability and to optimize departmental performance.

The matrix, on the following pages, provides an analysis of performance versus several key factors and provides recommendations for addressing identified issues:

RECOMMENDED MANAGEMENT PLAN
Texarkana Texas Police Department

Issue	Discussion	Recommendation	Responsibility	Timing
Mission / Leadership	The TTPD needs to identify what it plans to do as a service provider. These plans should be community driven through the City Council and City Managers Office in the form of a City Strategic Plan or annual City Objectives. The various elements of the Matrix CG Report on Texarkana Police Service will facilitate focus on service oriented objectives. The Department currently does not have written base line performance standards that can be used to establish long term goals and objectives.	Following review of the Matrix CG Report and policy direction from the City Council the City Manager, the Police Executive Team should identify some Department "Performance Measures" that deal with: • Efficiency Indicators • Service Level Indicators • Work Quality Indicators • Program Impact Indicators <u>note</u>: examples are at the end of this chapter, appendix "A". The Police Department should hold an internal retreat to review and modify, if appropriate, the existing Department Mission and Value statements; then identify and set short and long term goals and objectives. These may include anything ranging from effective community policing, use of field pro-activity, police community relations, criminal complaint ratio's to issues of neighborhood blight.	The City Manager, Chief and the executive staff should coordinate and lead this effort.	Begin the process so that a "performance management plan" can be established with the 2006 / 2007 Department Financial Plan.

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Issue	Discussion	Recommendation	Responsibility	Timing
Performance Management Plan	Currently, there are no specific and measurable goals / objectives or performance management plans in place in the Police Department. This has a significant impact on defining, externally or internally, the success and improvement needs of the organization; budgeting; accountability; etc. Specific attention should be directed to the District Policing Model. This "Area Accountability" policing program has been in place for 2.5 years. The program is in place with no written (stated) goals or objectives for project community impact on crime or community disorder. A program evaluation has not been done in terms of crime and community impact. If the program clearly displays results then the program should, through the planning process, be given the appropriate personnel, material, and financial resources to continue. The District Accountability Program was added to the responsibilities of the field patrol staff with no additional resources, and limited training (3 days) to a select few.	The TTPD needs to take the use of performance measurement to a new Department level. An effective performance management plan includes: • Defining what the Department wants to accomplish. Review of the Mission Statement, priorities of the community, creating specific goals and quantifiable objectives fulfilling that Mission statement. • Planning and scheduling resources to meet established goals and objectives. The application of resources so that goals and objectives are met. • Monitoring progress toward meeting established goals and objectives. Measures reviewed on a regular basis ensures that planning and scheduling of resources actually is effective in meeting goals and objectives. • Reconciling results with goals and objectives. Since many goals and objectives are set on an annual basis, some form of final year-end reconciliation should be made between established objectives and accomplished results. This provides a report of progress and accountability for City Manager, Council and Community.	Chief and Executive Team	In conjunction with the 2006 / 2007 Department Budget Process.

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Issue	Discussion	Recommendation	Responsibility	Timing
Accountability Mechanisms	Currently, there are no formal accountability mechanisms in place for either line or management personnel as discussed in the “accountability” section of this Chapter. The lack of formal and applied performance measures makes it difficult to objectively judge unit or Departmental performance and therefore to hold supervisors and managers accountable.	Develop a series of formal performance measures (see appendix “A” to this chapter for examples). These measures should be such that they can be easily tracked and evaluated. One of the two monthly management meetings should be shifted in focus to address those areas where the Department as a whole (or a specific unit) is failing to meet expectations. Concrete action should be discussed and corrective action taken to bring the Department into compliance with expectations. In addition, command staff meetings need to be altered in focus to address opportunities for improvement relative to the established performance standards.	The Chief and Administrative Staff.	Performance measures should be in place with the development of the 2006 / 2007 Department Financial Plan.

The result of making these modifications will be an enhanced management approach, one that relies more on formal performance expectations at either the Department, Division or unit level. Through these modifications the Police Department will increase true accountability for all levels of the organization. This accountability will extend not only internally among Department staff but also externally, to the City Manager's Office, the City Council and to the Community.

4. GIVEN THE DEFICIENCIES ASSOCIATED WITH THE DEPARTMENTS GENERAL ORDER REVIEW AND REVISION ATTEMPTS, THE DEPARTMENT SHOULD DEVELOP A PLAN FOR ACHIEVING ACCREDITATION STATUS.

The accreditation process assists local government leaders and police professionals in monitoring and improving the quality and performance of their police service delivery systems by identifying current and desired standards of performance and the development of Department protocols to achieve and maintain those standards.

Based on the project team's review of the Department's recent attempts to review and update existing protocols to a contemporary industry standard, it is apparent that the necessary work would not likely be successful in the near future. The following points summarize the project team's conclusions with respect to this:

- Department General Orders have not been reviewed in five years and there is not a process in place for a scheduled review of all directives.
- Policy Statements issued by the Office of the Chief of Police have been issued over time to clarify / update General Orders or provide supplemental direction are not codified or indexed for reference.
- General Orders have not been updated based on the Policy Statements issued.
- Standard Operating Procedures to guide Division Operations are a collection of Division Commander memorandums, short memo's by Division supervisors, e-mail, or some other form of communication that range in time back to 1985.

- Some Standing Operating Procedures provide direction covered in General Orders.
- Standard Operating Procedures are maintained by the particular Division for reference. Field Operations are indexed, Criminal Investigations are not indexed.
- Although some progress has been made in reviewing and revising policies for contemporary standard requirements, the process is moving much slower than it should. The process lacks policy deficiency identification and prioritization.
- The process over time has been managed by different members of the Department's executive team.

It is apparent from the aforementioned issues that the Department lacks a long range plan to address the disorder associated with the Department protocols now in place, or lack thereof, at all levels of the organization.

Employing an accrediting body such as the "Commission of Accreditation for Law Enforcement Agencies" (CALEA), would assist the Department with the necessary structure and process that it now lacks to resolve this critical organizational issue. The "CALEA" process is comprised of five general phases that include:

- Application by the Department to the Commission
- On-site assessment by a CALEA assessment team to review all standards and, in particular, to verify compliance with all applicable standards.
- Commission review for award of agency accreditation status.
- Maintaining compliance and re-accreditation

To maintain accredited status, TTPD must remain in compliance with applicable standards. The Department will be required to submit annual reports to the Commission attesting to continued compliance and reporting changes or difficulties experienced during the year, including actions taken to resolve noncompliance. If necessary, the Commission reserves the right to schedule interim hearings to consider

discontinuing accredited status if noncompliance becomes a serious issue. Every three years the Department must complete the “accreditation process” to continue accredited status into the future.

Achieving accredited status requires commitment and support from all areas of the Department and requires regular contact and communication between the “Accreditation Manager”, Department members and the Commission. Due to the importance of this process to the organization, the Accreditation Manager should be a member of the Department Executive Team.

The Accreditation process will formally address the present and protracted deficiencies in restructuring and revising, as appropriate, all Department protocols.

Recommendation: The Department should consider achieving accreditation with one of the accrediting bodies. This will have a one-time cost of approximately \$15,000 and an annual cost of approximately \$5,000.

ATTACHMENT A

PERFORMANCE MEASURE EXAMPLES

1. EFFICIENCY INDICATORS

(1) All Divisions

- Average hours available annually per position for regular duty assignments after “fixed” time losses considered, such as vacations, holidays not worked and mandatory breaks.
- Average hours expended annually, per position, for “variable” time loss factors such as:
 - Sick Leave
 - Disability Leave
 - Mandated In-Service Training
- Average overtime hours (paid/compensatory/donated) per position annually by reason for use (e.g. extension of duty shift/call back).
- Average hours expended annually by position for court appearances.
- Ratio of “working” personnel to supervisors at various organizational levels.
- Percent of sick leave days taken at the “end” or “beginning” of the work week or immediately preceding or following a holiday.
- Annual turnover rates, by position classification, and in total.
- Vehicle downtime (for repairs/maintenance) as a percentage of hours they should be available.
- Number of hours of “useful” work performed, by activity, by volunteers.

(2) Patrol Division

- Average hours/minutes required, by position, to handle various work tasks, such as:

- CFS Handling	- Arrest/booking
- Report Writing	- Vehicle Servicing
- Traffic Citations	- Case Investigation
- Reports	- Field Interrogations

- Volume of work activities performed per position per year (possibly weighted to reflect their importance), such as:
 - CFS per Officer - Traffic Citations per Officer
 - Arrests per Officer - District (COP / POP) Activity
- Percent of CFS for which a report is written.
- Percent of CFS where two or more patrol units respond (i.e. the back-up rate).
- CFS per Officer among various duty shifts and days of the week.
- Percent of no-injury traffic accidents “activity” investigated.
- Number of false alarms responded to annually compared to trends or targets.
- False alarms as a percent of total alarms received.
- Percent of CFS (or other workload indicator) by time of day or day of the week compared to available staff scheduled for work.

(3) Detective Division

- Percent of reported crimes actively receiving follow-up investigation by type of offense.
- Volume of work activities performed per position such as:
 - Total cases assigned by type.
 - Total cases prepared for court

2. SERVICE LEVEL INDICATORS

(1) All Divisions

- Average elapsed time required (in working days) to resolve a citizen complaint.

(2) Uniform Services Division

- Percent of duty time that Patrol Officers or other field personnel are free for pro-active problem-solving / self initiated activity / District Policing.
- Mean and median elapsed time required to respond to service requests by priority of call (e.g. in-progress, important and as available)

- Ability to meet established objectives in response to citizen requests for service regarding neighborhood blight, traffic, vice, narcotics.
- Number of “COP / POP” neighborhood projects initiated vs. resolved through District Policing Efforts.
- Percent of calls, by priority, responded to in X-minutes or less.

(3) Investigative Services Division

- Percent of reported crimes where detectives make a follow-up contact in person, by phone and by letter.
- Percent of stolen property recovered (non-vehicle) of the total & value of property taken which was returned to rightful owners.
- Percent of stolen vehicles recovered.
- Percent of cases, by type, cleared within X hours/days.

3. WORK QUALITY INDICATORS

(1) All Divisions

- Percent of complaints lodged against Texarkana Police Department personnel, by nature of complaint (e.g. not courteous or excessive use of force), found to be invalid.
- Average score obtained in firearms qualification drills.
- Percent of employee complaints/grievances found to be invalid.
- Ratio of written complaints/commendations which are positive in nature.
- Percent of citizens/users surveyed who are satisfied with various operational aspects of police services (e.g. courtesy, professionalism, thoroughness of police action taken, fairness of Officer).
- Percent of Department employees surveyed who are satisfied with various aspects of Department operations (e.g. training provided, availability and accuracy of records, thoroughness of preliminary investigations, incident reports, clarity and accuracy of dispatches).

(2) Uniform Services Division

- Percent of traffic citations issued for the major causes of traffic accidents (e.g. excessive speed and failure to yield the right of way).
- Number of successful District Policing Projects.
- Percent of reports taken that are referred back to the investigating Officer for correction of errors or additional information.

(3) Investigative Services Division

- Percent of arrests, by type of crime, where the DA agrees to file a complaint.
- Percent of cases by type of offense where investigation is possible which are cleared by arrest or exception.

4. PROGRAM IMPACT INDICATORS

(1) All Divisions

- Number of reported (total crimes), by type, per 1,000 population where police action can have an impact (e.g. burglary compared to trends and/or other similar jurisdictions).
- Percent of citizens/users surveyed who are satisfied with various aspects Pittsburg Police services (e.g. safety while at home, safety while out, police control over crime, response time, traffic enforcement, neighborhood blight).

(2) Uniform Services Division

- Percent of traffic citations issued resulting in a judicial penalty.
- Number of reported traffic accidents (injury and property damage only) compared to trends and/or other similar agencies.
- Percent of dwelling units and businesses victimized by type of crime where police can have an impact.
- Dollar value of property stolen per X residents or Y business sales by type of crime where police can have an impact through the District Policing model.
- Number of children injured going to/from school at school crossing sites.
- Percent of juveniles apprehended, by type of offense, who have no further contact with the police.

- Victimization rates of dwelling units and businesses participating in a specific crime prevention program, compared to those which have not.
- Crime rate, in total, and for various types of offenses per 100,000 population compared to trends and other similar jurisdictions.

(3) Investigative Services Division

- Percent of stolen property (as measured by total dollar value) and stolen vehicles (as measured by number) recovered.
- Percent of arrests made resulting in a conviction.

3. ANALYSIS OF UNIFORM SERVICES

This chapter presents the project team's assessment of patrol services in the TTPD. Issues addressed in this chapter include patrol staffing and deployment, use of proactive time, traffic enforcement activities, and supervision.

1. REVIEW OF FIELD WORKLOADS.

This section provides information on workload handled by patrol during the year period of July 1, 2004 to June 30, 2005. The first subsection discusses call for service data.

(1) Call for Service Workload

Primary workload in patrol consists of responding to calls for service. Total calls for service by time of day and day of week are shown in the table below. Please note that the information contained within the following tables includes only community generated workload. As a result, a number of CAD entries were not included which reflected officer initiated activities such as traffic stops, on-view incidents, and administrative activities.

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Texarkana Texas Police Department
Calls for Service from July 1, 2004 to June 30, 2005

All Districts/Beats

Hour	Sun	Mon	Tues	Wed	Thur	Fri	Sat	Total	Avg./ Hour
0	178	88	134	109	109	113	179	910	2.49
100	148	62	72	81	87	73	140	663	1.82
200	100	55	53	72	67	67	99	513	1.41
300	103	49	41	39	54	78	100	464	1.27
400	65	38	46	29	41	56	60	335	0.92
500	65	38	39	46	44	65	44	341	0.93
600	55	54	57	60	54	69	59	408	1.12
700	89	125	137	142	118	106	86	803	2.20
800	112	149	168	147	148	129	125	978	2.68
900	87	153	152	160	129	149	137	967	2.65
1000	114	159	161	173	149	141	181	1,078	2.95
1100	152	183	162	182	172	175	203	1,229	3.37
1200	167	215	160	155	183	183	211	1,274	3.49
1300	178	202	191	173	174	182	237	1,337	3.66
1400	223	189	196	176	191	178	222	1,375	3.77
1500	190	218	223	229	215	188	235	1,498	4.10
1600	184	229	232	226	237	265	196	1,569	4.30
1700	178	272	263	244	253	279	242	1,731	4.74
1800	188	203	229	227	233	216	212	1,508	4.13
1900	158	212	215	205	216	232	222	1,460	4.00
2000	168	208	203	199	189	217	192	1,376	3.77
2100	161	171	185	198	167	207	216	1,305	3.58
2200	146	164	169	178	185	224	243	1,309	3.59
2300	117	136	156	137	147	202	252	1,147	3.14
Total	3,326	3,572	3,644	3,587	3,562	3,794	4,093	25,578	70.08
Avg./ Day	63.79	68.50	69.88	68.79	68.31	72.76	78.50	70.08	

The following points summarize the information above:

- From July 1, 2004 to June 30, 2005, the TTPD responded to 25,578 calls for service. Please note that this number does not include non-community generated calls for service including house checks, businesses checks, traffic stops, and on-view officer initiated activities.
- Based on this total, the average number of calls per day was approximately 70. Throughout the week, average calls ranged from a low of 64 calls on Sundays to a high of 78 calls on Saturdays.

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- Throughout the day, calls for service ranged from a high of approximately 5 calls during the hour of 5:00 p.m. to 6:00 p.m. to a low of approximately 1 call during the hour of 4:00 a.m. to 5:00 a.m.

The project team also compiled calls for service data for each district within the City of Texarkana, Texas. The tables, that follow, provide the same distribution table for each district:

Texarkana Texas Police Department
Calls for Service from July 1, 2004 to June 30, 2005
District 1

Hour	Sun	Mon	Tues	Wed	Thur	Fri	Sat	Total	Avg./ Hour
0000	62	30	42	39	43	27	67	310	0.85
0100	45	24	22	25	29	27	40	212	0.58
0200	38	21	11	17	30	18	37	172	0.47
0300	35	18	13	13	21	30	32	162	0.44
0400	22	12	10	5	9	17	16	91	0.25
0500	22	9	11	19	17	19	11	108	0.30
0600	22	19	18	22	26	23	23	153	0.42
0700	33	46	48	62	51	42	31	313	0.86
0800	36	54	58	59	57	51	35	350	0.96
0900	31	68	62	59	49	67	44	380	1.04
1000	37	64	56	75	56	49	66	403	1.10
1100	60	66	54	66	65	55	86	452	1.24
1200	64	80	65	53	67	63	67	459	1.26
1300	62	69	74	68	68	66	76	483	1.32
1400	77	62	70	62	77	65	67	480	1.32
1500	68	79	60	80	73	69	89	518	1.42
1600	62	67	69	90	60	91	70	509	1.39
1700	69	92	96	91	98	117	86	649	1.78
1800	59	76	81	77	85	81	73	532	1.46
1900	62	76	86	88	80	89	81	562	1.54
2000	65	68	61	67	74	75	85	495	1.36
2100	56	48	56	78	49	66	77	430	1.18
2200	48	61	57	54	55	71	78	424	1.16
2300	44	46	49	43	53	54	79	368	1.01
Total	1,179	1,255	1,229	1,312	1,292	1,332	1,416	9,015	24.70
Avg./ Day	22.61	24.07	23.57	25.16	24.78	25.55	27.16	24.70	

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The following points highlight the information above:

- As shown above, the TTPD responded to 9,015 calls for service within District 1, for an average of 25 calls for service per day.
- As shown in the distribution of total calls for service, the slowest day of the week was Sunday which averaged 23 calls for service, while the busiest was Saturday which averaged 27. Once again, the busiest hour of the day was from 5:00 p.m. to 6:00 p.m., while the slowest hour was from 5:00 a.m. to 6:00 a.m.

