CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● SEPTEMBER 26, 2016

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	
Jean H. Matlock	Ward 1	Present	
Willie Ray	Ward 2	Present	
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, Eric Schlotter, Jim Powell, Kyle Dooley, Lisa Thompson, Karey Parker, David Orr, Robby Robertson, Craig Hicks, and Jerry Sparks.

Legal Counsel: Louise Tausch

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JEAN MATLOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 10, 2016 at 6:00 p.m.
Monday, October 24, 2016 at 6:00 p.m.
Monday, November 14, 2016 at 6:00 p.m.
Monday, November 28, 2016 at 6:00 p.m.

Upcoming Joint City Meeting:

The Texarkana Chamber of Commerce will host the first “Joint Matters Committee” meeting with Texarkana, Arkansas on Tuesday, October 11th at 3:00 p.m. The meeting will be held at the chamber building located at 819 No. State Line Avenue. The meeting will be open to the public. Mayor Bruggeman expressed appreciation to Texarkana Chamber of Commerce President Mike Malone for leading this effort.

Parks & Recreation Events:

October 1st & 2nd	Softball Tournament	Karrh & Wallace Parks
October 6th	Movies in the Park - "Jungle Book" (7:00 p.m.)	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 welcomed Texas High School students in the audience from Mr. Littman's government class who were participating in a class assignment. Also recognized were members of Boy Scout Troop 3 from Sacred Heart Catholic Church. The boy scouts were working on their "Citizenship in the Community" merit badges.

Mayor Bruggeman was excited to announce the birth of his new grandson, Shepherd "Shep" Lane Friday who was born on Saturday, September 24th. "Welcome Shep"!

The Mayor reminded everyone that next Tuesday, October 4th is National Night Out. There will be numerous block parties throughout the city. Citizens were reminded to turn on their porch lights for this special event.

The Mayor announced that last week the city held the first Comprehensive Planning meeting at the Texarkana Convention Center. City staff was joined by 91 citizens from the community. The second public Comprehensive Planning meeting will be held on Tuesday, November 15th at the Texarkana Convention Center beginning at 6:00 p.m. Citizens are once again invited to attend.

The Mayor welcomed Louise Tausch as Legal Counsel filling in for Jeff Lewis.

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

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".

There were no public comments made at Open Forum.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:12 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 12, 2016 at 6:00 PM.

Action Items - None

VI. FIRST BRIEFINGS

1. Ordinance No. 2016-110 granting a Specific Use Permit to allow the one additional use of a tattoo studio for the application of permanent cosmetics on a .34 acre tract (Tract 49) in the MEP & P HRS, A-421, located in a tenant space at 4066 Summerhill Square. Alan Schimming, owner. Jordan Chandler, agent.

   Public Hearing: October 10, 2016
   Second Briefing: October 24, 2016
   Council Vote: November 14, 2016

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 10/10/2016 6:00 PM**

2. Ordinance No. 2016-111 rezoning a 1.574 acre tract of land in the MEP & P HRS, A-18, located at 6872 Hampton Road. General Retail to Commercial. Mike Berry, Texarkana Hampton Road LLC, owner. Jason Vanderhoof, agent.

   Public Hearing: October 10, 2016
   Second Briefing: October 24, 2016
   Council Vote: November 14, 2016

   David Orr briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 10/10/2016 6:00 PM**

3. Resolution No. 2016-113 establishing a Community Relations Expenditures Policy.

   Public Hearing: October 10, 2016
   Second Briefing: October 24, 2016
   Council Vote: November 14, 2016

   City Manager Whitson briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 10/10/2016 6:00 PM**

4. Resolution No. 2016-114 authorizing the expenditure of Community Relations funds in support of the KCS Holiday Express Train event.

   Public Hearing: October 10, 2016
   Second Briefing: October 24, 2016
   Council Vote: November 14, 2016

   City Manager Whitson briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 10/10/2016 6:00 PM**

5. Resolution No. 2016-115 authorizing the expenditure of Community Relations funds in support of the Live United Bowl Team's Banquet.

   Public Hearing: October 10, 2016
   Second Briefing: October 24, 2016
   Council Vote: November 14, 2016

   City Manager Whitson briefed this item.

RESULT:	**MOVED FORWARD**	**Next: 10/10/2016 6:00 PM**

6. Resolution No. 2016-116 revising the Fire Department's swap time policy.

   Public Hearing: October 10, 2016
   Second Briefing: October 24, 2016
   Council Vote: November 14, 2016

   Eric Schlotter briefed this item. Louise Tausch provided legal comments for council consideration.

RESULT:	**MOVED FORWARD**	**Next: 10/10/2016 6:00 PM**

VII. PUBLIC HEARINGS

1. Resolution No. 2016-118 joint with Riverbend Water Resources District to the U.S. Army Corps of Engineers concurring and confirming requests made for sponsorship for any existing or new water reallocated out of Lake Wright Patman.

Public Hearing: September 26, 2016
Second Briefing: September 26, 2016
Council Vote: September 26, 2016

Steve Mayo briefed this item. Mayor Bruggeman thanked Steve Mayo and Liz Fazio for their service to the city in regards to water matters. The Mayor also thanked several members from the Riverbend Water Resources District for their attendance at the meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates - Fire Fighter Ballot Initiative

City Manager Whitson gave a slide presentation providing current information about the Texarkana, Texas Fire Department and the fire fighter ballot initiative regarding collective bargaining. Louise Tausch added legal comments for council consideration.

Mayor Bruggeman thanked Mr. Whitson for the comprehensive report and informative material shared with the council. The report will soon be made available on the city's website and will be attached the minutes of this meeting. Mayor Bruggeman also thanked Louise Tausch for her comments in reference to federal laws that pertain to employment issues.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman asked for an update on the Interstate 30 gateway welcome sign. Kyle Dooley said a recent conversation held with MTG Engineers staff addressed the issue of whether to supply electricity to the sign or use solar power. It was decided to finalize plans to supply electricity to the site to provide back lighting to the sign. The bid process will soon follow.

2. City Staff

   Staff had no comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:41 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • SEPTEMBER 12, 2016

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	
Jean H. Matlock	Ward 1	Present	
Willie Ray	Ward 2	Present	
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, Kristin Peeples, Kyle Dooley, Robby Robertson, Jim Cornelius, Karey Parker, J.D. Phillips, Lisa Thompson, Kevin Schutte, Bill McAnally, Chris Black, Eric Schlotter, David Orr, Jim Powell, Sherry Jackson Hawkins and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY PADDOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, September 26, 2016 at 6:00 p.m.
Monday, October 10, 2016 at 6:00 p.m.
Monday, October 24, 2016 at 6:00 p.m.