The next table, below, shows calls for service within District 2 over the period:

Texarkana Texas Police Department
Calls for Service from July 1, 2004 to June 30, 2005

District 2

Hour	Sun	Mon	Tues	Wed	Thur	Fri	Sat	Total	Avg./ Hour
0000	42	21	38	30	26	33	51	241	0.66
0100	36	16	22	22	27	21	43	187	0.51
0200	35	13	20	26	16	19	20	149	0.41
0300	34	17	9	12	11	26	38	147	0.40
0400	21	16	14	12	17	17	19	116	0.32
0500	21	12	10	10	15	11	13	92	0.25
0600	10	15	19	15	8	21	17	105	0.29
0700	29	37	39	31	32	24	23	215	0.59
0800	28	48	57	44	46	41	35	299	0.82
0900	24	33	36	41	37	33	41	245	0.67
1000	33	39	59	44	41	41	45	302	0.83
1100	39	59	44	62	48	64	44	360	0.99
1200	33	73	47	40	44	58	57	352	0.96
1300	51	63	54	41	48	55	66	378	1.04
1400	50	59	54	46	58	54	68	389	1.07
1500	50	62	77	57	54	59	64	423	1.16
1600	47	75	62	58	86	83	52	463	1.27
1700	39	81	72	62	57	73	66	450	1.23
1800	48	44	55	57	60	63	45	372	1.02
1900	44	54	54	53	47	52	52	356	0.98
2000	38	47	65	53	41	52	37	333	0.91
2100	37	46	48	54	34	64	45	328	0.90
2200	49	41	45	50	57	54	68	364	1.00
2300	33	36	40	38	44	64	76	331	0.91
Total	871	1,007	1,040	958	954	1,082	1,085	6,997	19.17
Avg./ Day	16.70	19.31	19.95	18.37	18.30	20.75	20.81	19.17	

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The following points highlight the information above:

- As shown above, the TTPD responded to 6,561 calls for service within District 2, for an average of 19 calls for service per day.
- As shown in the distribution of total calls for service, the slowest day of the week was Sunday which averaged 17 calls for service, while the busiest day was Friday which averaged 21. Again, the busiest hour was during the hours of 4:00 p.m. and 5:00 p.m. while the slowest hour was during the hours of 5:00 a.m. and 6:00 a.m.

The next table, below, shows call for service data for District 3:

Texarkana Texas Police Department
Calls for Service from July 1, 2004 to June 30, 2005

District 3

Hour	Sun	Mon	Tues	Wed	Thur	Fri	Sat	Total	Avg./ Hour
0000	57	33	42	35	36	41	48	292	0.80
0100	52	16	21	24	21	19	40	193	0.53
0200	19	14	16	22	18	26	31	146	0.40
0300	27	8	13	12	18	20	21	119	0.33
0400	18	10	18	7	12	20	19	104	0.28
0500	19	11	16	14	10	28	17	115	0.32
0600	18	19	13	16	20	22	13	121	0.33
0700	18	37	38	43	31	31	24	222	0.61
0800	38	38	40	36	36	29	43	260	0.71
0900	20	42	41	51	31	39	41	265	0.73
1000	31	47	33	40	41	41	51	284	0.78
1100	42	42	52	37	41	42	56	312	0.85
1200	50	45	40	53	51	49	72	360	0.99
1300	55	55	47	54	41	50	68	370	1.01
1400	80	53	59	55	46	50	68	411	1.13
1500	50	59	60	77	65	48	69	428	1.17
1600	58	58	78	63	64	73	54	448	1.23
1700	56	76	73	75	77	71	66	494	1.35
1800	62	63	72	69	71	51	71	459	1.26
1900	45	65	60	55	75	65	73	438	1.20
2000	54	83	62	55	60	70	54	438	1.20
2100	56	58	67	50	60	58	77	426	1.17
2200	41	54	54	61	60	73	64	407	1.12
2300	26	40	59	43	41	64	76	349	0.96
Total	992	1,026	1,074	1,047	1,026	1,080	1,216	7,461	20.44
Avg./ Day	19.02	19.68	20.60	20.08	19.68	20.71	23.32	20.44	

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The following points highlight the information above:

- As shown above, the TTPD responded to 7,461 calls for service within District 3, for an average of 20 calls for service per day.
- As shown in the distribution of total calls for service, the slowest day of the week was Sunday which averaged 19 calls for service, while the busiest day was Friday which averaged 23. Again, the district displayed the same hourly distribution of workload as the other two districts.

The next subsection provides additional workload information collected by the project team.

(2) Other Workload Indicators

The project team also collected information on patrol activities for 2004 and from January 2005 to May 2005. The first table, below shows the number of unit hours, officer hours, and overtime usage by each shift over these two periods:

Unit Days	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Thru May 05
First Watch	2,489	1,066	6.8	7.1
Second Watch	2,779	1,184	7.6	7.8
Traffic Unit	300	199	0.8	1.3
Third Watch	2,343	1,007	6.4	6.7
Total	7,911	3,456	21.7	22.9

Officer Days	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Thru May 05
First Watch	3,351	1,501	9.2	9.9
Second Watch	3,902	1,576	10.7	10.4
Traffic Unit	324	199	0.9	1.3
Third Watch	3,172	1,359	8.7	9.0
Total	10,749	4,635	29.4	30.7

Overtime Hours	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Thru May 05
First Watch	1,887	209	5.2	1.4
Second Watch	641	491	1.8	3.3
Traffic Unit	12	-	0.0	-
Third Watch	988	308	2.7	2.0
Total	3,528	1,008	9.7	6.7

The following points highlight the information above:

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- During 2004, patrol utilized 7,911 unit days (i.e. number of hours per unit) or approximately twenty-two units per day. From January to May of 2005, USD utilized 3,456 unit days or approximately 23 units per day.
- During 2004, patrol utilized 10,749 officer days (number of officer hours based on an 8 hour shift), for an average of 29 officers per day. From January to May of 2005, the Division used 4,635 officer days, for an average of 31 officers per day.
- During 2004, Uniform Services Division utilized 3,528 hours of overtime or approximately 10 hours of overtime per day. From January to May of 2005, the Division used 1,008 hours of overtime or approximately 7 hours per day.

The next set of tables shows Division statistics for arrests and various types of citations issued by USD. Custody Arrests and non-traffic citations are shown in the first table, below:

Non-Traffic Citations	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Jan. to May 2005
Theft	175	88	0.5	0.6
Juvenile Curfew	66	23	0.2	0.2
Minor in possession/Alcohol	19	6	0.1	0.0
Minor in possession/Tobacco	17	13	0.0	0.1
All Other Citations	251	110	0.7	0.7
FI Cards	696	350	1.9	2.3
Total	1,224	590	3.4	3.9

Custody Arrests	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Jan. to May 2005
DWI	98	18	0.3	0.1
Narcotics	65	55	0.2	0.4
Felony	429	236	1.2	1.6
Misdemeanor A&B	998	426	2.7	2.8
Misdemeanor C	1,234	474	3.4	3.1
Total	2,824	1,290	7.7	8.0

The following points summarize the information above:

- The Uniform Services Division issued a total of 1,224 non-traffic citations in 2004, for an average of 3.4 citations issued per day.
- The Uniform Services Division issued a total of 590 non-traffic citations from January to May of 2005, for an average of 3.9 citations issued per day.

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- The Division made a total of 2,824 custody arrests in 2004, for an average of 7.7 arrests per day.
- The Division made a total of 1,290 custody arrests from January to May of 2005, for an average of 8 arrests per day.

The next set of tables shows traffic citations issued during the same periods:

Traffic Citations	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Jan. to May 2005
Hazardous	1,347	767	3.7	5.1
Non-Hazardous	3,592	1,311	9.8	8.7
Parking	549	44	1.5	0.3
Hazardous Warning	674	440	1.8	2.9
Non-Hazardous Warning	1,124	451	3.1	3.0
Total	7,286	3,013	20.0	20.0

The following points highlight the information above:

- The Uniform Services Division issued 7,286 traffic citations during 2004 for an average of 20 citations per day.
- The Division issued 3,013 traffic citations from January to May of 2005 for an average of 20 citations per day.

The project team also collected information on the number of traffic citations issued by patrol and the traffic unit. The tables, below, show the breakdown for each:

Patrol Traffic Citations	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Jan. to May 2005
Hazardous	817	412	2.2	2.7
Non-Hazardous	2,845	935	7.8	6.2
Parking	543	42	1.5	0.3
Warnings	1,629	813	4.5	5.4
Total	5,834	2,202	16	15

Traffic Unit Citations	2004	Jan. to May 2005	Avg./Day 2004	Avg./Day Jan. to May 2005
Hazardous	530	355	1.5	2.4
Non-Hazardous	747	376	2.0	2.5
Parking	6	2	0.0	0.0
Warnings	169	78	0.5	0.5
Total	1,452	811	4	5

The following points highlight the information above:

- During 2004, patrol issued 5,834 traffic citations or approximately 16 citations per day. From January to May of 2005, patrol issued 813 traffic citations or approximately 5 citations per day.
- During 2004, the traffic unit issued 1,452 citations during 2004 for an average of 4 citations and warnings per day. From January to May of 2005, the traffic unit issued 811 citations and warnings, for an average of 5 per day.

The final table, below, shows statistics on traffic collisions during 2003 and 2004:

Collision Type	2003	2004	% Change
Fatality Collisions	5	6	20%
Injury Collisions	397	446	12%
Non-injury Accidents	1,215	903	-26%

The following points highlight the information above:

- During 2004, the Department responded to 6 fatality collisions, an increase of 1 or 20% from 2003.
- During 2004, the Department responded to 446 injury collisions, an increase of 49, or 12% from 2003.
- During 2004, the TTPD responded to 903 non-injury accidents, a decrease of 312, or 26%.

The next section provides the project team's assessment of availability and utilization of proactive time within patrol.

2. ANALYSIS OF PROACTIVE TIME

The project team evaluated the availability of proactive time within patrol services. This assessment considers call for service workload, the number of back-up units needed to handle calls safely, time to process arrestees, write reports and other miscellaneous tasks. Based on the number of officers deployed throughout the day, the project team calculated the percentage of time available for proactive tasks such as traffic stops, house checks, business checks, field interviews, and other on-view, officer initiated activities.

The concept of proactivity is a critical one in law enforcement – if field personnel are committed a large proportion of the time, they have little capability to impact the root causes of crime, to anticipate crime when analysis shows there to be some predictability, or to work with citizens. Moreover, field personnel with little uncommitted time find it difficult to produce response times at community expected levels. Police Departments that have developed a community policing program based on effective use of proactive time typically target levels of 40% – 50% proactive time. These Departments, and research supporting these targets, have found that proactive time below 40% does not provide time in sufficient blocks to be useable; above the 50% level is typically not affordable and cannot be effectively utilized. The table, below, provides a brief discussion of the two proactive time targets utilized in our patrol staffing model:

40% Proactive Time	50% Proactive Time
- Below this level, proactive time begins to come in blocks that are too small to be useful for “community policing”. - At this level, police should be able to engage in a wide range of preventive activities, including: directed patrol, responding to non-criminal quality of life complaints, engaging in traffic enforcement and other activities. - Ability to engage in community meetings and other efforts is more constrained at these levels of uncommitted time.	- Above this level, proactive time comes in blocks that are difficult to utilize in routine shift circumstances. - At this level, Police Officers should be able to engage in the full range of activities described under the 40% target. - In addition, the Department should be able to free Officers from shift work to attend community meetings, etc. with little impact on reactive capabilities.

The project team views 40% to be a minimum average proactive time target for an agency involved in a community policing program; 50% is targeted by agencies that have developed a comprehensive program of officer / community involvement and in communities with very high service level expectations. Several key factors should be kept in mind when reviewing the analysis of proactive time:

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- Patrol availability was calculated using the net availability and other information provided in the preceding sections.
- Actual deployment of patrol personnel in the field is taken from records maintained by the Police Department.
- Call for service workloads, distributed on a time of day and hourly bases, using the data provided by the communications center.

The next table describes the inputs and calculations used to analyze proactivity:

Input / Calculation	Description
Reactive and Committed Time	• This is the time related to the handling of calls for service, providing back-up, writing reports and processing arrested persons – the number of calls for service times the number of hours in the shift. • When expressed as a percentage, it is shown as the Reactive Time divided by the Net Duty Time Available.
Call for Service Workload	• The average number of calls for service (citizen generated only) that are handled within a given period of time. • Expressed in a per-hour basis in the spreadsheet.
Staff Available	• Determined using shift logs, payroll records, etc. • Shows the average number of Officers (does not count supervisors) available to handle call for service workload.
Shift Length	• The duration of the average shift worked in patrol. • Need to be careful to link workload to the appropriate period of time if non-shift length analyses are conducted.
Gross Duty Time Available	• Determined by multiplying the number of staff available times the length of the shift (or whatever time period is being used).
Administrative Time Lost	• Includes: meals, shift briefing, vehicle / equipment preparation time, training, court, meetings (Department business only), etc.
Net Duty Time Available	• Takes into account the gross time less the time lost on shift.

Utilizing these factors the level of patrol proactivity is shown on the next page:

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Shift	0630 - 1030	1030- 1430	1430- 1830	1830- 2230	2230 - 0230	0230- 0630	Average
Number of Officers / Shift Actually Deployed	9.90	9.90	10.40	10.40	9.00	9.00	9.92
Shift Length	4.00	4.00	4.00	4.00	4.00	4.00	8.00
Officer Hours / Shift / Day (Gross)	39.60	39.60	41.60	41.60	36.00	36.00	39.68
Meals / Breaks / Admin. Shift (90 min / Officer)	7.43	7.43	7.80	7.80	6.75	6.75	7.44
Officer Hours / Shift / Day (Net)	32.18	32.18	33.80	33.80	29.25	29.25	32.24
Net Officer Minutes / Shift	1,930.50	1,930.50	2,028.00	2,028.00	1,755.00	1,755.00	1,934.40
Calls for Service / Hour	2.13	3.28	4.11	3.83	2.73	1.13	3.21
Calls for Service / Shift	8.52	13.10	16.43	15.30	10.94	4.50	12.86
Committed Time / Call for Service (Hours)	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Primary Unit Call Time (Hours)	4.26	6.55	8.21	7.65	5.47	2.25	6.43
Primary Unit Call Time (Minutes)	255.62	393.04	492.82	459.04	328.19	135.04	385.74
Back Up Time / Shift	115.03	176.87	221.77	206.57	147.69	60.77	173.58
Reports / Shift	2.50	3.85	4.83	4.49	3.21	1.32	3.78
Time / Report (Estimate): 45 Minutes	0.75	0.75	0.75	0.75	0.75	0.75	0.75
Report Writing Time (Minutes)	1.88	2.89	3.62	3.37	2.41	0.99	2.83
Arrests / Shift	0.95	1.45	1.82	1.70	1.21	0.50	1.43
Arrest Time Captured in Committed Time	56.72	87.22	109.36	101.87	72.83	29.97	85.60
Total Committed Time	429.25	660.02	827.57	770.85	551.12	226.77	647.76
Total Un-Committed Time	1,501.25	1,270.48	1,200.43	1,257.15	1,203.88	1,528.23	1,286.64
Committed Time %	22.23%	34.19%	40.81%	38.01%	31.40%	12.92%	33%
Uncommitted Time (Proactive Time) %	77.77%	65.81%	59.19%	61.99%	68.60%	87.08%	67%

The following points highlight the information above:

- As shown above, the percentage of total time available for proactive activities averages approximately 67% across all shifts. This means that approximately 67% of an officer's time is available to proactively enforce the law. **Please note that this number includes time available for new recruits. At the time of development of the descriptive profile, there were twelve (12) recruits in the field training program.**
- Excluding the late shift from 2300 to 0700 time block, during which high levels of proactive time are inevitable, the average is still approximately 66%.
- The resulting proactive time exceeds the 50% target for proactive time in each time range evaluated by the project team. Average proactive time available ranges from a low of 59% from 1430 to 1830 to a high of 87% from 0230 to 0630. This represents a high level of proactive time compared to similar communities throughout the country.

In sum, there is currently a significant amount of time available to perform proactive activities. The next section presents the project team's evaluation of patrol staffing needs.

3. ANALYSIS OF PATROL STAFFING REQUIREMENTS SHOWS THAT THE DIVISION IS MORE THAN ADEQUATELY STAFFED TO PROVIDE A HIGH LEVEL OF SERVICE.

The Matrix Consulting Group has developed a model, presented below, which calculates the number of personnel required to provide a targeted level of proactive time given a set of known inputs. The specific inputs to the patrol staffing model include:

- The number of calls for service to be handled and the time that it takes the primary unit to handle those calls.
- The time it takes back-up units to participate in the calls for service. This analysis includes the actual level of backup.
- The time associated with processing arrests handled by patrol units.
- The time associated with the development of written reports and other documentation required of patrol officers.

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- In addition to these workload related inputs, the Matrix Consulting Group also includes a number of factors associated with the personnel who have to staff these operations. These factors include:
 - The net availability of personnel assigned to Patrol (this was described in some detail in a preceding section of this report).
 - The impacts of meals, court and other administrative duties.
 - The impact of turnover, recruitment, training, FTO and other such issues.