Parks & Recreation Events:

Beginning September 12th Fall Softball League Karrh 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>

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

Mayor Bruggeman welcomed students from Mr. Littman's government class at Texas High School. Included among the students was Council Member Paddock's daughter Mary Claire who is a senior.

Mayor Bruggeman thanked Pastor Jason Calhoun and the Landmark Pentecostal Church congregation for hosting an outstanding program held on Sunday, September 11th, the 15th anniversary of 9/11. The special service was called "Unity in the Community" which honored police and fire responders. The event was an excellent display of support for first responders in our community.

Mayor Bruggeman reminded everyone that the 72nd Four States Fair is underway. He encouraged citizens and families to enjoy this year's activities at the fair and rodeo. The last day of the fair will be September 18th.

Mayor Bruggeman announced that the city is making headway with the Comprehensive Plan. A special committee, comprised of representatives from the council, community and staff, is moving forward with this endeavor and has given it a theme: "Renew Texarkana". There are two upcoming public meetings that will be held at the Texarkana Convention Center from 6:00 p.m. to 8:00 p.m. Public Meeting #1 will be held on September 20th and Public Meeting #2 will be held on November 15th. All in the community are invited to attend to learn more about what this committee is doing to prepare Texarkana for the future.

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

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".

There were no public comments made at Open Forum.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:11 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on August 22, 2016 at 6:00 PM.

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

2. Consider approval of the minutes of the Special Meeting of the City Council held on August 29, 2016 at 6:00 PM.

3. Resolution No. 2016-087 adopting the FY17 Master Fee List.

   Public Hearing: August 8, 2016
   Second Briefing: August 22, 2016
   Council Vote: September 12, 2016

4. Resolution No. 2016-107 accepting the City of Lubbock's tree recognition honor for the City of Texarkana, Texas.

   Public Hearing:
   Second Briefing:
   Council Vote: September 12, 2016

5. Ordinance No. 2016-109 amending the Fire and Police Department budget for FY 2016.

   Public Hearing:
   Second Briefing:
   Council Vote: September 12, 2016

Action Items

6. Ordinance No. 2016-086 amending the budget estimate of the revenues and expenditures for the fiscal year ending September 30, 2016 and adopting the budget and appropriating resources for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

   Public Hearing: August 8, 2016
   Second Briefing: August 22, 2016
   Council Vote: September 12, 2016

   Mayor Bruggeman asked the City Secretary for a roll call vote.
   (6:26 p.m.)

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock
NAYS:	Davis
EXCUSED:	Bruggeman

7. Ordinance No. 2016-095 fixing the tax rate and levy in and for the City of Texarkana, Texas, for the fiscal year ending September 30, 2017 upon all taxable property in the City of Texarkana, Texas.

   Public Hearing: August 22, 2016
   Second Briefing: August 29, 2016
   Council Vote: September 12, 2016

   Mayor Bruggeman asked the City Secretary for a roll call vote.
   (6:29 p.m.)

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Brian Matthews, Ward 4
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock
NAYS:	Davis
EXCUSED:	Bruggeman

8. Resolution No. 2016-096 ratifying the recently adopted budget that contains a property tax rate that raises more total property taxes than the previous year.

   Public Hearing:
   Second Briefing:
   Council Vote: September 12, 2016

   Mayor Bruggeman asked the City Secretary for a roll call vote. Mayor Bruggeman thanked the council for passing the FY17 budget and city staff who spent lots of hours and hard work in preparing this year's budget.
   (6:30 p.m.)

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

VI. FIRST BRIEFINGS

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

1. Ordinance No. 2016-108 authorizing the issuance of "City of Texarkana, Texas, General Obligation Refunding Bonds, Series 2016"; levying a continuing direct annual ad valorem tax for the payment of said bond and resolving other said matters.

   Public Hearing:
   Second Briefing:
   Council Vote: September 12, 2016

   Kristin Peeples briefed this item.
   (6:34 p.m.)

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

VII. PUBLIC HEARINGS

1. Motion to move Ordinance No. 2016-102 up for council vote.

   (6:39 p.m.)

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

2. Ordinance No. 2016-102 regulating the speed of motor vehicles upon a certain section of FM 989 within the corporate limits of the City of Texarkana, Texas; registering the set speed limits in the City's Traffic Register; and authorizing the Texas Department of Transportation to erect signs.

   Public Hearing: September 12, 2016
   Second Briefing: September 26, 2016
   Council Vote: October 10, 2016

   There were no public comments made at this hearing.
   (6:39 p.m.)

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

3. Motion to move Ordinance No. 2016-103 up for council vote.

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

(6:40 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Brian Matthews, Ward 4
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

4. Ordinance No. 2016-103 rezoning Lots 1 and 2, Block 170, Trigg's Addition, located at 1317 Oak Street. Commercial to Single Family-2. Brusser Jackson, applicant. James L. Cook, agent.

Public Hearing: September 12, 2016
Second Briefing: September 26, 2016
Council Vote: October 10, 2016

There were no public comments made at this hearing.
(6:41 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tina Veal-Gooch, Ward 3
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Motion to move Ordinance No. 2016-104 up for council vote.

(6:42.p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Willie Ray, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Ordinance No. 2016-104 rezoning Lot 7, Block 36, Grandview Addition, located at 2822 Norris Cooley Drive. Single Family-3 to Neighborhood Service. Mattie Dixon, applicant. Reana M. Sanders, agent.

Public Hearing: September 12, 2016
Second Briefing: September 26, 2016
Council Vote: October 10, 2016

There were no public comments made at this hearing.
(6:43 p.m.)

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

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

Agenda Items Withdrawn

1. Ordinance No. 2016-105 amending the Code of Ordinances, Land Development Code, Chapter 14-111 pertaining to sign exceptions in the University Planned Development District (UPDD). Texas A & M University-Texarkana, applicant.

   Public Hearing: September 12, 2016
   Second Briefing: September 26, 2016
   Council Vote: October 10, 2016

   NOTE: Ordinance No. 2016-105 was withdrawn by the requestor Monday, August 29th via e-mail.

RESULT:	**WITHDRAWN**

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates - There were no updates for council.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said he received a call about a fire that had caused extensive damage to a home on DeSoto Circle. Residents made comments that they were very pleased with the response and professional actions of the Fire Department. Mayor Bruggeman expressed thanks and personal appreciation to Fire Chief Eric Schlotter and the crew of the four units that responded to the call and extinguished the fire.

2. City Staff

   Human Resources Director Jim Powell thanked the council for its action in passing the FY17 budget which incorporated raises for the employees. The employee compensation

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

study project had been in development for the past 18 months. Mr. Powell also thanked each member who served on the compensation study committee. The passing and adopting of this year's budget is a turning point for the City of Texarkana's future, its staff and residents.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.074 (personnel matters) to discuss or deliberate the city manager's evaluation, duties, goals and performance review.

XIII. RECONVENED INTO OPEN SESSION

The City Council reconvened into open session.

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:38 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Josh Davis, Ward 6
SECONDER:	Christy P. Paddock, Ward 5
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Sep 12, 2016 6:00 PM (Consent Items)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 9/16/2016 1:18 PM

Lead Department:	Planning and Community Development		**Action Officer:**	Debbie Burk,			
Subject:	Ordinance No. 2016-110 granting a Specific Use Permit to allow the one additional use of a tattoo studio for the application of permanent cosmetics on a .34 acre tract (Tract 49) in the MEP & P HRS, A-421, located in a tenant space at 4066 Summerhill Square. Alan Schimming, owner. Jordan Chandler, agent.						
Briefing:	10/10/2016	**Public Hearing:**	10/10/2016	**Second Briefing:**	October 24, 2016	**Council Vote:**	11/14/2016

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

S-672: This is a request by Alan Schimming, owner, and Jordan Chandler, agent, for a Specific Use Permit, SUP, to allow the one additional use of a tattoo studio for the application of permanent cosmetics in a tenant space at 4066 Summerhill Square (Tract 49, MEP & P HRS, A-421). Permanent cosmetics are considered "tattooing" per the City's Zoning Ordinance.

The adjacent zoning is General Retail to the north, south and west and Single Family-2 to the east. Other tenant spaces in the Summerhill Square Shopping Center are located to the north, south and west and a single family residential neighborhood is located to the east.

This property is zoned General Retail. A Specific Use Permit is required in this zoning district to allow the one additional use of a tattoo studio for the application of permanent cosmetics business which is considered a "tattoo" per the City's Zoning Ordinance. Several medical facilities and hair salons are now offering this type service for clients.

The agent, Ms. Chandler, is proposing to start a new technique called "microblading". Because this new procedure requires a tattoo license, staff determined that a Specific Use Permit would be required to practice this technique.

All notification and application requirements have been met to consider this request.

Potential Options:

NONE

Fiscal Implications:

NONE

Staff Recommendation:

Staff recommends for approval of the Specific Use Permit to allow a permanent cosmetics business with the following stipulations:

1. That the owner/or any employee performing the application of permanent cosmetics be currently licensed by the state and meet all federal, state and city licensing laws and health regulations. A copy of the current license must be provided to the City prior to the opening of the business.
2. That the Specific Use Permit be intended for the application of permanent cosmetics only.
3. That if this use ever ceases to exist at this location, the City may revoke the Specific Use Permit.

This request meets all city requirements to allow the one additional use on this property. There is adequate parking for this business.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the request with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

September 6, 2016

Attachments

a. 2016-110 ORD for SUP in tenant space at 4066 Summerhill Square (DOCX)
b. 2016-110 ATTH 01 Maps (PDF)
c. 2016-110 ATTH 02 Technique of "microblading" (PDF)
d. Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 09/14/2016 4:57 PM
Assistant City Manager Review	Completed	Shirley Jaster 09/15/2016 9:14 AM	Assistant City Manager	
Public Information Officer		Lisa Thompson	PIO Review	Completed 09/15/2016 9:32 AM
City Manager	John Whitson	City Manager Review	Completed	09/21/2016 9:11 AM
City Council	Jennifer Evans	Meeting	Completed	09/26/2016 6:00 PM

Meeting History

ORDINANCE NO. 2016-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-672 TO ALLOW ONE ADDITIONAL USE OF A TATTOO STUDIO FOR THE APPLICATION OF PERMANENT COSMETICS ON A .34 ACRE TRACT (TRACT 49) IN THE MEP & P HRS, A-421, LOCATED IN A TENANT SPACE AT 4066 SUMMERHILL SQUARE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an Amendment to the Zoning Ordinance so as to grant a **Specific Use Permit** to allow the **one additional use of tattoo studio for the application of permanent cosmetics** on a .34 acre tract (Tract 49) in the MEP & P HRS, A-421, located in a tenant space at 4066 Summerhill Square, in the City of Texarkana, Bowie County, Texas; 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 **unanimously five (5) to Zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the one additional use of a tattoo studio for the application of permanent cosmetics** on said property; 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 granting the **Specific Use Permit** 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 further amended so as to grant **Specific Use Permit numbered S-672 for the purpose of allowing the one additional use of a tattoo studio for the application of permanent cosmetics** on the following described property, to-wit: **a .34 acre tract (Tract 49) in the MEP & P HRS, A-421, located in a tenant space at 4066 Summerhill Square, in the City of Texarkana, Bowie County, Texas.**

SECTION 2: That the following stipulations are hereby imposed and made a part of this Ordinance:

Attachment: 2016-110 ORD for SUP in tenant space at 4066 Summerhill Square (1539 : 2016-110 ORD to allow SUP for permanent cosmetics

1. That the owner/or any employee performing the application of permanent cosmetics be currently licensed by the state and meet all federal, state and city licensing laws and health regulations. A copy of the current license must be provided to the City prior to the opening of the business.
2. That the Specific Use Permit be intended for the application of permanent cosmetics only.
3. That if this use ever ceases to exist at this location, the City may revoke the Specific Use Permit.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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 **14th day of November, 2016.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2016-110 ORD for SUP in tenant space at 4066 Summerhill Square (1539 : 2016-110 ORD to allow SUP for permanent cosmetics

Attachment: 2016-110 ATTH 01 Maps (1539 : 2016-110 ORD to allow SUP for permanent cosmetics (tattoo studio) at 4066 Summerhill Square)

Attachment: 2016-110 ATTH 01 Maps (1539 : 2016-110 ORD to allow SUP for permanent cosmetics (tattoo studio) at 4066 Summerhill Square)

6.1.c

Everything You Need to Know About Microblading Your Eyebrows

COURTESY

FEBRUARY 14, 2016 @ 3:45 PM

BY: ALEXIS BENNETT (HTTP://WWW.INSTYLE.COM/AUTHOR/ALEXIS-BENNETT)