The table, below, summarizes this analysis at the 50% level of proactivity:

Patrol Staffing Calculation

	Workload Factor
1. COMMUNITY GENERATED WORKLOADS	
Calls for service	25,578.00
Handling Time (Actual of 30 minutes)	12,789.00
Back Up Rate (Actual of 1.6 Units per call)	0.6
Total Time for Back Up Unit CFS Handling (@ 75% of initial responding unit)	5,755.05
Number of Reports Written	7,375.00
Total Time for Report Writing (Estimate: of 45 Minutes per Report)	5,531.25
Number of Bookings	2,786.00
Total Time for Bookings (Estimated @ 1 hour)	2,786.00
TOTAL TIME TO HANDLE COMMUNITY GENERATED WORKLOADS	26,861.30
2. TIME FOR PREVENTIVE PATROL AND OFFICER INITIATED ACTIVITY	
50% of Proactive Time	26,861.30
45% of Proactive Time	21,977.43
40% of Proactive Time	17,907.53
3. TOTAL TIME REQUIRED FOR REACTIVE AND PROACTIVE ACTIVITIES	
50% of Proactive Time	53,722.60
45% of Proactive Time	48,838.73
40% of Proactive Time	44,768.83

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4. PER OFFICER AVAILABILITY

Gross Hours Scheduled	2,080.00
Training (Annual Average)	71.00
Leaves (Includes Worker's Comp)	270.40
Net hours lost on shift (meals / breaks / meetings / court)	339.00
Net hours worked each year	<u>1,399.60</u>

5. OFFICERS REQUIRED TO HANDLE WORKLOADS

50% of Proactive Time	38.38
45% of Proactive Time	34.89
40% of Proactive Time	<u>31.99</u>

6. OFFICERS REQUIRED GIVEN TURNOVER (Estimated @ 7%)

50% of Proactive Time	41.07
45% of Proactive Time	37.34
40% of Proactive Time	34.23

The following points highlight the information above:

- As shown above, based on workload, the patrol division needs approximately 41 officer positions. This allows for approximately 50% proactive time. At 45% proactive time, 37 officer positions are needed. At 40% proactive time, 34 officers are needed. The project team believes that the 50% target should be utilized to provide a high level of service to the City.
- Please note that the turnover rate utilized above was based on actual turnover over the past ten years. This information is provided in a detailed table in the section on recruitment in the Investigations and Support Services chapter.
- The Department currently has 46 officer positions authorized for patrol.

The project team next determined the cost savings associated with reducing the number of authorized positions. The tables below show the current salary range for officers with benefits.

Position	Tenure	Annual	Hourly
Police Officer	New Hire	30,712	14.76
	1 Year	33,543	16.12
	2 Years	34,486	24.86
	3 Years	36,374	17.48
	5 Years	38,260	18.39

**Costs of Benefits as a Percentage of Salary
By Classification**

Element	Officer
Longevity	1%
Shift Differential	1%
Incentive	2%
Clothing	0%
Auto	0%
Worker's Comp	3%
Retirement	17%
FICA	1%
Health	11%
Dental	1%
Life	0%
Total	36%

The project team next estimated the total cost of a mid-level police officer using the information above:

Element	Cost
Police Officer – 2 Years	\$ 34,486
Benefits (@36%)	12,415
Total Officer Cost	\$ 46,901
Officer Reductions	(5)
Total Savings	(\$234,505)

As shown above, the total cost savings associated with reducing the number of Officer positions is \$234,505 annually.

Recommendation: Based on workload, the patrol division has greater staff resources than is required to provide an exceptionally high level of service. Patrol staffing could be reduced by approximately five police officer positions and continue this approach to providing services. Reducing the number of positions would generate annual cost savings of \$234,505.

4. PROJECTED WORKLOAD AND STAFFING NEEDS

The project team also evaluated the future workload of the Department based on demographic changes within the City of Texarkana and the Metropolitan area. Data were gathered from the City's Planning Department regarding anticipated population

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growth over the next fifteen years with the City and region. The table below shows these projections:

	1990	2000	2010	2020	Growth rate per Decade		
					1990-2000	2000-2010	2010-2020
Texarkana, TX	31,836	33,746	35,771	37,917	6.0%	6.0%	6.0%
Texarkana MSA	120,323	126,086	133,537	140,989	4.8%	5.9%	5.6%
Bowie County, TX	81,842	85,863	91,504	97,146	4.9%	6.6%	6.2%
Miller County, AR	38,481	40,223	42,033	43,843	4.5%	4.5%	4.3%
Arkansas	2,354,343	2,568,140	2,757,520	2,946,900	9.1%	7.4%	6.9%
Texas	17,044,714	19,595,890	22,794,520	25,993,150	15.0%	16.3%	14.0%

Source: REIS, US Census, BWR Corp.

The following points highlight the information above:

- The City of Texarkana, Texas is projected to grow by 6% from 2000 to 2010, and by 6% from 2010 to 2020. This rate is slightly faster than the Texarkana Metropolitan Area and Miller County, Arkansas, however slower than Bowie County, and the overall rates for the State of Texas and Arkansas.
- The projected annual growth rate for the City of Texarkana, Texas over the next five and fifteen years is approximately 0.6%.

The project team next estimated the call for service increase based projected increase in population. Typically, police departments can expect to receive approximately 0.5 calls for service per person. However, based on the current number of calls for service (25,578) and the current estimated population (approximately 35,000) in Texarkana (TX), this represents approximately 0.7 calls for service per person. Using this information the project team estimated the potential increase in calls for service over the next five and fifteen years:

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Estimated 2005 to 2010 Population Change	1,034.95
Calls per resident (current)	0.70
Estimated increase in calls for service	724.46

Estimated 2005 to 2020 Population Change	3,180.95
Calls per resident (current)	0.70
Estimated increase in calls for service	2,226.66

The following points highlight the information above:

- As shown above, calls for service are estimated to increase by 724 or 3% over the next five years, and by 2,226 or 9% over the next fifteen years.
- Utilizing the patrol staffing formula discussed in the previous section, the Department can expect to need two (2) additional officers within the next five years, and four (4) additional officers within the next fifteen years.
- These estimates are of course based on the population estimates above. Should these figures not prove to be accurate, the staffing formula could be modified to determine the adequate number of police officers.

Overall, the Department can expect slow to modest growth in workload over the next fifteen years.

5. THE MANAGEMENT OF PROACTIVE TIME IN PATROL CAN BE IMPROVED.

The strategic use of proactive time is critical to a law enforcement agency's ability to impact criminal behavior and public safety problems. A substantial amount of research has been conducted on the various methods of impacting crime in communities throughout the United States. Although strategies and theories differ somewhat across researchers, a common finding is that policing cannot be randomly conducted. These findings include the identification of problems within the community, resources available to combat those problems, and the development of a course of action or strategy to solve those problems.

As a result, the project team evaluated the current methods for managing “proactive” time within the Patrol Division. Based on interviews with line supervisors and officers, the following points can be made regarding the TTPD’s current practice of managing proactive time:

- Supervisor expectations regarding the use of proactive time are informal.
- The Department does not perform analysis of major problems within the community nor develop specific strategies to address those problems.
- The Department does not typically utilize directed patrols to target specific criminal behaviors within the community.
- Accountability mechanisms are generally limited to reviewing monthly summaries of citations issued, report writing, field interviews, use of sick time, etc. Officers are not formally held accountable for problems within their assigned zones.
- It is not clear to officers how the problem oriented policing strategy guides day to day proactive activities. There have been few training opportunities to learn about problem oriented policing.
- Directed patrols are infrequently used and specific community problems are not targeted. Again, this issue relates back to the lack of understanding and training on the problem oriented policing strategy adopted by the Department.

In sum, the project team believes that mechanisms for management of proactive time are fairly limited. Expectations and performance measures should be formalized to ensure that officers understand expectations and utilize proactive time effectively, particularly given the significant amount of proactive time currently available in patrol. While there are a number of theories that address how to effectively police communities, there are some basic ideas embodied in the SARA model and problem oriented policing strategies that are generally good management practices (for additional information on policing models and strategies see the Center for Problem-Oriented Policing, www.popcenter.org). The elements include:

- Recognizing that a problem is the basic unit of police work rather than a crime, a case, a call for service, or incident.
- Recognizing that problems mean dealing with the conditions that create problems.
- Recognizing that police officers must routinely and systematically analyze problems before trying to solve them. Individual officers and the department as a whole must develop routines and systems for analyzing problems.
- The way a problem is currently being handled must be evaluated to determine if there are more effective means of addressing the issue.
- Police officers must be given some freedom to make, or participate in, important decisions about how to address problems. At the same time, officers must be accountable for their decision-making.
- The effectiveness of the new responses must be evaluated to determine effectiveness.

In sum, the Department should develop a strategy for impacting criminal issues within the community. The development of this strategy will require that research and analysis of problems in the community (e.g. burglaries, vandalism, drugs, gangs, etc.) be performed to identify the most appropriate responses. In addition, police officers should be held accountable for the identification and resolution (or at a minimum, developing a basic plan for resolution) of problems. This would require the following:

- Re-institute the utilization of formal evaluations to assess officer performance.
- Create an incentive for officers to meet or exceed expectation. Typically this is done by tying raises to performance evaluations.
- Requiring officers to formally identify problems within their beats or zones as part of these formal evaluations.
- Requiring that officers develop a plan for addressing these problems.
- Evaluating the effectiveness of strategies to address problems.

In addition to the above, the Department should incorporate analysis of criminal patterns and trends into directed patrols, advisories, and deployment decisions. The Department has a Crime Analyst who can be more effectively utilized in identifying crime trends and strategies for addressing these problems.

Recommendation: The Department should implement a problem oriented policing strategy to address crime. This strategy should require officers to identify community problems and develop plans to address those problems. The Crime Analyst should be more effectively utilized to develop these strategies.

5. TRAFFIC ENFORCEMENT PRODUCTIVITY IS BELOW TYPICALLY TARGETED LEVELS. THIS SHOULD BE ENHANCED WITH THE ADDITION OF PERSONNEL TO THE TRAFFIC ENFORCEMENT UNIT.

The TTPD assigns two officers to traffic enforcement during two shifts which cover the hours of 6:30 a.m. to 2:30 p.m. and noon to 8:00 p.m. The traffic unit has five (5) authorized positions with three (3) vacancies. The patrol division assigns these officers to high accident areas of the City and at major intersections. This section evaluates productivity and workload of the traffic unit.

Research conducted by the National Traffic Safety Institute and confirmed by additional research completed by traffic safety research organizations at Northwestern University and the University of California at Berkeley has indicated that there is a relationship between levels of and changes in citation volume and motor vehicle accident frequency. Based on this research, a measure of traffic enforcement effectiveness has been developed. This measure, termed the “Traffic Enforcement Index”, compares moving citations, warnings and DWI arrests with injury accident frequency and DWI arrests. The ratio is calculated as follow:

$$\text{Traffic Enforcement Index} = \frac{\text{Number Of Moving Citations Issued}}{\text{Number Of Injury Accidents}}$$

The research has also indicated that the optimum effective range for the traffic enforcement index is 35 to 40 (i.e., ratio of 35 moving citations, DWI arrests, and warnings issued for each injury accident which occurs in the community). The Enforcement Index is based on research that indicates that as traffic citations and warnings increase, injury accidents decrease and the 35 to 40 ratio is the range in which enforcement activities have maximum impact. The table, which follows, shows the traffic enforcement index in Texarkana during 2004, using the same information displayed in the previous two tables:

Traffic Enforcement Index
Ratio of Traffic Citations and Warnings to Injury Accidents
2004

Measure	Number
Hazardous & Non-Hazardous Citations Issued	4,939
Traffic Warnings (Hazardous & Non-hazardous) Issued	1,798
DWI Arrests	98
Number of Injury Accidents	452
Traffic Enforcement Index	15.1

As shown in the above table, the Traffic Enforcement Index for Texarkana is 15, significantly lower than the 35:40 effective range viewed as an optimum performance objective by traffic safety research organizations. Next, the project team evaluated the productivity of the traffic unit. The table below shows traffic enforcement activity for the traffic unit during 2004 and first five months of 2005:

Traffic Unit Citations	2004	Jan. to May 2005
Hazardous	530	355
Non-Hazardous	747	376
Parking	6	2
Warnings	169	78
Total	1,452	811

As shown above, the traffic unit issued 1,452 citations and warnings during 2004 and 811 citations and warnings during the first five months of 2005. The project team

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next evaluated traffic officer productivity based on the average number of officer sdeployed each day over these same periods. Recall the officer deployment table from the previous section:

Officer Days	2004	Jan. to May 2005
First Watch	3,351	1,501
Second Watch	3,902	1,576
Traffic Unit	324	199
Third Watch	3,172	1,359
Total	10,749	4,635

As shown above, the traffic unit averaged 0.9 officers per day during 2004 and 1.3 officers during 2005. Based on the preceding tables, the project team calculated the average number of citizen contacts made by the traffic unit during 2004 and for the first five months of 2005:

Element	Number
Total Traffic Officer Days – 2004	324
Hours per day	8
Total Hours	2,592
Total Citations/Warnings/Contacts	1,452
Average Contacts Per Hour – 2004	0.56
Total Traffic Officer Days – 2005	199
Hours per day	8
Total Hours	1,592
Total Citations/Warnings/Contacts	811
Average Contacts Per Hour – 2005	0.5

The following points summarize the information above:

- Based on traffic officer activities and availability, traffic officers averaged approximately 0.6 citizen contacts per hour during 2004. This is well below the one contact per hour benchmark found in best management practices.
- Based on traffic officer activities and availability, traffic officers averaged approximately .5 citizen contacts per hour during the first five months of 2005. Again, this is below the one contact per hour benchmark.

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In addition to the above, the project team also looked at the deployment of the traffic officers compared to the number of traffic accidents by the hour of day. This information is shown in the table, below:

Accident Frequency by Hour and Day
July 2004 to June 2005

Hour	Sun	Mon	Tues	Wed	Thur	Fri	Sat	Total	Avg./ Hour
0000	5	0	2	1	3	2	7	20	0.05
0100	3	0	2	1	2	3	6	17	0.05
0200	3	1	2	1	2	3	2	14	0.04
0300	3	0	0	0	3	1	0	7	0.02
0400	5	0	2	0	0	2	1	10	0.03
0500	2	0	0	4	2	4	1	13	0.04
0600	2	5	3	2	5	5	0	22	0.06
0700	1	26	16	17	9	15	3	87	0.24
0800	10	16	18	20	19	18	5	106	0.29
0900	5	13	12	29	14	18	8	99	0.27
1000	6	17	23	20	18	16	17	117	0.32
1100	11	28	25	33	25	34	22	178	0.49
1200	15	51	30	24	35	35	31	221	0.61
1300	14	34	30	28	27	38	30	201	0.55
1400	27	34	33	38	45	31	24	232	0.64
1500	11	28	27	39	31	31	26	193	0.53
1600	9	46	27	33	36	59	18	228	0.62
1700	9	37	35	47	33	43	20	224	0.61
1800	13	15	22	22	28	22	21	143	0.39
1900	18	20	16	9	17	17	22	119	0.33
2000	9	13	9	15	9	15	10	80	0.22
2100	5	6	6	16	6	11	13	63	0.17
2200	8	4	5	7	5	11	8	48	0.13
2300	1	4	5	5	4	14	15	48	0.13
Total	195	398	350	411	378	448	310	2,490	6.82
Avg./ Day	3.74	7.63	6.71	7.88	7.25	8.59	5.95		

The following points highlight the information above:

- As shown above, the Department responded to 2,490 accident calls during the period July 2004 to June 2005, for an average of approximately 7 calls per day.
- The busiest time of day, in terms of accident frequency, was during the hours of 1200 to 1700 when calls for service averaged between .53 and .64 accidents per hour. In addition, there was an increase in accident activity during the hour of 0700 to 0800, and a slow decline after the hour of 1900 to 2000.

- The busiest days of the week are during the workweek, from Monday through Friday, where the number of accidents averaged between 6.7 and 8.6 per day.
- As previously mentioned, traffic officers are deployed Monday through Friday during the hours of 0630 to 2000. As a result, deployment is consistent with accident frequency.

In summary, traffic enforcement activities within the Uniform Services Division can be improved and increased productivity from traffic officers should be emphasized. Currently, traffic officers are averaging less than one citizen contact per hour. In addition, the Department should continue to make efforts to fill the three vacancies within the traffic unit to increase traffic enforcement levels.

Recommendation: The Department should focus on increasing the level of traffic enforcement in the City. Traffic and patrol officer productivity and general traffic enforcement levels are below established benchmarks. Once addressed, efforts should be made to fill the current three vacancies in the traffic unit.

6. SUPERVISION OF PATROL IS STAFFED APPROPRIATELY FOR CURRENT STAFFING AND DEPLOYMENT.

The project team also evaluated supervisory staffing in patrol. The following points can be made concerning the current assignment and organization of supervisors within patrol:

- The TTPD currently assigns three supervisors, one (1) Lieutenant and three (3) Sergeants, to each shift. The table below shows the current schedule for supervisors:

Supervisor	Sun	Mon	Tues	Wed	Thur	Fri	Sat
Lt.	off	on	on	On	on	on	Off
Sgt.	on	on	on	On	on	off	Off
Sgt.	off	off	on	On	on	on	On
Sgt.	on	on	off	Off	on	on	On
Total	2	3	3	3	4	3	2

As shown above, typically, there are three (3) supervisors on duty to supervise personnel. On Thursday, all supervisors are on duty and on the weekends two (2) supervisors are on duty. Please note that due to vacancies, only the second watches operates this way.

- Based on recommended staffing, these supervisors would be responsible for approximately fourteen officers per shift. In addition, supervisors are responsible for the traffic officers (5 authorized) and K-9 officers (2 authorized). As a result, the average ratio of supervisors to officers is one (1) to five (5) on each shift. This is a reasonable span of control for line supervision, particularly given scheduling days off and the additional personnel within specialized units.
- The Department has assigned each Sergeant to one of three districts across each shift. The Lieutenant assigned to the shift is responsible for the entire City. This practice is used as a mechanism to hold specific supervisors responsible for problems within their assigned districts. In theory, these supervisors are also responsible for personnel assigned to a specific district. However, as a practical matter, supervisors generally share oversight responsibilities for patrol personnel.
- Many supervisors have ancillary responsibilities, including: coordination of the field officer training program; management of radios, weapons, and other equipment, management of the traffic unit; supervision of the K-9 unit; and other miscellaneous duties.
- Supervisors are responsible for payroll, scheduling, resolution of personnel issues, reviewing officer reports, and management of day to day operations.

Overall, supervisory staffing within the patrol division is adequate. However, there are some issues associated with the Department's current approach to community policing which will be addressed in the following section.

Recommendation: Make no changes to supervisor staffing in patrol.

7. THE DEPARTMENT'S APPROACH TO COMMUNITY POLICING CAN BE ENHANCED BY ADDITIONAL TRAINING AND BY HOLDING ALL PERSONNEL IN THE DIVISION ACCOUNTABLE FOR SERVICE DELIVERY.