It doesn't matter if you like them arched and feathered or straight and bold, eyebrows are arguably the most important facial feature. If you're not satisfied with the ones you have, there are so many ways to update them, including brow gel, pencils, and even tattooing. But now there's a very natural option that delivers semi-permanent results. Ladies, we'd like

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Get That Look: Emily Blunt's Feathered Brows

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The Best Makeup Tips for Every Eye Shape (http://www.instyle.com/beauty-e

JUL 29, 2016 @ 3:45 PM

So, That's How Kylie Gets THOSE Lashes

Attachment: 2016-110 ATTH 02 Technique of "microblading" (1539 : 2016-110 ORD to allow SUP for permanent cosmetics (tattoo studio) at

6.1.c

21746 SHARES
(HTTP://WWW.INSTYLE.COM/NEWS/WHAT-IS-EYEBROW-MICROBLADING-GUIDE-FACTS)
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to introduce you to microblading. Unlike the sometimes Sharpie-esque effects of permanent makeup, microblading is more of an embroidery of trompe l'œil strokes that look just like real hairs.

Nadia Afanaseva (http://nadia-afanaseva.com/), microblading expert and trainer at Eye Design New York gave us the 411 on the unique service, and after our talk there's no surprise why so many women love it. "Microblading is perfect for those who want to fully reconstruct, define, cover gaps, or fill-in over plucked brows," she explained. The professional lash and eyebrow expert also revealed that those who just want to add a slight arch are also great candidates, and the results are a natural, undetectable fringe.

RELATED: See the Most Popular Brow Shapes Through the Decades
(http://www.instyle.com/beauty/eyes/history-eyebrows)

If you're still not sure how the technique differs from tattooing, Afanaseva explained that "during the microblading process we use a special microblading pen to draw on individual strokes one by one." It's an extremely meticulous process that takes around two hours to complete. Since the results will last for up to three years before beginning to fade it's good to know that the technicians pay so much attention to detail. "The first hour we're drawing the shape in with removable pencil. That's the longest part and the most important step. During this time, the best customized shape for every client is chosen." The pro advises clients to be cautious of places that claim to complete the process in one hour. "It's not a rushed procedure, it cannot be done in an hour."

Before the microblading begins, a topical numbing cream is applied to the area to minimize discomfort, followed by a liquid anesthetic. If you're worried that the process is painful, Afanaseva assures, "some clients may feel a slight discomfort, but it's relatively painless."

RELATED: 3 Steps to Perfect Brows
(http://www.instyle.com/beauty/3-steps-perfect-brows)

The best part about the technique is that there is no down time. Your new set of brows will be ready for a selfie immediately after the process. The pro, however, does recommend a follow-up one month after your appointment. "The healing process is different for everyone, and it takes between 25 and 30 days. After a month we recommend a 40-minute touch-up to most customers."

"Unlike eyebrow extensions, which you have to be careful about maintaining, microblading is low maintenance. After healing, you can rub them and enjoy swimming. No special care is required, except for a brief touch-up once a year." The smudge-proof solution will cost you anywhere between $700 and $800. But waking up every morning with perfect brows may totally be worth it.

(http://www.instyle.com/beauty/eyes/kylie-jenner-mascara)

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(http://www.outbrain.com/what-is/default/en)

Attachment: 2016-110 ATTH 02 Technique of "microblading" (1539 : 2016-110 ORD to allow SUP for permanent cosmetics (tattoo studio) at

in the deeper layers of the skin. Later skin cells push it back to the upper layers. Once the healing is completed, you will enjoy a pair of beautiful, new, natural looking eyebrows.

Here are a few Microblading before and after photos of past clients:

Attachment: 2016-110 ATTH 02 Technique of "microblading" (1539 : 2016-110 ORD to allow SUP for permanent cosmetics (tattoo studio) at

●●○○○ Verizon LTE 1:58 PM

microblading t

www.lovbeauty.net

Manual tattoo pen for 3D
eyebrow embroidery - MI

Images may be subject to copyright.

Attachment: 2016-110 ATTH 02 Technique of "microblading" (1539 : 2016-110 ORD to allow SUP for permanent cosmetics (tattoo studio) at

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	No Additional

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:

Attachment: Goals & Perspectives (1539 : 2016-110 ORD to allow SUP for permanent cosmetics (tattoo studio) at 4066 Summerhill Square)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 9/16/2016 1:15 PM

Lead Department:	Planning and Community Development	**Action Officer:**	Debbie Burk,		
Subject:	Ordinance No. 2016-111 rezoning a 1.574 acre tract of land in the MEP & P HRS, A-18, located at 6872 Hampton Road. General Retail to Commercial. Mike Berry, Texarkana Hampton Road LLC, owner. Jason Vanderhoof, agent.				
Briefing: 10/10/2016	**Public Hearing:** 10/10/2016	**Second Briefing:**	October 24, 2016	**Council Vote:**	11/14/2016

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-16-16: This is a request by Mike Berry, Texarkana Hampton Road, LLC, owner, and Jason Vanderhoof, agent, to rezone a 1.574 acre tract of land in the George Brinlee HRS, A-18, located at 6872 Hampton Road from General Retail to Commercial to allow outdoor display.

The adjacent zoning is General Retail to the north, east and west. The adjacent land usage is vacant land to the north, east and west and Interstate-30 to the south.

The Comprehensive Plan has designated this as a retail area.

This property is currently zoned General Retail. Mr. Jason Vanderhoof, owner of Vanderhoof Landscaping and Blue Canyon Pools recently relocated to this site on Hampton Road that is currently a two tenant space retail building. A paint store is located in the other tenant space.

Office use and inside retail sales are allowed in the General Retail zoning district. However, Mr. Vanderhoof is proposing to provide outdoor displays such as a pool, landscaping materials, outdoor kitchens, etc. According to the City's Zoning Ordinance, outdoor storage or display requires Commercial zoning.

All notification and application requirements have been met to consider this request.

Potential Options:

NONE

Fiscal Implications:

NONE

Staff Recommendation:

Staff recommends for approval of this request for rezoning to the Commercial zoning district to allow outdoor display.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the request.

Advisory Board/Committee Meeting Date and Minutes:

September 6, 2016

Attachments

a. 2016-111 ORD rezoning 6872 Hampton Road (DOCX)
b. 2016-111 ATTH 01 Maps (PDF)
c. Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Completed	David Orr 09/14/2016 4:58 PM	Department Head Review	
Assistant City Manager Review	Completed	Shirley Jaster 09/15/2016 9:18 AM	Assistant City Manager	
Public Information Officer	09/15/2016 9:32 AM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	09/21/2016 9:13 AM
City Council	Jennifer Evans	Meeting	Completed	09/26/2016 6:00 PM

Meeting History

Z-16-16

ORDINANCE NO. 2016-111

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 1.574 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 6872 HAMPTON ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM GENERAL RETAIL TO COMMERCIAL; 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 a 1.574 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit A**), located at 6872 Hampton Road in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial;** 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 **General Retail to Commercial** to the City Council of the City 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 **General Retail to Commercial** 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 a 1.574 acre tract of land in the George Brinlee HRS, A-18 (**Exhibit A**), located at 6872 Hampton Road in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial.**

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.

Attachment: 2016-111 ORD rezoning 6872 Hampton Road (1540 : 2016-111 ORD rezoning 6872 Hampton Road)

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 **14th day of November, 2016.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2016-111 ORD rezoning 6872 Hampton Road (1540 : 2016-111 ORD rezoning 6872 Hampton Road)

Attachment: 2016-111 ATTH 01 Maps (1540 : 2016-111 ORD rezoning 6872 Hampton Road)

Attachment: 2016-111 ATTH 01 Maps (1540 : 2016-111 ORD rezoning 6872 Hampton Road)

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	No Additional

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:

Attachment: Goals & Perspectives (1540 : 2016-111 ORD rezoning 6872 Hampton Road)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 9/23/2016 9:03 AM

Lead Department: City Manager **Action Officer:** John Whitson, City Manager

Subject: Resolution No. 2016-113 establishing a Community Relations Expenditures Policy.

Briefing: 10/24/2016	**Public Hearing:** 10/10/2016	**Second Briefing:** October 24, 2016	**Council Vote:** 11/14/2016
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Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Throughout the fiscal year the city often pays to participate in certain community relations activities sponsored by non-governmental organizations. Staff charges these city expenses to various accounts within the city council's budget such as "Training and Travel" or "Supplies" since no account had been established with a clear designation for these types of charges.

During FY16 the staff created a new account number 101-xxxx-54514 wherein these types are charges can be recorded as properly classified. During the development of the FY17 budget the staff recommended that $50,000 be appropriated in the account 101-1000-54514 permitting the city council to have some flexibility throughout the year to fund certain activities classified as community relations activities.

After the city council adopted the recommended FY17 budget the city council, by motion, second, and vote, directed the staff to prepare and present the city council with a policy of how these funds may be expended. Since prior year expenditures had been charged to various other accounts the $50,000 does not represent all new funding. Other accounts were reduced accordingly to help provide for the $50,000 grand total. Therefore, some expenditures are expected to be consistent with prior years' expenditures. Generally, these expenditures include activities such as:

Dine-on-the-Line
USMC Birthday Ball
Freedom Fund Awards Banquet
MLK Gala
Economic Outlook Dinner
Firefighters' Ball
RRAD Hail and Farewell
and others

Staff has prepared a simple policy permitting the city manager's office to continue to approve expenditures similar to expenditures in past fiscal years in amounts of up to $2,000 per single

expenditure. All other expenditures must be approved by resolution of the city council. The policy also includes a general policy statement that these funds are not available for contribution or distribution to non-governmental organizations but rather for the city to participate with non-governmental organization by providing a service to the organization or event.

Potential Options:

- Adopt the recommended resolution
- Amend and Adopt the resolution
- Deny the recommended resolution

Fiscal Implications:

Expect to expend approximately $6,000 for routine charges but subject to expending the full $50,000 should appropriate opportunities be presented by qualifying organizations.

Staff Recommendation:

Recommend adoption of the resolution as presented

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-113 RES Establishing Policy Related to the Expenditures of Community Relations Funds (DOC)
b. 2016-113 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	09/16/2016 8:18 AM
Assistant City Manager Review	Completed	Shirley Jaster	Assistant City Manager	09/16/2016 11:17 AM
Public Information Officer		Lisa Thompson	PIO Review	Completed 09/16/2016 11:49 AM
City Manager	John Whitson	City Manager Review	Completed	09/21/2016 9:16 AM
City Council	Jennifer Evans	Meeting	Completed	09/26/2016 6:00 PM

Meeting History

RESOLUTION NO. 2016 - 113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ESTABLISHING POLICY RELATED TO THE EXPENDITURES OF COMMUNITY RELATIONS FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, city staff recommended and programmed $50,000 to be appropriated in the FY17 Budget for the purpose of promoting community relations; and

WHEREAS, upon adoption of the FY17 budget, the city council directed that a policy be presented for their consideration concerning the approval of Community Relations expenditures; and

WHEREAS, throughout any given fiscal year a number of opportunities are generally presented wherein the city is asked to financially participate in certain activities that are intended to promote community spirit in support of a specific non-governmental activity; and

WHEREAS, in previous fiscal years and budgets the staff has programmed some undesignated funds within an unrelated account or has reviewed expenditures and determined undesignated funds were available to accommodate a small level of city support of activities that might be classified as community relations activities; and

WHEREAS, some of the previous requests include; Railroad Company Holiday Train Visit: Dragon Boat Race; Mayoral and/or City Council Parade Floats; and other similar activities; and

WHEREAS, other activities such as tickets and/or table sponsorships for Dine-On-The-Line; USMC Birthday Ball; Freedom Fund Awards Banquet; MLK Gala; Economic Outlook Dinner; Roast and Toast of Prissy Hickerson; Firefighters' Ball; RRAD Hail and Farewell; Annual Chamber of Commerce Celebration Dinner; and other similar invitations and events; and

WHEREAS, the $50,000 appropriation for Community Relations does not represent all new funding but rather a combination of some new funding and reprogrammed funds that in previous years these activity charges had been assigned to other accounts within the city council budget.

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

SECTION 1: The general policy statement related to Community Relations Funding is that the funds are not intended to be funds to be contributed or distributed to non-governmental organizations but rather for the city to provide a service to or to participate with other community service or social organizations that generally serve the community.

Attachment: 2016-113 RES Establishing Policy Related to the Expenditures of Community Relations Funds [Revision 1] (1542 : 2016-113 RES

SECTION 2; Expenditure of Community Relations Funds requires city council approval by resolution for single expenditures exceeding $2,000. All other expenditures such as admission tickets, table sponsorships, celebratory meals, and other similar charges are hereby authorized as approved by the city manager's office.