The Department has pursued different approaches to combat crime and community problems. Initially, the Department adopted a "community oriented policing" philosophy to direct proactive activities aimed at reducing crime. This philosophy essentially calls for getting the community involved in crime prevention programs. During late 2004, the Department began a problem oriented policing strategy. This

strategy is essentially based on the idea that the Department must identify salient community issues and then develop strategies for solving those problems.

In addition, the Department has taken the following steps to institute a problem oriented policing strategy, as briefly mentioned in previous sections:

- Patrol beats are divided into three districts. The three Sergeants assigned to each shift are responsible for identifying and developing solutions to problems within those districts. Lieutenants are responsible for the entire City.
- Patrol officers are assigned semi-permanent beats. This is meant to increase knowledge of problems and people within these beats, and ensure accountability for problems with these areas.
- Problem Oriented Policing meetings are held every Thursday and are attended by the Patrol Captain, Lieutenants, and Sergeants (every other Thursday). These meetings provide a forum to discuss critical issues, plans for resolution of community problems, and evaluations of current plans and strategies.

The project team makes the following observations/findings regarding the Department's approach to community policing:

- It is not clear to line supervisors and officers what the Department's community oriented policing philosophy or problem oriented policing strategy means, besides the formal organization of responsibility.
- Personnel have received little training on how to implement these concepts into everyday duties.
- Assignment of Sergeants to districts has limited practical value as they share responsibility for management of personnel and resolution of problems City-wide.
- As previously mentioned, patrol officers are not charged with developing solutions or plans for resolving problems within their assigned beats.

Overall, the Department has not provided a clear explanation of how problem oriented policing should affect daily operations within the Uniform Services Division.

Recommendation: The Department should expand training for problem oriented policing strategies to include all personnel. In addition, patrol officers should be made responsible for identifying and developing solutions to community problems, as identified in previous sections.

4. INVESTIGATIONS AND SUPPORT SERVICES

This chapter provides the project team's analysis of a variety of functions within the TTPD, including: criminal investigations, property and evidence, training, recruitment, animal control, and fleet services. The first section, that follows, discusses criminal investigations.

1. ASSESSMENT OF STAFFING OF INVESTIGATIONS SHOWS THAT ADDITIONAL PERSONNEL ARE REQUIRED.

It is more difficult to evaluate the staffing levels required by criminal investigations because, unlike field services, subjective and qualitative determinants of workload and work practices are more important. Factors making comparative analysis difficult include:

- Approaches used to screen, assign, and monitor cases are different among law enforcement agencies.
- What cases are actually investigated varies by agency. The extent to which agencies assign misdemeanor level property crime cases to investigators varies widely. Also, the extent to which patrol performs preliminary investigation varies widely and impacts detective caseloads.
- Work practices vary tremendously among agencies, relating to interviewing techniques, mix of telephone and in-person interviews, use of computer technologies, the time devoted to clerical tasks and other issues.
- The nature of the caseload is also a critical factor to consider when examining quantitative factors relating to investigative activity. Each case is different in terms of leads, suspect description, and other available information. The way information in a single case combines with information on other cases also impacts investigative actions.
- Finally, the nature of the community itself is a factor in evaluating investigative workloads and staffing needs. Citizen expectations translate into service levels impacting investigators in terms of what is investigated and how investigations are conducted.

Collectively, these factors portray a different type of workload compared to that

which depicts patrol workloads. In patrol, workloads can be characterized broadly by the following factors:

- High volume / fast turnaround work.
- Work oriented not toward solution of a complex case, but oriented toward documenting available evidence at a crime scene and initiating contacts with victims and witnesses.
- Deployment practices designed to result in a rapid response of personnel.

Therefore, unlike patrol, investigative workload cannot be converted into quantitative methodologies to arrive at required staffing levels. Investigative staffing requirements need to be examined from a variety of perspectives in order to obtain an overall portrait of staffing issues, case handling issues and philosophies having an impact on staffing needs. The perspectives we employed in our study of investigative staffing include the following:

- The project team reviewed case management practices through interviews with staff and obtained case / workload data as it applied to Unit activities. This information was developed primarily through desk audits and reports generated from the Department's case management system.
- The project team compared Texarkana investigator staffing and workload with investigators in other law enforcement agencies.
- The project team examined other measures of workload as well as effectiveness of investigative services.

First, as reflected above, analysis of investigative workload and staffing requirements employs a series of broad indicators to determine the extent to which core investigative staffing and general workload in the Department compares to ranges observed in other departments to determine if the Texarkana Texas Police Department is significantly "out-of-range" as measured by those indicators and then compared to investigative case management and Unit service delivery effectiveness. The

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comparative measures employed are displayed in the following table:

Measures	Comparative Industry Patterns
Open/Assigned cases assigned to “property” crimes investigators	15 to 20 open/assigned cases per month based on the same survey and ongoing analysis.
Open/Assigned cases assigned to “person” crimes investigators.	8 to 12 open/assigned cases per month based on the same survey and ongoing analysis.

The initial step in documenting workload within the Investigations Division was to collect information on the number of cases assigned over the course of a year. The first table, below, shows the total number of assigned cases during 2003 and 2004:

Element	2003	2004	Change
Total Cases Assigned	3,016	3,259	8%
Total Cases Cleared	1,317	1,388	5%
Total Arrests	457	454	-1%
Total Adult Cases sent to District Attorney	388	405	4%

The following points highlight the information above:

- During 2004, Investigative Services handled 3,249 cases. This represents an increase of 8% from 2003.
- Based on the number of detectives who primarily investigate cases, ten (10), average annual workload per detective during 2004 was 326 cases or 27 cases per month.
- During 2004, 1,388 cases were cleared, representing a clearance rate of 43%. This represents a slight decline from 2003 when the clearance rate was 44%.
- Total arrests from 2003 to 2004 remained relatively flat, decreasing by less than 1%.

The project team also performed desk audits of all of the Detectives within ISD to understand actual workload and case management processes. The project team’s approach in understanding actual workload was to identify those cases that were actively being worked by Detectives. “Active” cases are defined as those cases that have leads or potential prospects for investigation and which have been worked within the past thirty days. This approach allows the project team to differentiate between

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cases that have not been closed or suspended due to a lack of leads, and thus remain open, from cases that require additional investigation. Active caseloads per investigator are a more accurate measure of workload. The table, below, shows the results of the audit performed during the week of July 25th.

Detective	Open	Info Cases Past 2 Months	Active	Percent of Open That Are Active	Type of Workload
1	12	37	9	75%	Persons
2	42	38	23	55%	Persons
3	27	12*	26	96%	Persons
4	22	26	19	86%	Property
5	47	58	33	70%	Property
6	52	106	43	83%	Property
7	44	4	41	93%	Property
Total	246	269	194	79%	NA

* The project team was able to gather info case numbers for only one month for this detective.

The following points summarize the information above:

- As of the week of July 25, 2005, ISD Detectives had a total of 246 open cases. Of this amount, 79% or 194 were active, meaning that they had been worked within the past 30 days.
- The number of open cases varied from a low of 12 for a person detective to a high of 52 for a property detective. The average active caseload for person detectives was 19, while the average caseload for property detectives was 34. Caseloads are well in excess of best management practices which target 8-12 active cases for person detectives and 15-20 for property detectives.
- Due to the high number of “active” cases, many “open” cases are not being closed or suspended for lack of prospects.

Based on the targeted ranges for active caseloads, the project team determined the number of investigators needed within each unit:

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Workload Type	Current Average Workload	Current Detective Staffing*	Estimated Active Cases	Target (Low)	Target (High)
Property	34	4	136	15	20
Persons	19	4	77	8	12

Workload Type	Detectives Required (Low)	Detectives Required (High)	Variance (Low)	Variance (High)	Target Variance
Property	9	7	(5)	(3)	(3)
Persons	10	6	(6)	(2)	(2)

* Please note that the Intelligence Detective is not included since he does not always handle a full workload.

The following points can be made regarding the table above:

- In order to reduce average persons detective workloads, two (2) additional detectives are needed. This would reduce the average number of active cases per investigator to approximately 11.5. It is also important to note that the intelligence detective was not included in the staffing calculation since he does not always carry a full workload. However, this detective does assist when workloads are high (as they have been).
- In order to reduce average property detective workload, three (3) additional detectives are needed. This would reduce the average number of active cases per investigator to approximately 19.
- Please note that there are two (2) vacancies within ISD.

In summary, based on workload, the Investigative Services Division is understaffed by five (5) detectives. Please note that detectives are paid at the same classification as officers. For purposes of this calculation it was assumed that detectives would have at least five years experience as an officer and therefore be at top pay. The estimated cost of these positions is shown in the table below:

Element	Number
Top Step Officer Salary	\$38,260
Benefits (@ 36%)	13,773.60
Total Officer Cost	52,034
Additional Officers	5
Vacancies	(2)
Total New Officers Needed	3

Cost	\$156,102
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As shown above, the addition of three (3) detective positions will cost approximately \$156,000 per year.

Recommendation: Increase the number of authorized detective positions by three (3) to accommodate workload levels.

2. ASSESSMENT OF SUPERVISION AND CASE MANAGEMENT SHOWS THAT THERE ARE A NUMBER OF OPPORTUNITIES FOR IMPROVEMENT.

The project team also evaluated case management practices utilized by the Investigative Services Division. The following points summarize the project team's observations and findings regarding case management and supervision within ISD:

- ISD supervisors utilize an informal case management system. Cases are initially screened and assigned by supervisors based on workload and solvability. However, cases are not regularly reviewed by supervisors and decisions are not based on case progress criteria.
- The Division has only recently instituted a policy of reviewing cases 30 days after assignment. However, as shown in the previous section, there are many instances of cases that remain "open" despite potential prospects.
- An automated case management system is not utilized to support unit supervisors in making decisions and monitoring caseloads.
- Some follow-up investigation is being performed by patrol officers (Class C misdemeanors). Field staff are used to assist with follow-up investigation of Class A and B misdemeanors. The result of this has been an increase in workload for detectives.
- There is no system in place to track leads, modus operandi, and other crime characteristics. The crime analyst is also not being used to evaluate crime trends/patterns.
- Supervision of fifteen (15) investigators is generally handled by the Detective Sergeant who reports to the Detective Lieutenant. The Detective Lieutenant reports to the ISD Captain. Given the span of control, responsibilities should be reallocated between the Detective Sergeant and Detective Lieutenant. This will be even more important as the bureau adds detectives (three recommended in the previous section). A convenient method would be for the Detective Lieutenant to supervise person detectives and have the Detective Sergeant supervise property detectives. The remaining personnel could be split.

In sum, the ISD should institute a formal system for screening, assigning, and monitoring cases. In addition, the Crime Analyst should be used more effectively to evaluate crime trends and patterns.

Recommendation: The Investigative Services Division should develop a formal system for screening, assigning, and monitoring cases. The ISD should also make better use of the Crime Analyst in analyzing crime patterns.

Recommendation: Supervisory responsibilities should be reallocated and shared by the Detective Sergeant and Detective Lieutenant. This reallocation will mitigate span of control issues.

3. ANALYSIS OF PROPERTY/EVIDENCE STORAGE AND HANDLING SHOWS THAT SOME KEY IMPROVEMENTS CAN BE MADE.

This section focuses on the receipting, handling protocols, secure storage, and final disposition of recovered property and evidence. The Department's property/evidence control system should include the following:

- All property coming into the agency's possession is properly accounted for and maintained securely.
- The integrity of the chain of custody is maintained for all evidentiary property. Protocols are in place to ensure that all transfers/release of evidence for laboratory analysis or for court purposes is properly recorded.
- There is a system for conducting regular inspections and audits of the property/evidence area. The inspections are to ensure the area is kept neat and orderly, and department procedures are followed. The audits, which should be conducted no less than annually, should ensure that at least a sufficient sampling of "high-risk" items is checked. High-risk items include: money, precious metals, jewelry, firearms, and drugs.
- Property/evidence is returned and/or destroyed in a timely manner consistent with applicable state statutes.

The Matrix Consulting Group evaluated the TTPD's property and evidence section procedures and protocols, with the results of that analysis as follows:

- The Department has well documented procedures governing the collection, recording, storage, and disposal of evidence and recovered property.
- The facility has secure primary and temporary storage locations to house property and evidence. Doors are properly locked when evidence personnel are not in attendance and a log is maintained to record the personal identification number and names of all who enter restricted areas.
- No personnel are allowed to enter restricted areas unless accompanied by property/evidence staff.
- The project team found that there is adequate storage for items after hours.
- All evidence is recorded and inventoried in an electronic system. This includes a bar-coding system to facilitate tracking and location of items. The property room also has a significant number of items, approximately half, tracked in an older software system that is not very functional. Efforts are underway to consolidate this information into a single database.
- Due to the issues with consolidation of the records inventory into one system, old property items have not been reviewed to determine whether these items may be returned or destroyed. This is an issue due to the limited storage capacity of the property room.
- The project team found that only one audit of the property room has been done in the past few years. This audit was performed by the officer who designed the property room storage system. The project team also found that the TTPD's policies are currently silent on the need for these audits and inventories.

In sum, there are a number of steps that can be taken to improve the operation of the property room.

Recommendation: Protocols concerning property/evidence inspections and audits should be instituted and should require that sufficient samplings of high-risk items are audited no less than annually.

Recommendation: Property personnel should review old property items on a regular basis to determine whether they may be returned or destroyed to make room for new items.

4. TRAINING AND RECRUITMENT ARE EFFECTIVE SUPPORT PROGRAMS.

The project team evaluated training and recruitment efforts performed by the TTPD. These duties are handled by a Sergeant who handles both functions. The first subsection, that follows, provides information on training.

(1) The Department Has an Effective Training Program in Place. However, There Are Opportunities for Improvement.

The TTPD provides a number of training opportunities for in-service training. The project team collected training data to identify average annual training hours received by sworn personnel as well as the content and scope of training classes. The table, which follows, shows total training hours for officers within the TTPD over the past two years (from July of 2003 to July of 2005):

Officer	Hours		Officer	Hours		Officer	Hours		Officer	Hours		Officer	Hours
1	648		16	106		31	198		46	642		61	60
2	117		17	235		32	161		47	128		62	57
3	102		18	69		33	50		48	120		63	92
4	102		19	127		34	116		49	76		64	60
5	66		20	56		35	120		50	140			
6	98		21	62		36	60		51	122		Average	142
7	123		22	76		37	156		52	102		Avg./Year	71
8	269		23	176		38	89		53	180			
9	47		24	51		39	126		54	108			
10	73		25	153		40	214		55	52			
11	100		26	157		41	72		56	78			
12	190		27	148		42	328		57	252			
13	141		28	202		43	140		58	102			
14	153		29	108		44	100		59	350			
15	61		30	132		45	156		60	156			

The following points summarize the information above:

- Over the past two years, each officer has received an average of 142 hours of training.
- Based on this amount, each officer received an average of 71 hours of training per year.

- Total training hours ranged from a low of 47 hours to a high of 648 hours. These differences are due to a number of factors including tenure and position (i.e., detectives will receive more training than a first year patrol officer).

The following points highlight the project team's findings and observations regarding in-service training:

- Sworn personnel are provided an average of 70 hours of training per year. However, the training program cannot support community policing goals since these goals are not clearly defined.
- The Department does not conduct training needs assessments. Typically, training is scheduled based on TCLEOSE requirements and specific division requests. A needs assessment would consist of identifying weakness / areas for improvement as potential training topics. This assessment could be conducted by surveying line supervisors and managers on training needs as well as by analyzing internal affairs cases to identify potential training opportunities.
- The Department does take advantage of regional training opportunities through the East Texas Police Academy and other sources such as ILEA.
- Documentation of training is complete and lesson plans for TCLEOSE approved courses are centrally maintained.
- The Department does not require regular on-going defensive tactics and other high-liability training for officers. These courses are available to those who are interested.

In sum, the Department provides a significant amount of training to sworn personnel. However, additional measures should be taken to ensure that personnel are provided the needed training.

Recommendation: The TTPD should conduct a training needs assessment to identify potential training opportunities.

(2) The Department Has an Effective Recruitment Program.

The project team also evaluated the Department's recruitment program. Recruitment has been an important function over the past few years due to significant turnover. To understand the Department's recruitment workload, the project team

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documented the historical turnover rate. The table, below, shows the number of officers leaving the Department for all reasons, including retirement:

Year	Number of Sworn Personnel	Number of Officers Lost	Turnover Rate
1995	83	1	1%
1996	87	11	13%
1997	87	5	6%
1998	85	5	6%
1999	85	6	7%
2000	89	5	6%
2001	90	6	7%
2002	95	9	9%
2003	96	12	13%
2004	98	6	6%

The following points can be made about the above information:

- During the past ten years, officer turnover has ranged from a low of 1% in 1995 to a high of 13% in 1996 and 2003.
- The average turnover rate over the ten year period was 7%.
- The Department has lost 27 officers over the past three years.

Overall, the turnover rate within the TTPD has fluctuated significantly over the course of the past ten years. This has created a critical need for recruitment of new officers. The following points describe the Department current recruitment program:

- The Department attends job fairs at local community colleges, universities, and community events.
- The Department sends job announcement to other local police departments.
- The Department sponsors recruits through the Kilgore (TX) Academy.
- The Department seeks out recruits at other regional academies.

Overall, the Department makes a significant effort to attract new personnel from a variety of sources. These efforts have made it possible to hire approximately

seventeen (17) new personnel over the past year and a half to two years. The Department should continue these efforts.

Recommendation: The TTPD's recruitment program is effective. Make no changes.