SECTION 3: 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 **14th day of November, 2016**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2016-113 RES Establishing Policy Related to the Expenditures of Community Relations Funds [Revision 1] (1542 : 2016-113 RES

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 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
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☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2016-113 Goals & Perspectives (1542 : 2016-113 RES Establishing community relations expenditure policy)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 9/23/2016 9:25 AM

Lead Department: City Manager **Action Officer:** John Whitson, City Manager

Subject: Resolution No. 2016-114 authorizing the expenditure of Community Relations funds in support of the KCS Holiday Express Train event.

Briefing: 10/24/2016	**Public Hearing:** 10/10/2016	**Second Briefing:**	October 24, 2016	**Council Vote:**	11/14/2016

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Frequently the Kansas City Southern Railroad Company will stop their Holiday Express Train in Texarkana for the community to access and enjoy the train. The event is generally an evening event and thousands of area families participate in the event. Often the city staff is not aware of Texarkana being selected as a stop during the development of the city budget, therefore funds to support this event are not always budgeted.

This event meets the definition of being a Community Relations Event as it provides a holiday celebration for the community but requires local support to make the event happen. The city will be coordinating manpower and equipment and also providing city staff support throughout the event.

It is anticipated that the city will contract with TISD for buses with drivers in amount of approximately $2,000. Rentals of other equipment such as portable toilets and light unites are estimated to be about $1,000. Overtime for city staff supporting the event will be about $700. The police department will be providing eight to ten officers for traffic control and security.

Potential Options:

- Adopt the resolution as recommended
- Revise and adopt the resolution
- Deny the resolution

Fiscal Implications:

Not to exceed $4,000 in total expenditures

Staff Recommendation:

Approve the resolution as presented

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-114 RES Approving Community Relations Expenditures for the KCS Holiday Express Train (DOC)
b. 2016-114 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	09/16/2016 10:01 AM
Parks, Recreation & Health	Robby Robertson	Review	Completed	09/16/2016 10:14 AM
Public Works Department	Kyle Dooley	Review	Completed	09/16/2016 10:26 AM
Police	Dan Shiner	Review	Completed	09/16/2016 10:50 AM
Fire Department	Eric Schlotter	Review	Completed	09/16/2016 12:45 PM
Finance Department	Kristin Peeples	Finance Review	Completed	09/20/2016 9:22 AM
Assistant City Manager Review	Completed	Shirley Jaster	Assistant City Manager	09/20/2016 9:58 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	09/20/2016 10:20 AM
City Manager	John Whitson	City Manager Review	Completed	09/21/2016 9:20 AM
City Council	Jennifer Evans	Meeting	Completed	09/26/2016 6:00 PM

Meeting History

Attachment: 2016-114 RES Approving Community Relations Expenditures for the KCS Holiday Express Train [Revision 2] (1543 : 2016-114 RES

RESOLUTION NO. 2016 - 114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXPEND UP TO $4,000 OF COMMUNITY RELATIONS FUNDING IN SUPPORT OF THE 2016 KCS HOLIDAY TRAIN STOP IN TEXARKANA; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Kansas City Southern Railroad Company has announced that their 2016 Holiday Express Train will stop in Texarkana on December 10, 2016; and

WHEREAS, the Kansas City Southern Railroad Company has requested that the city provide local support for families to visit and enjoy the train while it is in Texarkana; and

WHEREAS, city staff is coordinating with the Texas Independent School District to use the football stadium area as a staging area and to provide school buses with drivers to shuttle visitors between the staging point and the train and return; and

WHEREAS, city staff and community volunteers will provide the necessary support to get people onto and off of the buses and the train.

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

SECTION 1: The City Manager is hereby authorized to expend up to $4,000 of Community Relations funds in support of the KCS Holiday Express Train Stop in Texarkana.

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 **14th day of November, 2016**.

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:	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:

Attachment: 2016-114 Goals & Perspectives (1543 : 2016-114 RES KCS Holiday Express Train expenditures)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 9/21/2016 9:36 AM

Lead Department: City Manager **Action Officer:** John Whitson, City Manager

Subject: Resolution No. 2016-115 authorizing the expenditure of Community Relations funds in support of the Live United Bowl Team's Banquet.

Briefing: 10/10/2016	**Public Hearing:** 10/10/2016	**Second Briefing:**	October 24, 2016	**Council Vote:**	11/14/2016

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The "Agent Barry Live United Bowl" committee has requested the City of Texarkana, Texas financially support the 2016 Agent Barry Live United Bowl. The committee desires to have both Texarkana, Texas and Texarkana, Arkansas involved in this growing annual event. In discussions with the planning committee it was agreed that if the city was to financially support the event the city would like to see more activity take place on the Texas side of the city. Businesses and charitable organizations on both sides of the state line will benefit from the bowl event.

The Texarkana Convention Center has been reserved for the Team's Banquet. Both teams, both bands, pep squads, and parents/family members will be attending the banquet. Entertainment is planned for the evening as well. This first class activity will help make the Live United Bowl a memorable event for the participants. The committee reports that many of the players and students who attend the colleges of the conferences considered for game invitation are from the Texarkana area.

The bowl game itself continues to grow in ticket sales which means more locals and visitors attend each year. The banquet is an integral part of the bowl experience for the teams and schools participating in the game. The committee and the convention center staff expects that the banquet can be provided at a maximum cost of $27,000.

The $27,000 contemplates a participant charge of $28 (food) for 800 participants and a 20% surcharge for labor related to food setup and staffing of the buffet lines and cleanup. Since this is a city sponsored event the convention center is not charging the standard venue charge ($5,000) and not charging for labor, audio visual equipment, sound equipment, and other rentals related to setting up the room for the event.

Potential Options:

- Adopt the resolution as presented
- Amend and adopt the amended resolution
- Deny the resolution

Fiscal Implications:

$27,000 of Community Relations Funds

Staff Recommendation:

Approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-115 RES Approving Community Relations Expenditures for the Live United Bowl Banquet (DOC)
b. 2016-115 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	09/16/2016 10:56 AM
Finance Department	Kristin Peeples	Finance Review	Completed	09/20/2016 8:57 AM
Assistant City Manager	Shirley Jaster	Assistant City Manager Review	Completed	09/20/2016 9:59 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	09/20/2016 10:20 AM
City Manager	John Whitson	City Manager Review	Completed	09/21/2016 9:36 AM
City Council	Jennifer Evans	Meeting	Completed	09/26/2016 6:00 PM

Meeting History

Attachment: 2016-115 RES Approving Community Relations Expenditures for the Live United Bowl Banquet [Revision 3] (1544 : 2016-115 RES

RESOLUTION NO. 2016 - 115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXPEND UP TO $27,000 OF COMMUNITY RELATIONS FUNDING IN SUPPORT OF THE 2016 AGENT BARRY LIVE UNITED BOWL; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Agent Barry Live United Bowl game will occur on Saturday, December 3, 2016; and

WHEREAS, the bowl committee requested that the City of Texarkana, Texas, financially support the 2016 Agent Barry United Bowl event; and

WHEREAS, the committee and city staff decided that it would be more appropriate for Texarkana, Texas to host an activity related to the bowl game which would also provide for a related major event to take place on the Texas side of the city; and

WHEREAS, the committee and Convention Center staff estimate that the banquet will cost $27,000.

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

SECTION 1: The City Manager is hereby authorized to expend up to $27,000 of Community Relations funds in support of the Agent Barry Live United Bowl banquet to be held at the Texarkana Convention Center.

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 **14th day of November, 2016**.

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:	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:

Attachment: 2016-115 Goals & Perspectives (1544 : 2016-115 RES Live United Bowl banquet expenditures)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 9/21/2016 2:40 PM

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief

Subject: Resolution No. 2016-116 revising the Fire Department's swap time policy.

Briefing:	10/24/2016	**Public Hearing:**	10/10/2016	**Second Briefing:**	October 24, 2016	**Council Vote:**	11/14/2016

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

The Fire Department currently has a practice of allowing firefighters to "swap time" with one another. Swapping time is when one firefighter works for another. When this occurs the firefighter who was supposed to be on duty is paid as though he is at work while another firefighter is actually in his position. The person who is working for another firefighter is on duty for all practical purposes other than for pay. Currently, there is a policy that governs swap time; however, this policy is in need of revision as some of the current practices are not in-line with the law and do not have proper control of the practice which allows for abuse.

The practice of swapping or trading time is authorized under the Fair Labor Standards Act in section 7(p)(3). While the practice is legal there are certain current practices that may not be in accordance with the law. Currently, firefighters use two options to payback another firefighter who has swapped with them, they either work for the person who worked for them or they provide them with remuneration the second of which may not be in accordance with the law. While conducting research for the policy revision I have not been able to find another department that allows remuneration. In fact, many strictly prohibit the practice.

In addition to addressing the issue of remuneration, the revised policy sets limits on the number of swap occurrences a firefighter can have in a given period. The current policy does not set a limit, other than to prohibit the practice of swapping multiple consecutive shifts, and this has led to abuse of the privilege. In the past three years there have been employees who have swapped as many as 35 shifts in a year. Thirty five shifts is the equivalent of three and a half months of working time.

The proposed policy would prohibit remuneration, and create a maximum number of swaps per year.

Potential Options:

- Make only the changes necessary to comply with applicable laws.
- Propose alternate provisions for the policy.

Fiscal Implications:

There are no fiscal implications for the City.

Staff Recommendation:

Staff recommends approval of the resolution as presented.

Advisory Board/Committee Review:

"NONE"

Board/Committee Recommendation:

"NOT APPLICABLE"

Advisory Board/Committee Meeting Date and Minutes:

"NOT APPLICABLE"

Attachments

a. 2016-116 RES Revising the Fire Department Policy and Procedure Manual (DOC)
b. 2016-116 RES Goals & Perspectives (DOCX)
c. 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (PDF)
d. 2016-116 ATTH 02 City of Texarkana FD Policy 20091102 (DOC)
e. 2016-116 ATTH 03 Trade Time Log (PDF)
f. 2016-116 ATTH 04 29 CFR 553 Substitution (PDF)
g. 2016-116 ATTH 05 email from Labor Counsel Cranford (PDF)
h. 2016-116 ATTH 06 Council Minutes 28 DEC 54 - FF Double (PDF)
i. 2016-116 ATTH 07 City of McKinney FD Policy (PDF)
j. 2016-116 ATTH 08 City of Nacogdoches FD Policy (DOC)
k. 2016-116 ATTH 09 City of Longview FD Policy (PDF)
l. 2016-116 ATTH 10 City of Burleson FD Policy (PDF)
m. 2016-116 ATTH 11 City of Lufkin FD Policy (PDF)
n. 2016-116 ATTH 12 City of Paris FD Policy (DOC)
o. 2016-116 ATTH 13 City of Sherman FD Policy (PDF)
p. 2016-116 ATTH 14 City of Tyler FD Policy (PDF)
q. 2016-116 ATTH 15 City of Duncanville FD Policy (PDF)
r. 2016-116 ATTH 16 City of Irving FD Policy (PDF)

Staff Coordination

Fire Department	Eric Schlotter 09/20/2016 7:25 AM	Department Head Review	Completed	
Assistant City Manager Review	Completed	Shirley Jaster 09/20/2016 8:55 AM	Assistant City Manager	
Public Information Officer	09/20/2016 2:19 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	09/23/2016 8:18 AM

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	09/26/2016

Meeting History

Attachment: 2016-116 RES Revising the Fire Department Policy and Procedure Manual (1545 : 2016-116 RES revising fire department swap time

RESOLUTION NO. 2016 - 116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, REVISING THE TEXARKANA, TEXAS FIRE DEPARTMENT POLICY AND PROCEDURE MANUAL, GENERAL PERSONNEL POLICIES, SECTION 8 - SUBSTITUTES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Fire Department allows for the use of substitutes; and

WHEREAS, the Fire Department strives to maintain compliance with applicable laws; and

WHEREAS, the proper operation of the Fire Department requires well-developed policies and procedures.

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

SECTION 1: That Section 8 - Substitutes of the General Personnel Policies, contained in the Texarkana, Texas Fire Department Policy and Procedure Manual is revised as written in **Attachment #1**.

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 **14th day of November, 2016**.

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 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:

Attachment: 2016-116 RES Goals & Perspectives (1545 : 2016-116 RES revising fire department swap time policy)

	Texarkana Fire Department **Policy and Procedures Manual**	
	Title: General Personnel Policies	
	Applies to: All Personnel	
	Approved by: Eric Schlotter, Fire Chief	Effective Date: 11-14-2016 Revision Date: 11-14-2016 Pages: 1 of 13 | Tab: 19

This Policy/Procedure is for the Texarkana Texas Fire Department's internal use only and does not enhance an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Policy/Procedure, if proven, may only form the basis for a complaint by the Texarkana Texas Fire Department in a non-judicial, administrative setting.