5. CRIME PREVENTION EFFORTS IN THE TTPD RELY ON TRADITIONAL PROGRAMS.

The project team evaluated the TTPD's crime prevention programming. There is a crime prevention officer assigned to deliver crime prevention presentations, organize community events, and establish relationships with community organizations. The table below provides data on crime prevention activities during 2004:

Activity	2001	2002	2003	2004	2001-04 Change	2003-04 Change
Neighborhood Watches	15	12	16	17	13%	6%
Home Security Surveys	23	38	22	26	13%	18%
Business Security Surveys	4	2	2	1	-75%	-50%
Programs Presented	83	79	46	45	-46%	-2%
Bi-State Justice Building Tours	8	-	3	-	-100%	-100%
Mall Office - Days Open	232	236	211	233	0%	10%
Hours Open	1,856	1,888	1,688	1,864	0%	10%
Visitors	5,116	5,269	3,015	1,875	-63%	-38%

The following points highlight the information above:

- During 2004, the Crime Prevention Officer made 17 neighborhood watch presentations, performed 16 home security surveys, 1 business security survey, and 45 presentations of programs.
- During 2004, the mall office, where the Crime Prevention Officer is located, was open 233 days or 1,864 hours and had 1,875 visitors.
- Over the three year period 2001 to 2004, neighborhood watch presentations increased by 13%, home security surveys increased by 13%, business security

surveys decreased by 75%, the number of programs presented decreased by 46%, and tours have declined by 100%.

- Over the one year period 2003 to 2004, neighborhood watch presentations increased by 6%, home security surveys increased by 18%, business security surveys decreased by 50%, the number of programs presented decreased by 2%, and tours declined by 100%.
- Another notable point is that the number of visitors to the mall office has decreased by 63% and 38% over the three year and one year periods.

Overall, the Department provides a number of crime prevention programs to the City. The following points summarize the project team's observations and findings regarding crime prevention efforts:

- The Department participates in various crime prevention programs including McGruff, National Night Out, child ID programs at state fairs, neighborhood watch, business and home security inspections, etc.
- The Department used to have an auto theft program which educated citizens on how to prevent auto thefts. This program is no longer used.
- Additional proactive efforts can be made to address issues such as vehicle burglaries, home burglaries, theft prevention, etc.
- Patrol personnel are not routinely used to assist with the delivery of crime prevention activities.

In sum, the Department should pursue the development of additional crime prevention programs to impact crime in the community.

Recommendation: The Department relies on traditional crime prevention programs. Additional efforts should be made to develop new programming.

6. FLEET MAINTENANCE CAN BE MORE EFFECTIVELY MANAGED.

The TTPD has one officer assigned to coordinate the maintenance of the Department's vehicles. Service is provided by the City's garage as well as through outside contractors. The table below provides a list of current vehicles assigned to the Department:

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TTPD Vehicles with Division Assignment

Assignment	Unit Number	Mileage	Year/Make	Description
ISD	205	69,661	02 Ford	Marked SRO CV
ISD	206	70,828	99 Chevrolet	Gold Lumina
ISD	207	48,275	02 Chevrolet	White Impala
ISD	210	84,734	02 Ford	Marked SRO CV
ISD	211	9,685	04 Ford	Blue Taurus
ISD	212	17,261	04 Ford	Burgundy Taurus
ISD	429	106,742	95 Ford	Copper F150 PU
ISD	430	148,701	96 Ford	Marked Crime Scene CV
ISD	432	68,986	00 Ford	Silver Crown Victoria
ISD	433	132,738	91 Ford	Black Explorer
ISD	435	83,024	99 Chevrolet	Tan Lumina
ISD	436	42,295	03 Ford	Red Crown Victoria
ISD	442	119,526	98 Chevrolet	Blue Monte Carlo
ISD	446	50,342	01 Ford	Green Crown Victoria
ISD	447	48,432	99 Chevrolet	Tan Lumina
ISD	450	3,375	05 Ford	Gold Taurus
ISD	451	97,602	97 Chevrolet	Blue Lumina
ISD	452	5,255	05 Ford	Gold Taurus
ISD	455	87,132	02 Ford	Marked SRO CV
ISD	901	???	99 Chevrolet	Burgundy Malibu
USD	201	96,075	96 Dodge Int.	Intrepid
USD	204	125,363	96 Dodge Int.	Intrepid
USD	250	25,954	03 Ford CV	Crown Victoria
USD	251	3,490	05 Ford CV	Crown Victoria
USD	252	2,400	05 Ford CV	Crown Victoria
USD	253	1,016	05 Ford CV	Crown Victoria
USD	254	3,168	05 Ford CV	Crown Victoria
USD	255	3,036	05 Ford CV	Crown Victoria
USD	256	2,058	05 Ford CV	Crown Victoria
USD	257	61,193	02 Ford CV	Crown Victoria
USD	259	9,788	93 GMC Hum V	
USD	260	7,228	05 Ford CV	Crown Victoria
USD	261	52,490	04 Ford CV	Crown Victoria
USD	262	35,979	02 Ford CV	Crown Victoria
USD	263	24,712	04 Ford CV	Crown Victoria
USD	264	50,261	04 Ford CV	Crown Victoria
USD	265	48,349	04 Ford CV	Crown Victoria
USD	266	46,962	04 Ford CV	Crown Victoria
USD	267	46,101	02 Ford CV	Crown Victoria
USD	268	17,847	04 Ford CV	Crown Victoria
USD	269	9,557	05 Ford CV	Crown Victoria
USD	270	13,348	05 Ford CV	Crown Victoria
USD	271	14,994	05 Ford CV	Crown Victoria
USD	272	40,951	04 Ford CV	Crown Victoria
USD	273	7,145	05 Ford CV	Crown Victoria
USD	274	38,583	04 Ford CV	Crown Victoria

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Assignment	Unit Number	Mileage	Year/Make	Description
USD	275	48,798	04 Ford CV	Crown Victoria
USD	276	19,466	04 Ford CV	Crown Victoria
USD	277	31,280	04 Ford CV	Crown Victoria
USD	278	9,128	05 Ford CV	Crown Victoria
USD	279	44,542	04 Ford CV	Crown Victoria
USD	285		00 Yamaha 4Wlr	
USD	286		00 Yamaha 4Wlr	
USD	287	78,882	00 Ford CV	Crown Victoria
USD	288	93,164	99 Ford CV	Crown Victoria
USD	290	23,777	99 Harley M/C	Motorcycle
USD	291	18,160	01 Harley M/C	Motorcycle
USD	292	21,956	02 Harley M/C	Motorcycle
USD	293	50,575	01 Ford CV	Crown Victoria
USD	294	50,070	01 Ford CV	Crown Victoria
SSD	202	106,012	96 Dodge	White Intrepid
SSD	203	82,486	96 Dodge	White Intrepid
SSD	208	18,595	04 Ford	Silver Taurus
SSD	209	13,659	04 Ford	Green Taurus
SSD	444	63,508	98 Jeep	Marked Cherokee
SSD	449	134,015	94 Ford	Marked F150 PU
SSD	538	78,182	99 Dodge	Animal Control PU
SSD	539	110,288	01 Dodge	Animal Control PU
SSD	911	101,791	89 Dodge	Blue/Silver Van

The following points highlight the information above:

- The Department maintains sixty-nine (69) vehicles including sedans, motorcycles, off road vehicles, and specialty units.
- Twenty (20) vehicles are assigned to Investigative Services Division, forty (40) vehicles are assigned to Uniform Services Division, and nine (9) are assigned to Support Services Division. This results in approximately one vehicle assigned per sworn personnel within ISD, one vehicle per two sworn personnel within USD, and slightly more than one vehicle per person within Support Services.
- Average fleet age for patrol vehicles is less than three years and average mileage is 33,628, well within best management practices of 3-4 years and 60-70,000 miles. The average age of non-patrol vehicles is over 8 years. However, non-patrol vehicle mileage is well below the benchmark at approximately 69,000 miles.

The project team also attempted to collect information on gas usage, preventive maintenance performed, and service performed for each vehicle. However, due to the

way this information is being tracked this was not possible. The project team noted the following problems with the way vehicle maintenance is being managed:

- A software package is currently being used to track gasoline usage and maintenance and service costs. However this system is not being used to schedule preventive maintenance or downtime.
- Another software system tracks service and maintenance performed at the City garage and through outside vendors.
- The Fleet Maintenance Officer tracks mileage and due dates for preventive maintenance, registrations and inspections in a separate spreadsheet. Officers are notified by sticker when preventive maintenance is due.
- As a result, various pieces of information are tracked in different systems making vehicle histories (i.e. maintenance, service, etc.) difficult to find. The system is also complicated by the fact that unit numbers are recycled when units are taken out of service or sent to another department. Consequently, one unit identifier may represent two or more different vehicles.

Overall, the system for tracking vehicle maintenance is inadequate. The City has planned for the purchase of a new software package that will allow for consolidation of the various pieces of information into one system. The Department should ensure that this system will provide vehicle maintenance histories and allow automatic scheduling of preventive maintenance. Finally, the project team believes that a sworn officer should not be the fleet maintenance coordinator for the Department. This position does not require law enforcement training. The civilianization of this position would generate small annual cost savings of approximately 10% of personnel costs, or \$6,000.

Recommendation: The City should evaluate the possibility of acquiring a new fleet maintenance system which provides for centralization of fleet maintenance information so that vehicles histories can be constructed.

Recommendation: The City should stop the practice of recycling unit numbers and create permanent asset numbers so that vehicle information can be tracked.

Recommendation: The City should consider civilianizing the Fleet Maintenance Coordinator position. This would yield cost savings of approximately \$6,000.

5. ANALYSIS OF ORGANIZATION AND MANAGEMENT STAFFING

This chapter focuses on the organization of the Texarkana Police Department as well as the resulting command staffing necessary to ensure the effective management, oversight and supervision of the operations and administration of the Police Department. The project team's analyses first focuses on the organizational structure and then focuses on the necessary command staffing. The first section, which follows, describes the formal criteria the Matrix Consulting Group utilized in evaluating the organizational structure of the TTPD.

1. CRITERIA FOR EVALUATING AN ORGANIZATIONAL STRUCTURE

In order to evaluate the organizational structure of the TTPD, the project team first identified the criteria by which the organizational structure would be judged. The paragraphs, that follow, describe those criteria as well as describe what is meant by each of them:

- **Frequency of Contact:** With what other units does the unit in question have the most frequent contact? Does it have frequent contact with the units with which it is currently organized? Are there other units outside of its current organizational niche with which it has more frequent contact?
- **Types of Contact:** Do the contacts involve the sharing of resources (personnel or equipment)? Are the contacts administrative in nature? Do they involve the passage of paperwork from one unit to the other?
- **Extensiveness of Interactions:** Are the interactions frequent but inconsequential (i.e., daily passing of time sheets would not be given as much weight as responding to automobile accidents). Are the interactions going to have an impact on the safety or the quality of life for those in the facility?
- **Connection of Actions:** Do the units exhibit an organizational dependency on one another? Would it be more difficult for one unit to do its work if there were some separation / attachment?

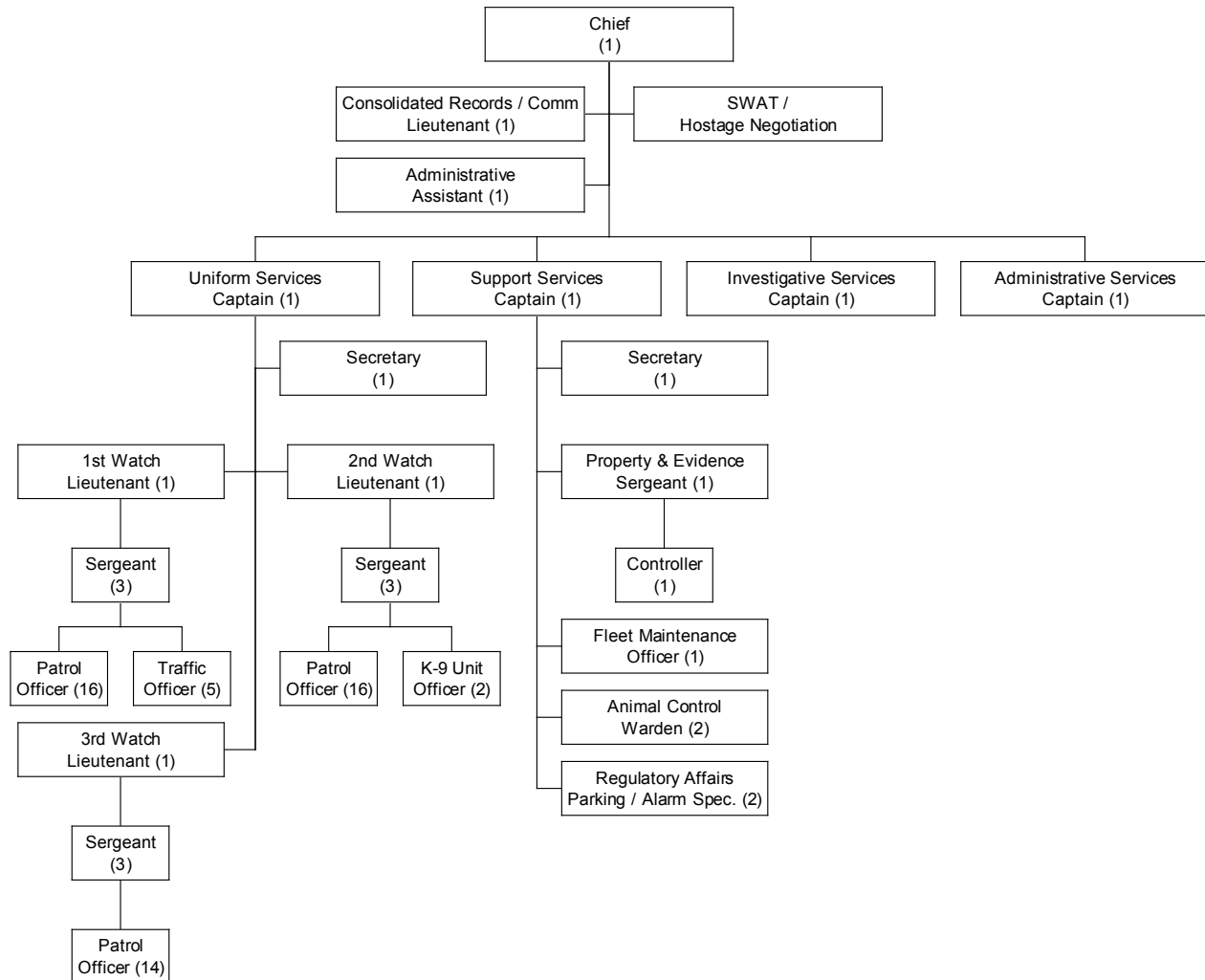
- **Administrative Paper Flow:** Is there an immediate need for the units to be attached organizationally to ensure the smooth flow of critical paperwork (for example, payroll making its way to Finance is not a justification for having every unit attached to Finance).
- **Support Versus Operations:** Have functions that support more than one operational unit been grouped together? Are there clear and reasonable divisions among operational units?
- **Span of Control:** Does each rank in the Department have similar levels of responsibility? Are spans of control appropriate?

Each of these criteria, individually, would not provide enough information to make a decision about the appropriate placement of an organizational unit. As a group, however, they provide the information required by the project team to come to conclusions about the current organizational structure and to make recommendations for any improvements. The section, that follows, provides our analysis of the current organizational structure and opportunities for improvement.

2. THE CURRENT ORGANIZATION OF THE POLICE DEPARTMENT INCLUDES FOUR DIVISIONS COMMANDED BY CAPTAINS REPORTING TO THE CHIEF OF POLICE.

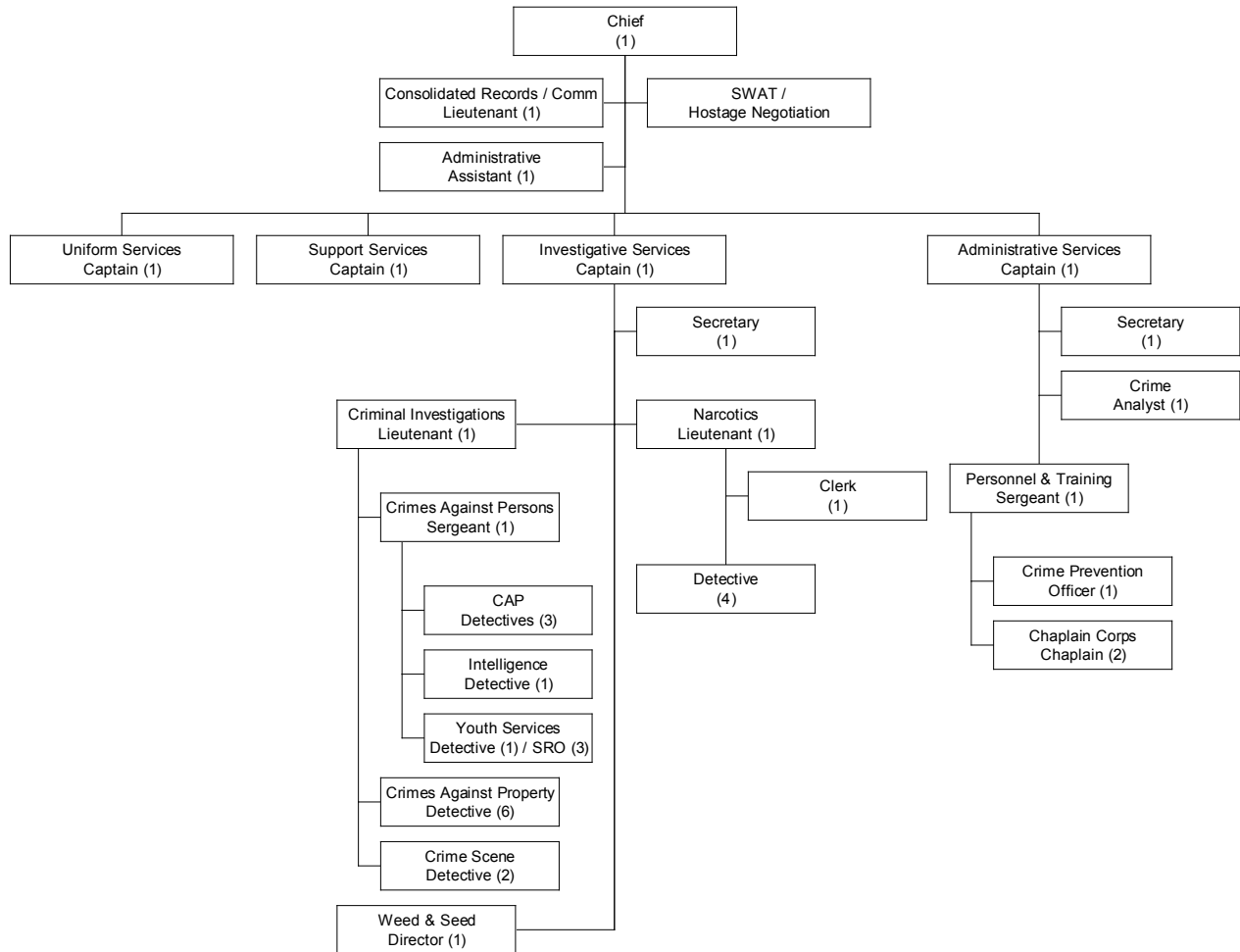
This section provides a summary of the current organizational structure of the Texarkana Police Department. In order to show the organization in some detail, the structure is shown in two charts, each representing the subordinates of two of the four Captains in the chain of command. The first chart, which follows, depicts the organization, staffing and deployment of the Uniform Services and Support Services Divisions:

Current Organization of the Texarkana Texas Police Department Uniform Services and Support Services Divisions



These two Divisions are each commanded by a Captain who reports to the Chief of Police. The Uniform Services Division is comprised of those units which work in the field: Patrol, Traffic and “K-9”. The Support Services Division is comprised of Property and Evidence, Fleet, Animal Control and Regulatory Affairs. The organizational chart, on the following page, depicts the Investigative Services (CID) and Administrative Services Divisions of the Police Department:

Current Organization of the Texarkana Texas Police Department Investigations and Administrative Services Divisions



As with the other Divisions in the Police Department, the Investigative Services and Administrative Services Divisions are commanded by Captains reporting to the Chief of Police. The Investigative Services Division is comprised of two main units – Criminal Investigations and Narcotics. The Administrative Division is comprised of Crime Analysis, Personnel and Training and a variety of administrative functions vested in the Captain directly.

3. THERE ARE SEVERAL ISSUES WITH THE CURRENT ORGANIZATIONAL STRUCTURE.

The matrix on the following page presents our assessment of the current organizational structure of the Texarkana (Texas) Police Department compared to the previously identified criteria. The points, which follow, provide a summary of the project team's key findings relating to the organization of the Police Department:

- There is a significant disparity between the level of responsibility, staff oversight and general span of control between the four Captains (Division commanders) in the TTPD.
- For example, 12% of personnel in the Department below the rank of Captain are in the Administrative and Support Services Divisions overseen by two of four Captains.
- The Administrative and Support Services Divisions of the Police Department represent functions which would often be grouped together, in that they represent "support" functions for all other elements of the Department.
- The Support Services Division includes some functions which should be viewed as operational (Animal Services and part of Regulatory Affairs). The separation of these functions from Uniform Services may impact the interaction of these two service areas.
- The rank structure of the Department has been broken down in the Administrative and Support Services Divisions with Sergeants and Officers reporting directly to Captains in these Divisions.
- At the same time, the rank structure has been maintained in the Uniform and Investigative Services Divisions.

These findings, illustrated on the next pages, suggest that the four-Captain organizational structure is not an appropriate one for the Police Department. The structure appears to have been contrived to work with the number of Captains, rather than the structure justifying the number of Captains.

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Bureau	Frequency	Type	Extent	Connection	Paper Work	Support vs. Operations	Span of Control	Observations and Alternatives
Uniform Services	√	√	√	√	√	√	√	- This Division focus on all field services: patrol, traffic, K-9, etc. This is a logical grouping of functions and units. - The span of control for the Captain, Lieutenants and Sergeants in these units is appropriate given shift, geographical and staffing levels. - The Department makes innovative use of Patrol Sergeants to oversee operations in Traffic and K-9.

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Bureau	Frequency	Type	Extent	Connection	Paper Work	Support vs. Operations	Span of Control	Observations and Alternatives
Support Services	√		√		√			- This Division is comprised of a collection of various functions. Most are internal services (Property, Fleet, some aspects of Regulatory Affairs) while others are field services (Animal Control). - The span of control in the Division is similar for the Captains in Uniform and Investigative Services, but the totality of responsibility is significantly lower.
Investigative Services	√	√	√	√	√	√	√	- A logical grouping of investigative units involved with both reactive and proactive follow-up investigations. - Span of control is appropriate given roles, missions and shifts. In terms of personnel, this is the second largest Division in TTPD.

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Bureau	Frequency	Type	Extent	Connection	Paper Work	Support vs. Operations	Span of Control	Observations and Alternatives
Administrative Services			√			√		• This Division includes the various administrative support functions of the Department including internal affairs, accreditation, budget, purchasing, personnel, etc. • Span of control for this Captain is not in line with the other Division commanders. • The number of personnel in this unit is small (a total of four report to the Captain) yet there are a number of functions. • Crime Prevention has little to do with the other functional areas in this Division. • Presence of Crime Analysis in this Division can be used to ensure access by Uniform and Investigative Services staff.

4. THERE ARE SEVERAL OPTIONS WHICH IMPROVE THE ORGANIZATIONAL STRUCTURE OF THE POLICE DEPARTMENT.

The previous section identified a number of issues related to the four-Captain approach to organization. The project team identified two major options, described below, for consideration by the City and the Department:

Option One – Three Captains

- Eliminate one Captain position.
- Combine Administrative and Support Services into a new Support Services Division.
- Create a Lieutenant position, assigned in the new Division. This position would be primarily responsible for Internal Affairs, Professional Standards, Accreditation, Training and Personnel.
- Shift Animal Services out of Support Services and into Uniform Services, providing for enhanced oversight and also improved interaction between these two field services.

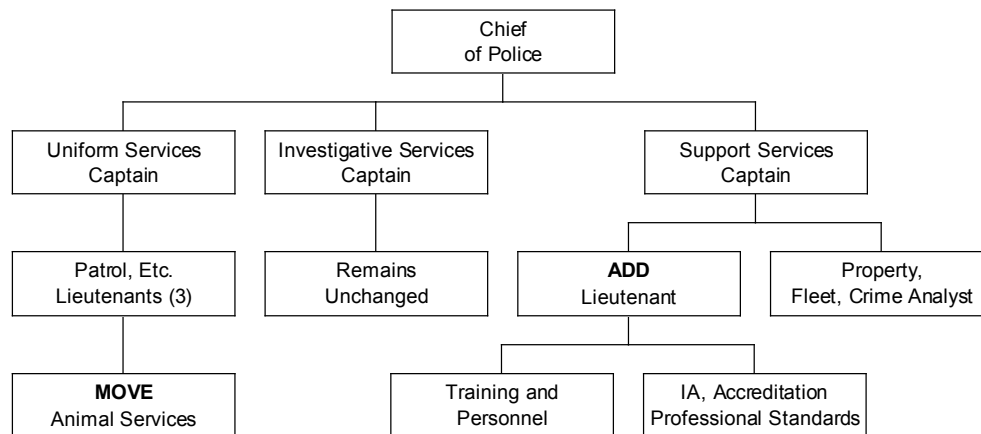
Option Two – Two Assistant Chiefs

- Eliminate all four Captain positions (this is necessitated by Civil Service rules).
- Create two Assistant Chief positions.
- Consolidate Investigative Services, Administrative Services and Support Services into a single Division.
- Create a Lieutenant position, assigned in the new Division. This position would be primarily responsible for Internal Affairs, Professional Standards, Accreditation, Training and Personnel.
- Shift Animal Services out of Support Services and into Uniform Services, providing for enhanced oversight and interaction for all field services.
- Assign Property and Evidence to the CID Lieutenant for oversight.
- Create a new Sergeant position in CID to help oversee staff in that unit.

The resulting organizational structures, shown in summary, are provided on the following page. The resulting personnel impacts are shown, below:

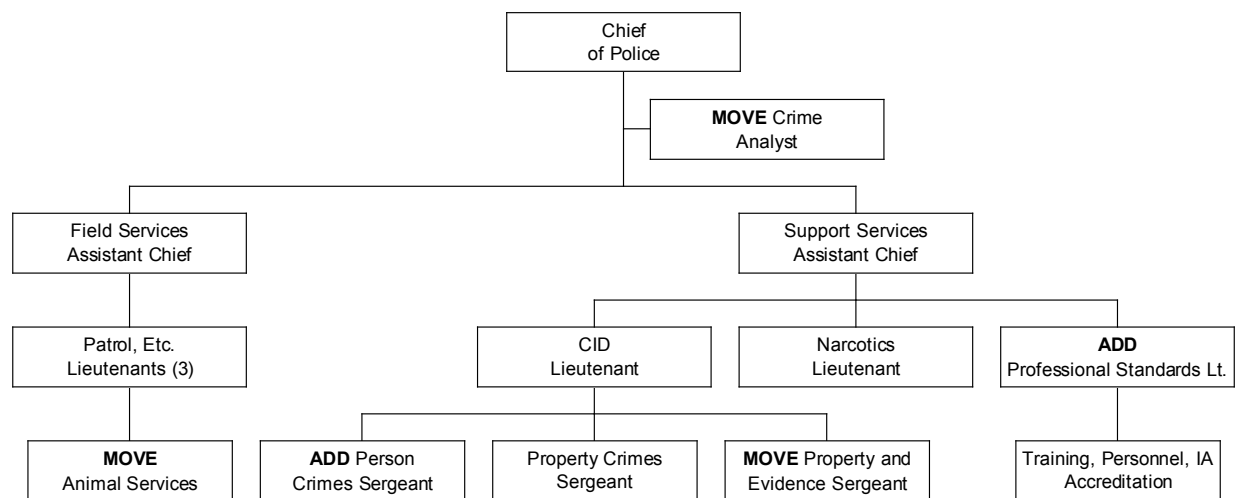
	Base Salary	Current	Cost	Three Captains	Cost	Two Assistant Chiefs	Cost
Captain	\$52,000	4	\$208,000	3	\$156,000	2	\$104,000
Lieutenant	\$47,000	0	\$0	1	\$47,000	1	\$47,000
Sergeant	\$42,000	0	\$0	0	\$0	1	\$42,000
Wages	n/a	4	\$208,000	4	\$203,000	4	\$193,000
Benefits	39%	n/a	\$81,120	n/a	\$79,170	n/a	\$75,270
Total Cost	n/a	n/a	\$289,120	n/a	\$282,170	n/a	\$268,270
Variance		n/a	\$0	0	(\$6,950)	0	(\$20,850)

**Option One
Three Captains**



The organization chart, above, shows the elimination of one Captain, addition of a Lieutenant and the movement of Animal Services under Patrol. The following shows the organizational structure under Option Two:

**Option Two
Two Assistant Chiefs**



This organizational chart shows the impact of creating two Assistant Chief positions in conjunction with the other changes. This approach increases the responsibility of the CID Lieutenant, adds a Sergeant and Lieutenant position and eliminates the four Captain positions.

The Matrix Consulting Group recommends that the City and the Department pursue Option Two – Two Assistant Chiefs. We make this recommendation for the following reasons:

- Improved span of control for members of the command staff.
- Improved accountability for command staff members.
- Improved communication and control of like functions.
- Annual cost savings of almost \$21,000 over current costs.
- Increases the level and type of responsibility for the CID Lieutenant position.
- Strengthens the overall relationship between rank and level of responsibility and accountability in the Police Department.

Recommendation: The City and Police Department should adopt a new organizational structure and command staffing approach for the Department. These changes should include elimination of the four (4) Captain positions, creation of two (2) Assistant Chief positions, creation of a new Lieutenant position and creation of a new Sergeant position. In addition, these changes should be accompanied by several reorganizations, including consolidation of the Investigative, Administrative and Support Service Divisions, movement of Animal Services to the new Field Services Division and several other changes.

APPENDIX: BEST MANAGEMENT PRACTICES

Performance Target	Assessment of Performance Versus Target
MANAGEMENT AND ORGANIZATION	
General Management	
Management team has frequent formal and informal interaction focused on addressing issues and on furthering the goals and objectives of the Police Department.	- The Chief and his Executive Team, (Captains) meet every other Tuesday following the Monday City Council meeting. These meetings focus on “short term” day to day issues. - The Department does not have goals and objectives to guide internal or external Department operations or resource. - Formal and informal communication between and among all Executive Team members is adversarial. Communication is primarily by e-mail. - The Chief does not have individual standing meetings with his staff to review specific Division / Unit operations or assess the status of assigned tasks.
Executive management team holds regular meetings with agendas, minutes and accountability systems.	- The Executive management teams meets only as described above. - The Chief maintains the meeting agenda that focuses on Division updates and are a source for follow-up questions for previous assignments. - Meeting minutes are taken by the Chief's Secretary with the assistance of a taped recording of the meeting. Following review for approval by the Chief these minutes are distributed. - These meetings are the primary tool to hold individual Division Commanders accountable for various tasks and / or work products. The Department does not employ a formal “annual performance appraisal system” (performance review).
Broader management team meetings held at least monthly to review crime and other activities in the community.	- With the beginning of this calendar year the Department has initiated “Problem Oriented Policing” (CompStat) meetings twice monthly, every other Thursday. These meetings focus on criminal activity and sources of community disorder in terms of problem identification and solution development in each of the three patrol districts. Those attending are Patrol District Commanders (Lieutenants), support staff as needed and the Criminal Investigations Division supervisory staff. - The Chief discontinued Monthly General Staff Meetings that included all Department Supervisory Personnel (Sergeants, Lieutenants, and Captains), in May of 2004.

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Performance Target	Assessment of Performance Versus Target
Sub-units hold regular meetings between Bureau commander and subordinate staff.	• The Patrol Division holds a meeting every Thursday as follows: - Patrol Captain + 3 District / Patrol Lieutenants - Patrol Captain is the Chair for the POP meetings - Patrol Captain + 3 Lieutenants + 9 Patrol Sergeants - Patrol Captain is the Chair for the POP meetings • The Criminal Investigations Division does not have a formal Division meeting however does meet daily with all Division investigators to review events of the past 24 hours. • The Criminal Investigations Division has recently initiated meetings with the Arkansas CID for information exchange and to focus more comprehensively on criminal activity between the two contiguous cities. • Due to the lack of “subordinate personnel” in the Support and Administrative Services Divisions formal meetings are not held.
Policies and Procedures and Accreditation	
Policies and procedures are reviewed regularly and are updated accordingly.	• Policies and Procedures require significant attention. - <u>General Orders</u> have not been formally reviewed in 5 years. - <u>Policy Statements</u> to clarify General Orders or to set new direction pending the development of a general Order from the Chiefs Office have been issued over time; however, are not indexed and by policy are to be maintained at the back of individual General Orders Manuals. - <u>Standard Operating Procedures</u> to guide Division Operations are by “memo”, “e-mail”, or some other form of Division written communication. Although, by policy, these directive should not be in place more than 180 days, they have provided long term (years) direction for Division operations. Some of these Procedures are in conflict with General Orders. The Procedures are not indexed, nor are they maintained in a central repository. Although hard to find, employees are held accountable for complying with these directives. • The approach used to develop contemporary policies and procedures (General Orders) has been slow and cumbersome. The review process is long and at times lacks appropriate follow through.
Distribution of policies and procedures is accomplished in such a way to ensure that policy updates are done rapidly but securely.	• By Policy, distribution of new General Orders and Policy Statements are to be distributed to Department personnel for placement in individual General Order Manuals. These Manuals are to be inspected annually in January. It is the strong staff consensus that this is not being done. • The general Order and Policy Statement Manuals have been placed for access in the Department Computer System. Access to individual orders is cumbersome.
Automated system for distribution and review of policies and procedures.	• The Department has automated access to General Orders and Policy Statements through the Department internal computer system.

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Performance Target	Assessment of Performance Versus Target
Critical policies (use of force, pursuit, internal affairs, etc.) are up to national standards and recognize national and local judicial and legal findings.	- These critical policies are in the “review process”. These policies now reside as a “sub-section” within one of the General Order Chapters, i.e. Chapter 9 – Department Motor Vehicles, 9.09 “Motor Vehicle Pursuit” and Chapter 10 – Weapons and the Use of Force, 10.10 Use of Force. - Most Policies have not received specific formal review in five years. Those that have been reviewed with associated revision, get delayed in the review and approval process.
Staff inspections of the agency are conducted based upon need and a defined schedule that ensures all components are inspected within a three-year time frame.	Inspection protocols are defined in the General Orders however there are few accountability mechanisms in place to assure that designated inspections are made.
Organization	
The organization has grouped like functions together to support the organizational mission and goals.	The organization does not have a Mission or Goals. The two operations Divisions are grouped to support the general tenants of the Law Enforcement Mission. The other two Divisions provide support to this Mission and both have limited support functions.
The organizational structure supports equivalent spans of control for similar levels of management.	Patrol and Investigations are the only two divisions that offer any type of “span of control” improvement opportunity. The other two Divisions offer no “span of control” improvement opportunity.
Personnel of like rank have similar levels of responsibility.	The Captains assigned to Field Services and Investigations have middle management (Lt.) subordinates. Captains assigned to Support and Technical Services have very few subordinates and none that are middle managers.
The organizational structure supports goals of one manager / per function and ensures that staff report to a single manager.	- The organizational structure “generally” supports appropriate reporting relationships. The Sergeant assigned as the PIO / Training – Recruit Manager reports to both the Chief of Police and Administrative Services Captain. Direction from both supervisors has cause “direction conflict”. - In addition there are 1:1 reporting relationships within ISD where one Sergeant reports to one Lt. who reports to the ISD Captain.
Internal Affairs	
Is there a clear delegation of internal affairs coordination in the Department?	The Internal Affairs process is coordinated by the Administrative Services Captain. A revised policy has been developed (submitted for review in 4/05) that provides more definition for various types of misconduct and incorporated time lines for various components of the process.

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Performance Target	Assessment of Performance Versus Target
Is a system in place to track all citizen complaints against department personnel and administrative investigations	The Internal Affairs Unit maintains a log that identifies all allegations of misconduct. It does not differentiate between external and internal complaint.
Do internal affairs records meet applicable legal and records retention requirements?	- The policy is silent to how long records will be maintained, It merely states "all documents pertaining to an I.A. investigation will be maintained in a file accessible to the Chief. - There is not system for purging allegations of misconduct predicated on nature of allegation, (A,B,C) or finding.
Are Internal Affairs investigations completed within 45 days from the allegation?	The policy now in place does not address time for the investigation. The revised policy does. The I.A. log that is maintained does not cite time taken for each investigation.
Does the public have sufficient access to the internal affairs process and its results?	- The Department policy is specific as to accepting all allegations of misconduct from the public. The revised policy specifically addresses feedback to the public regarding the results of the investigation. - The Department has not published an annual report specific to the Internal Affairs process.
Departmentally initiated cases equal or exceed those from the public (i.e., self-policing)?	Initial reports obtained by the project team do not differentiate between internal and external complaints of misconduct.
An Early Warning System is in place to help identify members who may need additional attention.	The Department does not employ an "Early Warning System" that the more progressive Departments are employing to identify and provide assistance to employees that might need some type of intervention (counseling, peer assistance, training) to avoid reoccurring reports of misconduct.
Is a formal analysis of internal affairs complaints and investigations being conducted?	The review processes of complaints of misconduct by the Department are informal.
Use of both complaint and non-complaint information to develop guidance for both training and policy development.	Department follow-up in terms of policy development and employee training as a result of the I.A. process are informal.
PATROL / FIELD SERVICES / DISPATCH	
Response times to calls for service: - Priority E : 3-5 mins. - Priority 1: 5-15 mins. - Priority 2-3: 15-30 mins. - Is there an established policy for prioritizing calls?	Response times for "High" priority calls exceed the 5 min threshold for each: Priority 1: 6 minutes, Priority 2: 5.1 minutes, Priority 3: 6.42 minutes. "Medium" priority calls and "Low" priority calls are well within the benchmarks. There is a policy in place to prioritize calls based on the severity/risk associated with each call.

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Performance Target	Assessment of Performance Versus Target
Given call for service workloads and patrol staffing/deployment, does preventive field time fall within 35%-50% of available time?	The project team is still evaluating data from the Department to determine what proactive time levels are.
Field units operate with a proper mix of supervisory and line positions (with a ratio of 1:6 to 1:9)?	Supervisory to line positions are within established ratios. Typically 1 to 2 supervisors are on duty to supervise 9 to 10 officers.
Are patrol staff deployed consistently with call for service demands by time of day and day of week?	Patrol staff are deployed across three districts which are relatively equal in workload. Minimum staffing on the slow days (Sunday) is reduced to accommodate workload.
Are current shift schedules appropriate considering the factors of calls for service, deployment, etc.?	Patrol officers work 8 hour shifts that are designed to provide both overlap between shifts throughout the day as well as a reduced force during the slow days (Sunday).
Are non-sworn personnel utilized to handle low priority calls for service?	Non-sworn personnel are not utilized to respond to calls for service.
Is available proactive time formally directed and evaluated?	Evaluations of Officers are no longer being performed. It is not clear why this practice was stopped. Interviews with supervisors indicate that performance is being monitored through monthly activity reports.
Traffic Enforcement	
Traffic enforcement efforts are focused on intersections and roads where accidents are occurring and on complaint areas.	Traffic enforcement efforts are focused on targeted hazard areas and in response to complaints.
Are dedicated traffic enforcement personnel averaging one citizen contact or citation each duty hour?	Traffic Enforcement Officers are averaging just under one contact per hour (.9).
Is the Traffic Enforcement Index (hazardous citations and DWI arrests divided by injury accidents) in the 1:35/40 range?	The traffic enforcement index is in the 1:12.5 range, well below the 1:35/40 benchmark.
INVESTIGATIONS	

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Performance Target	Assessment of Performance Versus Target
Investigative staff are utilized according to a variety of measures: number of active cases per case handling investigator is 15-20 for property crimes and 8-12 for person crimes.	Staff utilization is very high based on the number of assigned cases. At the time of the desk audit, property detective caseloads ranged from 19 to 43 cases per property detective and person detective caseloads ranged from 9 to 26 cases.
Sworn personnel are not handling administrative assignments which could be performed by non-sworn personnel.	The ISD has administrative personnel to handle administrative assignments. However, because case assignment and monitoring systems are not automated, a significant amount of time is spent creating case status/assignment sheets.
Unit supervisors are utilizing a formal case management system which involves screening cases for solvability, assigning cases based on workloads, reviewing cases once assigned, and making decisions about proceeding based on case progress criteria.	Unit supervisors are reviewing cases prior to assignment. However, formal solvability criteria are not used. In addition, a number of cases are assigned as "info" cases despite the absence of prospects for solving the case. These cases are assigned in the event that additional information is gathered. These cases should be put into a software system to identify criminal patterns.
A case management automated system exists to support unit supervisors in making decisions and monitoring caseloads.	The Detectives Bureau does not utilize an automated system to monitor caseloads.
Field supervisors assist in making recommendations about assigning cases.	Field supervisors review all paperwork that is assigned to ISD. However, they do not make any specific recommendations.
Field staff handle the follow-up of minor crimes, as appropriate.	Some follow-up is being done by patrol officers (Class C Misdemeanors). Field staff used to assist with follow-up investigations of Class A & B misdemeanors but this practice was stopped. The result of this has been an increase in workload for detectives.
Systems exist to enhance cases by tracking leads, MO's and other crime characteristics.	No system is in place to identify trends, leads, MO's, etc. Cases are assigned as "info" cases for Detectives to be aware of recurring characteristics of crimes. This process can be better coordinated.
A crime analysis unit exists to support investigators as well as field staff on cases.	The TTPD does have a Crime Analyst. This position provides analytical support to the command staff. There is little crime analysis provided within the Department. The Crime Analyst position is used as a general management analyst for the Chief and the Department.

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Performance Target	Assessment of Performance Versus Target
Proactive activities are engaged in which anticipate criminal activities (e.g., re-sale operations, repeat offender programs, surveillance).	The regional Narcotics unit is involved in conducting these kinds of proactive activities. These are coordinated between the two cities and Bowie County.
Department has developed capabilities to monitor internet and computer crime issues.	There is no focused effort on internet activities or computer crimes.
Callout of staff on a rotating basis rather than night shifts of investigators.	Staff do share call out duty on a rotating basis. However, these rotations are not based on areas of expertise. As a result, a property detective may be called out to a homicide scene.
Investigators regularly brief field operations staff in crime trends, important cases, etc.	Investigators brief field operations staff about major cases. It is not clear how often this is happening.
Decisions about calling out field evidence collection specialists are based on the technical requirements of the crime scene.	Crime Scene Technicians are called out by a Patrol Supervisor. However, typically Crime Scene Technicians will wait until the on-call Detective arrives on scene so that he/she can determine whether there is a need to process the scene.
The unit targets a wide range of vice activities.	The Vice unit targets a wide range of activities both in reaction to complaints, issues identified by the patrol forces, and proactively.
Information regarding vice activities is forwarded to the unit from other operational units throughout the Department.	The Vice unit receives information from patrol forces in all three law enforcement agencies supported by the unit.
Property and Evidence	
All evidence is recorded in an electronic inventory system.	The Department has begun utilizing a bar code system. However, approximately half of property items are still being tracked in an outdated software system.
Controlled access to the storage site, including secured doors and an access log.	The property room has controlled access and an access log.
Storage site secure from possible accidents that would potentially damage evidence.	The property room is secure from potential accidents.
After hours storage provides for secure and adequate storage.	Storage lockers (with locks) are provided for after hours storage of property and evidence. General Orders outlines a clear procedure for storage of property and evidence after hours.

CITY OF TEXARKANA, TEXAS
Master Plan Study for the Police Department

Performance Target	Assessment of Performance Versus Target
Evidence is randomly audited at least quarterly to confirm completeness of storage including the following: 1) a semi-annual inspection by the person responsible for the property and evidence control function and unannounced inspections of the storage areas as directed; 2) a complete inventory if there is a change in custodians; and 3) an annual audit conducted by a supervisor not routinely or directly connected with control of property.	Only one audit was recently performed (in July of 2003) by the Officer that designed the system of storage. Audits are not regularly performed.
Initiate disposal processes within 30 days of receipt of final case disposition and complete disposition within 6 months.	Efforts are being made to dispose of property shortly after a court order is received. The property room does not track the time between disposition and disposal.
SUPPORT SERVICES	
Fleet	
Existence of automated fleet management system to monitor equipment utilization and repair histories, labor distribution, downtime, costs, preventive maintenance scheduling, etc.	A software package is currently being used to track gasoline usage and maintenance and service costs. However, this system is not being used to schedule preventive maintenance or downtime. The Fleet Maintenance Officer tracks mileage to notify officers when preventive maintenance is due in a separate Excel spreadsheet.
Average fleet age of 3-4 years and average mileage of 60-70,000 miles for patrol vehicles and 4-5 years and 85-95,000 average mileage for non-patrol.	Average fleet age for patrol vehicles is less than 3 years and average mileage is 33,628. The average age of non-patrol vehicles is over 8 years. However, non-patrol vehicle mileage is well below the benchmark at approximately 69,000 miles.
Management and Supervision Training	
First-line supervisors, middle managers and executive level managers should be trained in the skill sets needed to meet their different management roles and responsibilities.	The Chief has been proactive in sending first line supervisors and middle managers to training specific to their new positions.
The skills needed to fulfill different roles are updated and clearly defined.	- The General Orders were recently updated with job roles and responsibilities. - Staff are, however, confused with their roles as it pertains to the "District Policing Model" employed by the Department.

CITY OF TEXARKANA, TEXAS
Master Plan Study for the Police Department

Performance Target	Assessment of Performance Versus Target
Evaluation processes are used to determine how well supervisors and managers are meeting roles and responsibilities.	The Department has abandoned the Performance Review System implemented by the prior administration. Without a formal annual review process employees at all levels do not receive feedback regarding positive or negative job performance or a specific time annually to focus on career development.
In-Service Training	
Scope and content of in service training program: - Training per officer per year is at least 40 hours. - Training program supports community policing goals.	Sworn personnel are provided an average of 70 hours of training per year. The training program does not support community policing goals since these goals are not clearly defined.
The department should conduct training needs assessments to determine what training to offer.	The Department does not conduct training needs assessments. Typically training is scheduled based on TCLEOSE requirements and specific division requests.
The department takes advantage of regional training opportunities.	The Department does participate in training provided by the East Texas Police Academy and supervisory training offered by ILEA.
Documentation of training is complete and is maintained in a central location.	Training hours and completion of certifications are documented through TCLADS. Lesson plans are available for all documented training sent to TCLEOSE.
There is on-going annual defensive tactics and other high-liability training is provided to officers.	The Department does not have regular on-going defensive tactics and other high-liability training for officers. Courses are offered to those who are interested.
The In-Service training program for civilians is effective and there is an adequate amount of civilian in-service training.	The Department does not have a training program for civilians.
Crime Prevention / Community Programs	
Does the crime prevention program provide a wide range of innovative services?	The Department does participate in various crime prevention programs including McGruff, National Night Out, child ID cards, etc. However, additional proactive efforts can be made to address issues such as vehicle burglaries, home burglaries, etc.
Are non-sworn personnel used to assist with prevention services?	Non-sworn personnel are not routinely used to assist with the delivery of crime prevention services.
Are field staff used to assist with crime prevention programs?	Field staff do participate in special events such as National Night Out and the Quadrangle Festival.

ORDINANCE NO. 2015 - 016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS; CREATING THE RANK OF ASSISTANT CHIEF OF POLICE BY APPROVING AND AUTHORIZING THE RECLASSIFICATION OF TWO NON-TESTED POLICE CAPTAIN POSITIONS TO TWO ASSISTANT CHIEF POSITIONS AND ELIMINATING ASSIGNMENT PAY FOR THE POLICE DEPARTMENT CHIEF OF STAFF; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 007-1948 dated May 25, 1948 the City of Texarkana, Texas adopted the Fireman's and Policeman's Civil Service Law as then found in Article 1269m, Texas Revised Civil Statutes, now codified at Texas Local Government Code, Section 143.001, et seq.; and

WHEREAS, the municipality's governing body shall establish the classifications by ordinance, including the number of positions in each subsequent classification; and

WHEREAS, by Ordinance No. 143-1977 the City Council provided for a comprehensive redrafting of the Civil Service Classification System and authorized the number of positions within the Classification System; and

WHEREAS, by Ordinance No. 069-2003 the City Council approved the ability of the Police Department Head (Police Chief) to appoint two non-tested Captains thereby giving a total of four Captains in the Classification System; and

WHEREAS, there currently exists a need to amend the number of Captain positions within the Classification System under Ordinance No. 143-1977 to accomplish restructuring of the Police Department to include two Divisions commanded by two Assistant Chiefs; and

WHEREAS, to accomplish the aforementioned Police Department restructuring, and upon approval of the council, the Classification System should be amended to reflect a reduction/abolishment of two non-tested Police Captains and the creation of the rank of Assistant Chief of Police above the rank of Police Captain. The two newly-created Assistant Chief positions, being in the rank immediately below the Police Chief, may be appointed pursuant to Texas Local Government Code §143.014; and

WHEREAS, Texas Local Government Code, § 143.021(a) states the commission shall provide for the classification of all police officers and said commission has approved the addition of the rank of Assistant Chief of Police to the Classification System on January 27, 2015; and

WHEREAS, the aforementioned restructuring of the Police Department will eliminate the need for the assignment of Chief of Staff along with the council approved assignment pay for those duties under Ordinance No. 2014-066;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1:

That, on the date prior to the effective date of this ordinance, the following Classification System for the Police Department was as follows:

<u>CLASSIFICATION</u>	<u>AUTHORIZED POSITIONS</u>
Police Captain	4
Police Lieutenant	6
Police Sergeant	13
Police Officer	73
Total	96

That, as of the effective date of this Ordinance, the two non-tested (appointed) Captain positions are abolished, the rank of Assistant Chief of Police is created, and the addition of two non-tested (appointed) Assistant Chiefs is hereby approved. This Council action is authorized by authority of the Texas Local Government Code §143.014 and §143.021. Section 3 of Ordinance No. 142-1977, as last amended by Section 2 of Ordinance No. 2014-066, is hereby amended and thereby substitutes "Exhibit to Section 3" which shall reflect the current Classification System for the Police Department and shall read in its entirety as follows:

Exhibit to Section 3

<u>CLASSIFICATION</u>	<u>AUTHORIZED POSITIONS</u>
Assistant Chief of Police	2
Police Captain	2
Police Lieutenant	6
Police Sergeant	13
Police Officer	73
Total	96

SECTION 2: Assignment pay in the amount of \$250.00 per month for assignment of a Captain as the Police Department Chief of Staff granted under ordinance No. 2014-066 is hereby rescinded in accordance with the Texas Local Government Code § 143.042.

SECTION 3: The purpose and intent of this Ordinance on the Civil Service Classification System of the Texarkana Texas Police Department is to abolish the two non-tested Police Captain positions, establish the rank of Assistant Chief of Police and approve the addition of two Assistant Chief of Police positions to be filled by appointment pursuant to Texas Local

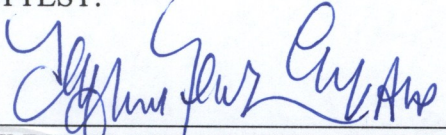
Government Code §143.014. There is no intent to create additional promotional positions in the Texarkana Texas Police Department.

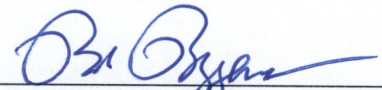
SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:


JENNIFER EVANS, CITY SECRETARY

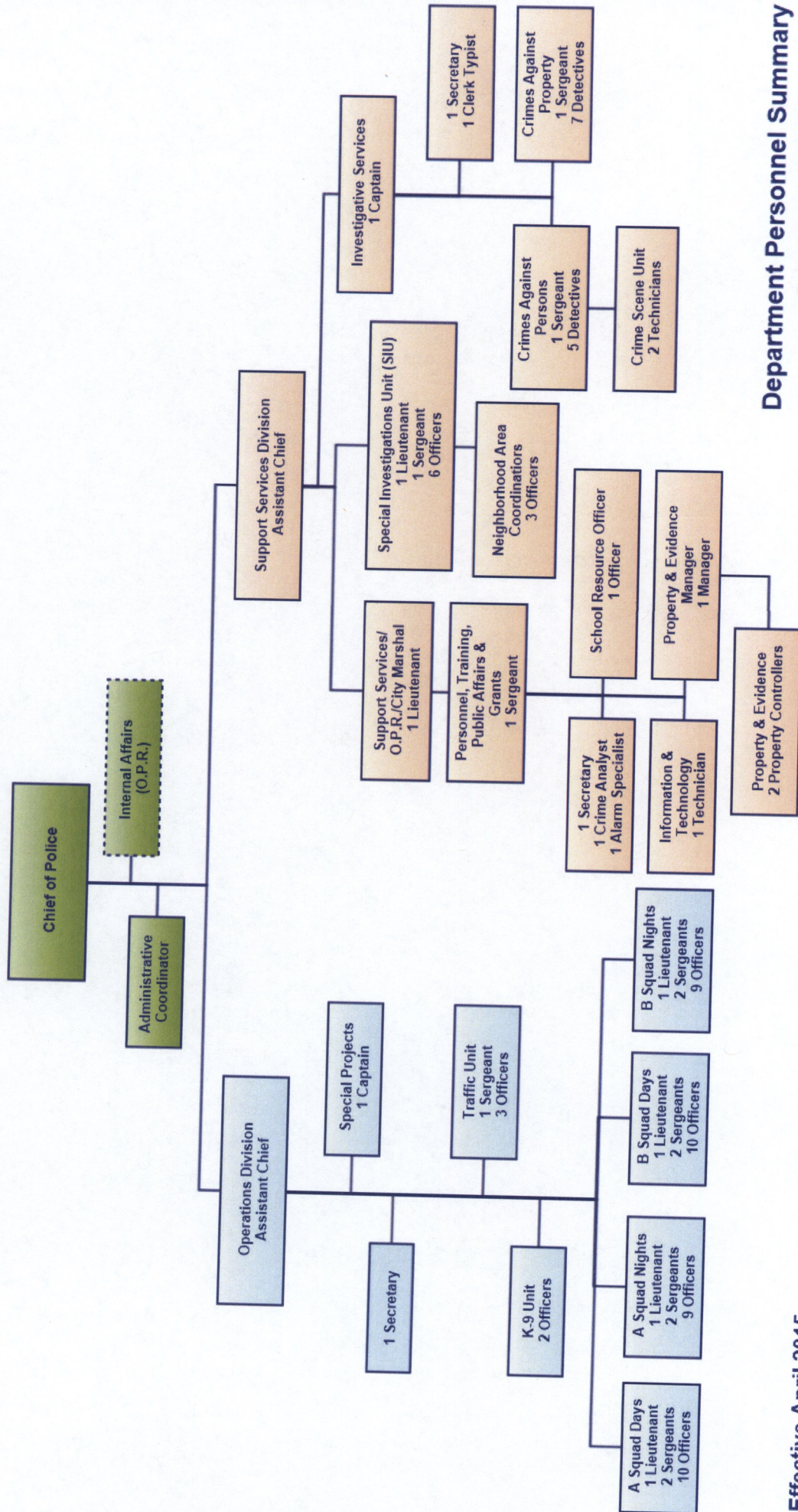

BOB BRUGGEMAN, MAYOR

7:31 p.m.

Attachment: Ord. 2015-016 signed (1252 : ORD NO. 2015-016 Amendment to Police Civil Service Classification)



Texarkana Texas Police Department Organizational Chart



Effective April 2015

Department Personnel Summary

Authorized Positions

Sworn 91; Non-Sworn 13; Volunteers 3
Civil Service Frozen Positions 5

7.1.f

Attachment: Ord. 2015-016 signed (1252 : ORD NO. 2015-016 A amendment to Police Civil Service Classification)

City of Texarkana, Texas

Version: A

Update Date: 2/19/2015 2:50 PM

Briefing Sheet

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief
Resolution No. 2015-017 authorizing the City Manager to issue a purchase order to Casco Industries, Inc. for the purchase of firefighting equipment (SCBA'S) through the HGAC Cooperative Purchasing Program in an amount not to exceed THREE HUNDRED EIGHT THOUSAND EIGHT HUNDRED
Subject: TEN DOLLARS AND NO/100 (\$308,810.00).

Briefing: 2/23/2015 **Public Hearing:** 2/23/2015 **Second Briefing:** March 9, 2015 **Council Vote:** 3/23/2015

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The Fire Department currently operates a fleet of 56 self-contained breathing apparatus. The current units are in need of replacement due to normal wear and tear as well as they are not compliant with the most recent NFPA standard. Prior to 2008 the department was replacing a few units each year to ensure an adequate supply. Since that time the department has not purchased a self-contained breathing apparatus for firefighting purposes. In addition, our current supplier of self-contained breathing apparatus does not have an approved unit for sale. In light of our current situation we are proposing the purchase of a new fleet of self-contained breathing apparatus from a more reliable vendor. The purchase would eliminate condition issues and bring the entire fleet into compliance with the most recent standard.

Potential Options:

- "None"

Fiscal Implications:

This purchase will be funded with money in the 2015 fiscal year budget.

Staff Recommendation:

Staff recommends the purchase of new self-contained breathing apparatus.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

City of Texarkana, Texas

- a. Goals and Perspectives (DOCX)
- b. Current SCBA inventory (PDF)
- c. Resolution 2015-017 SCBA (DOC)
- d. Reso. 2015-017 signed (PDF)

Staff Coordination

Fire Department	Eric Schlotter	Department Head Review	Completed	
	01/30/2015 10:01 AM			
Finance Department	Charlie Bassett	Finance Review	Completed	01/30/2015
	10:42 AM			
Public Information Officer		Lisa Thompson	PIO Review	Completed
	01/30/2015 10:48 AM			
City Manager	John Whitson	City Manager Review	Completed	01/30/2015
	11:06 AM			
City Council	Jennifer Evans	Meeting	Completed	02/09/2015
	6:00 PM			

Meeting History

02/09/15 City Council MOVED FORWARD Next: 02/23/15
Chris Black briefed this item.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☒ Provide a Safe Community ☒ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☒ Enhance Community Preparedness & Responsiveness ☒ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☐ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

("NONE")

Resource Impact:

Staff time required if item is approved: [Select One By Clicking Here](#)

Other Potential Impacts:

"NONE APPLICABLE"

Public Information Plan:

☐ Newspaper Notice (Required by Statute)	☐ Public Hearing (Required by Statute)
☐ Public Forum/Input Session	☐ Press Release
☐ E-News Distribution	☐ Website Notice
☐ Social Media (Twitter, Facebook, etc.)	☐ Special Mailing
☐ Flyers Posted	☐ Banners Posted
☐ Survey	☐ Automated Phone Call
☒ None Required	☐

Other:

1 2013
2 2007
3 2007
4 1997
5 1992

Inventory

Model	Serial number	Location	Other ID	In Service Date
Panther/New Bell-LP, AGVA	0603150130	731	HUD	3/30/2006 3
Panther/New Bell-LP, AGVA	0603150133	731	HUD	3/30/2006 3
Panther/New Bell-LP, AGVA	0603150158	731	HUD	3/30/2006 3
Panther/New Bell-LP, AGVA	9912210872	731		2/28/2000 4
Panther/New Bell-LP, AGVA	0402241089	733	HUD	5/1/2004 3
Panther/New Bell-LP, AGVA	0402241103	733	HUD	5/1/2004 3
Panther/New Bell-LP, AGVA	0402241133	733	HUD	5/1/2004 3
Panther/New Bell-LP, AGVA	9912210876	733		2/28/2000 4
Panther/New Bell-LP, AGVA	0201030295	734		1/31/2002 4
Panther/New Bell-LP, AGVA	0503150054	734	HUD	4/8/2005 3
Panther/New Bell-LP, AGVA	0503150062	734	HUD	4/8/2005 3
Panther/New Bell-LP, AGVA	0503150064	734	HUD	4/8/2005 3
Panther/New Bell-LP, AGVA	0011070420	735		2/28/2001 4
Panther/New Bell-LP, AGVA	0610250192	735	HUD	1/28/2007 3
Panther/New Bell-LP, AGVA	0610250193	735	HUD	1/28/2007 3
Panther/New Bell-LP, AGVA	0610250205	735	HUD	1/28/2007 3
Panther/New Bell-LP, AGVA	0201030424	736		1/31/2002 4
Panther/New Bell-LP, AGVA	0402241048	736	HUD	5/1/2004 3
Panther/New Bell-LP, AGVA	0402241068	736	HUD	5/1/2004 3
Panther/New Bell-LP, AGVA	0402241082	736	HUD	5/1/2004 3
Panther/New Bell-LP, AGVA	0201030297	737		1/31/2002 4
Panther/New Bell-LP, AGVA	0603150077	737	HUD	3/30/2006 3
Panther/New Bell-LP, AGVA	0603150081	737	HUD	3/30/2006 3
Panther/New Bell-LP, AGVA	0603150083	737	HUD	3/30/2006 3
Panther/New Bell-LP, AGVA	0610250223	741	HUD	1/28/2007 3
Sigma - LP	HABL-0955	741		12/31/1995 5
Sigma - LP	HDZG-0728	741		1/31/1994 5
Sigma - LP	HEZG-0212	741		5/31/1993 5
Sigma - LP	HJJK-0502	741		1/31/1995 5
Sigma - LP	HJJK-0566	741		1/31/1995 5
Panther/New Bell-LP, AGVA	0610250225	743	HUD	1/28/2007 3
Sigma - LP	HCAG-0788	743		6/30/1994 5
Panther/New Bell-LP, AGVA	0011070415	745		2/28/2001 4
Panther/New Bell-LP, AGVA	0603150252	745	HUD	3/30/2006 3

Inventory

Model	Serial number	Location	Other ID	In Service Date
Panther/New Bell-LP, AGVA	0603150253	745	HUD	3/30/2006 3
Panther - HP NSG X	0809220334	Haz-Mat Trailer	Hip-Pac	1/29/2009 2
Panther - HP NSG X	0809220340	Haz-Mat Trailer	Hip-Pac	1/29/2009 2
Warrior/Warb-HP	0810010289	Haz-Mat Trailer	HUD	7/7/2009 2
Warrior/Warb-HP	0810010292	Haz-Mat Trailer	HUD	7/7/2009 2
Warrior/Warb-HP	0810010293	Haz-Mat Trailer	HUD	1/29/2009 2
Warrior/Warb-HP	0810010297	Haz-Mat Trailer	HUD	1/29/2009 2
Warrior/Warb-HP	0810010298	Haz-Mat Trailer	HUD	1/29/2009 2
Warrior/Warb-HP	0810010301	Out Of Service	HUD	1/29/2009 2
Panther/New Bell-LP, AGVA	0011070421	Reserve		2/28/2001 4
Panther/New Bell-LP, AGVA	9912210871	Reserve		2/28/2000 4
Sigma - LP	HABL-1048	Reserve		12/31/1995 5
Sigma - LP	HBBL-0250	Reserve		12/31/1995 5
Sigma - LP	HCAG-0836	Reserve		6/30/1994 5
Sigma - LP	HCAG-0837	Reserve		6/30/1994 5
Sigma - LP	HEZG-0207	Reserve		5/31/1993 5
Sigma - LP	HEZG-0246	Reserve		5/31/1993 5
Sigma - LP	HEZG-0209	Reserve		5/31/1993 5
Sigma - LP	HGBN-1291	Reserve		9/30/1998 4
Sigma - LP	HGBN-1318	Reserve		9/30/1998 4
Sigma - LP	HGBN-1319	Reserve		9/30/1998 4
Sigma - LP	HJKK-0569	Reserve		1/31/1995 5
Sigma - LP	HJKK-0572	Reserve		1/31/1995 5
Sigma - LP	HLAK-0290	Reserve		1/31/1995 5

RESOLUTION NO. 2015 – 017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO CASCO INDUSTRIES INC. FOR THE PURCHASE OF FIREFIGHTING EQUIPMENT (SCBA’S) THROUGH THE HGAC COOPERATIVE PURCHASING PROGRAM IN AN AMOUNT NOT TO EXCEED THREE HUNDRED EIGHT THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO/100 (\$308,810.00); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, self-contained breathing apparatus are a necessity for providing fire protection; and

WHEREAS, staff has indicated a need to replace existing self-contained breathing apparatus; and

WHEREAS, chapter 271 of the Texas Local Government Code allows a local government to make purchases using cooperative purchasing programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the City Manager be and is hereby authorized to issue a purchase order to Casco Industries, Inc. for firefighting equipment (SCBA’s) through the HGAC cooperative purchasing program in an amount not to exceed THREE HUNDRED EIGHT THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO/100 (\$308,810.00).

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: Resolution 2015-017 SCBA [Revision 2] (1253 : RES No. 2015-017 Purchase of new SCBA)

RESOLUTION NO. 2015 – 017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO CASCO INDUSTRIES INC. FOR THE PURCHASE OF FIREFIGHTING EQUIPMENT (SCBA'S) THROUGH THE HGAC COOPERATIVE PURCHASING PROGRAM IN AN AMOUNT NOT TO EXCEED THREE HUNDRED EIGHT THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO/100 (\$308,810.00); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, self-contained breathing apparatus are a necessity for providing fire protection; and

WHEREAS, staff has indicated a need to replace existing self-contained breathing apparatus; and

WHEREAS, chapter 271 of the Texas Local Government Code allows a local government to make purchases using cooperative purchasing programs.

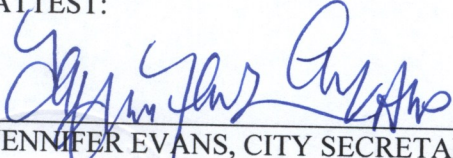
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

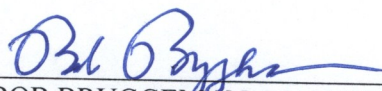
SECTION 1: That the City Manager be and is hereby authorized to issue a purchase order to Casco Industries, Inc. for firefighting equipment (SCBA's) through the HGAC cooperative purchasing program in an amount not to exceed THREE HUNDRED EIGHT THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO/100 (\$308,810.00).

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

7:34 p.m.

Attachment: Reso. 2015-017 signed (1253 : RES No. 2015-017 Purchase of new SCBA)

City of Texarkana, Texas

Version: A

Update Date: 1/20/2015 8:14 AM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2015-012 rezoning Lot 3, Rose Acres Annex Addition, located
at 602 South Bishop Street. Industrial-1 to Single Family-2. Verna Cellars,
Subject: applicant. Alice Bursey Johnson, agent.

Briefing: 2/23/2015 **Public** **Second** February 23, **Council**
Hearing: 2/9/2015 **Briefing:** 2015 **Vote:** 3/9/2015

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

Executive Summary and Background Information:

This is a request by Verna Cellars, owner, and Alice Bursey Johnson, agent, to rezone Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street from Industrial-1 (I-1) to Single Family-2 (SF-2). This property is currently vacant land. The proposed use is a single family residence.

The adjacent zoning is Industrial-1 to the north and west, SF-2 to the south and Jarvis Parkway to the east. The adjacent land use is an industrial type business to the north, a residence to the south, Jarvis Parkway to the east and vacant property to the west.

The Comprehensive Plan has designated this as an Industrial area.

The applicant has requested to construct a single family residence at this location. Based on the City's Zoning Ordinance, a single family residence is not an allowed use in the Industrial zoning district. Therefore, the applicant is requesting that the property be rezoned to Single Family-2 in order to be in conformance with the Zoning Ordinance.

All notification and application requirements have been met to consider this request.

Note: This address will need to be changed to comply with the new addressing for this area. It was previously known as 602 before additional housing was constructed on this street.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

City of Texarkana, Texas

The property to the south was rezoned to Single Family-2 in 2011 to allow the construction of a new single family residence. In addition, there are several single family residences still located in this area of South Bishop Street. Therefore, staff recommends for approval of this request.

City Manager Comment: Throughout Texarkana there exists “mix-and-mingle” type development patterns where industrial/commercial use will be adjacent to residential and then back to some other higher use development. Some the pattern has been caused by annexations and some by city zoning decisions. While this staff report states that this area is designated to be industrial the city continues to permit more “mix-and-mingle” development. Each approval contrary to the Comprehensive Plan further weakens the Comprehensive Plan. The weaker the Comprehensive Plan the less effect the plan becomes and less likely the plan can ever be used as strong evidence when the city council chooses to deny a rezoning request and cites the plan as the basis for the denial.

Advisory Board/Committee Review:

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

January 5, 2015.

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. No. 2015-012 (DOCX)
- c. Maps for Ord. 2015-012 (PDF)
- d. Ord. 2015-012 signed (PDF)

Staff Coordination

Assistant City Manager	Shirley Jaster	Review	Completed
01/15/2015 5:20 PM			
Planning and Community Development	David Orr	Review	Completed
01/16/2015 9:16 AM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
01/16/2015 9:19 AM			
City Manager	John Whitson	City Manager Review	Completed 01/20/2015
8:14 AM			
City Council	Jennifer Evans	Meeting	Completed 01/26/2015
6:00 PM			

Meeting History

City of Texarkana, Texas

01/26/15 City Council MOVED FORWARD Next: 02/09/15

02/09/15 City Council MOVED FORWARD Next: 02/23/15

No citizen spoke at this public hearing. Shirley Jaster stated there is no additional information for council on this item.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☒ Model a Positive City Image ☐ Deliver Efficient Services ☒ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

None

Resource Impact:

NA

Select One By Clicking Here

Other Potential Impacts:

NA

Public Information Plan:

☒	Newspaper Notice (Required by Statute)	☒	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☒	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☒	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☐	None Required	☒	Sign posted

Other:

ORDINANCE NO. 2015-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 3, ROSE ACRES ANNEX ADDITION, LOCATED AT 602 SOUTH BISHOP STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM INDUSTRIAL-1 TO SINGLE FAMILY-2; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street, in the City of Texarkana, Bowie County, Texas, from **Industrial-1 to Single Family-2**; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend approval of the application for rezoning from Industrial-1 to Single Family-2** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Industrial-1 to Single Family-2** is in the best interest of the public health, safety, morals and general welfare of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street in the City of Texarkana, Bowie County, Texas, from **Industrial-1 to Single Family-2**.

SECTION 2: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

4415

I-1

I-1

WACO ST

4401

I-1

I-1

I-1

S BISHOP RD

Jarvis Parkway

I-1

I-1

Attachment: Maps for Ord. 2015-012 (1246 : Ord. No. 2015-012: Z-15-1: 602 S. Bishop. I-1 to SF-2)

515

I-1

SF-2

524

605

O

606

I-1

608

607

SF-2

I-1

I-1

I-1



ORDINANCE NO. 2015-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 3, ROSE ACRES ANNEX ADDITION, LOCATED AT 602 SOUTH BISHOP STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM INDUSTRIAL-1 TO SINGLE FAMILY-2; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street, in the City of Texarkana, Bowie County, Texas, from **Industrial-1 to Single Family-2**; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend approval of the application for rezoning from Industrial-1 to Single Family-2** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Industrial-1 to Single Family-2** is in the best interest of the public health, safety, morals and general welfare of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone Lot 3, Rose Acres Annex Addition, located at 602 South Bishop Street in the City of Texarkana, Bowie County, Texas, from **Industrial-1 to Single Family-2**.

SECTION 2: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

Attachment: Ord. 2015-012 signed (1246 : Ord. No. 2015-012: Z-15-1: 602 S. Bishop. I-1 to SF-2)

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 23rd day of February, 2015.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

7:36 p.m.

Attachment: Ord. 2015-012 signed (1246 : Ord. No. 2015-012: Z-15-1: 602 S. Bishop. I-1 to SF-2)