Section 1 Administration

1-1 Purpose: The purpose of this section is to provide information on various personnel related issues within the department. This policy should be used in conjunction with Chapter 143, Texas Local Government Code; City of Texarkana, Texas Personnel Policies; and various Federal and State of Texas laws related to personnel issues.

1-2 Scope: This policy applies to all personnel. When conflicts arise between various laws and policies governing personnel issues, they are to be resolved by the following priority order:

a) Federal Statutes and Rules

b) Chapter 143, Texas Local Government Code (Civil Service)

c) Other State of Texas statutes and rules

d) City of Texarkana, Texas Local Civil Service Rules

e) City of Texarkana, Texas Personnel Policies

i) Exception: In circumstances where department policies are more stringent than city policies, the more stringent policy will apply.

f) Texarkana Fire Department Policies and Procedures

Section 2 Definitions

2-1 Civil Service Law – Chapter 143 of the Texas Local Government Code.

2-2 Local Civil Service Rules – Rules governing local Civil Service as approved by the Civil Service Commission and published by the Civil Service Director

2-3 Personnel Policies – Policies of the City of Texarkana, Texas as approved by the City manager and City Council and made available to employees by the Human Resources Director.

2-4 USSERA –*Uniformed Services Employment and Reemployment Rights Act.* This Federal law specifies rights regarding employment and re-employment for veterans returning from active duty.

Section 3 Pay and Benefits

3-1 Base Pay – All members shall receive base pay as approved by the City Council in the current budget. All members holding the same rank and having the same tenure in their rank shall receive the same base pay.

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

3-2 Longevity Pay – All members shall receive longevity pay at the rate of $4.00 per month per year of service. The maximum longevity pay is $100.00 per month.

3-3 Certification Incentive Pay – Members who hold advanced levels of certification from the Texas Commission on Fire Protection are eligible for certification incentive pay. Members with Intermediate certification shall receive $50.00 per month. Members with advanced certification shall receive $100.00 per month. Members with master certification shall receive $150.00 per month. Members may receive both certification incentive pay and education incentive pay.

3-4 Education incentive pay – Eligible members may receive education incentive pay. Qualifications and pay amounts are listed in the City Personnel Policy Handbook. Members may receive both certification incentive pay and education incentive pay.

3-5 Overtime pay – Overtime pay shall be calculated and paid in accordance with the Fair Labor Standards Act and City Personnel Guidelines. In Operations Division, overtime pay shall be calculated based on a 15 day FLSA cycle. Overtime shall be paid on the payday following the pay period in which the FLSA cycle ends. In calculating overtime, leave time shall be credited in accordance with City personnel guidelines.

3-6 Step-up Pay – Members temporarily working in a higher classification shall be paid step-up pay. Step-up pay shall be the difference between the member's base pay and the lowest base pay of the next higher classification.

3-7 Assignment Pay – Members assigned to Fire Prevention or Training Divisions will receive assignment pay in the amount specified in the City budget. Other members may receive assignment pay if assigned to special functions and assignment pay is approved in the City budget.

3-8 Vacation – Members shall accumulate 15 days of vacation per year. Rate of accumulation shall be as indicated in the city personnel guidelines.

3-9 Holidays – Members shall receive holiday leave as indicated in the city personnel guidelines.

3-10 For members in Operations Division, two (2) days of leave time shall be equivalent to one (1) 24 hour shift.

3-11 Members in Operations Division shall take holidays with their vacation. Vacations and holidays shall be scheduled as directed by the Fire Chief.

3-12 Members in all divisions except Operations shall take holidays on the scheduled day as listed in the city personnel guidelines. These members shall request vacation time by submitting a written request to their immediate supervisor for approval.

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

3-13 Sick Leave – Members shall accumulate 15 days of sick leave per year as indicated in the city personnel guidelines. Members may take sick leave as allowed by the City personnel guidelines and by the section in this chapter entitled "Sick Leave".

Section 4 Working in a higher classification

4-1 Members working temporarily in a higher classification shall receive step-up pay in accordance with paragraph 3-6 above.

4-2 The Battalion Chief of Operations is authorized to approve step-up in accordance with these guidelines. Any exceptions to these guidelines shall be approved by the Fire Chief.

4-3 Each individual selected to step-up shall be qualified and capable of filling the position in the next higher rank that is open. Not every individual of a particular rank meets these requirements. Determination of the fitness to step-up is based solely on the judgment of the Operations Chief and/or Fire Chief.

4-4 Members shall not step-up more than one rank.

4-5 Newly promoted members shall not step-up until after successful completion of a six-month training period in their new rank. This six-month training period also applies to personnel transferred from other divisions who do not have prior experience at their current rank in Operations Division.

4-6 Newly hired members shall not step-up until after completion of their probationary period

4-7 Members shall not step-up to fill positions if there are members of the appropriate rank available to fill the position.

Section 5 Sick Leave

5-1 All members are eligible for sick leave benefits. Members shall accumulate sick leave in accordance with Texas Civil Service Law and City personnel guidelines.

5-2 Members retiring or resigning from the Fire Department shall receive pay for unused sick leave in accordance with Texas Civil Service Law and City personnel guidelines.

5-3 All Members are eligible for incentive days for non-use of sick leave as described in City personnel guidelines.

5-4 Sick leave shall be granted for the following reasons only:

a) When a member is unable to perform his duties due to illness or an off-duty injury.

b) When a medical, dental, or optical examination or treatment is necessary. Members shall attempt to schedule such appointments on off-duty time when possible. All such appointments shall be approved in advance by the Fire Chief or the member's Battalion Chief.

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

c) When a member has been exposed to a contagious disease (as would normally be subject to quarantine as prescribed by Health Department Standards) and presence on the job would jeopardize the health of others.

d) When a medical situation arises involving illness of a member's immediate family. The relationship must meet the requirements defined in the City Personnel Guidelines.

e) When leave is needed for the purpose of attending a funeral, making arrangements, or otherwise attending to the affairs of a deceased family member.

f) When leave is authorized by the Family and Medical Leave Act.

5-5 Members shall provide a physician's release in certain circumstances. The release shall state that the member has been under the physician's care and that the member is released to perform full or regular duties. The member shall provide the release prior to or at the time of returning to work. Supervisors shall not allow a member to return to work without this release. A release is required in all the following circumstances:

a) Any sick leave taken for personal illness or injury which exceeds 48 hours (2 shifts).

b) Any sick leave taken due to exposure to contagious disease.

c) Following any surgery, whether sick leave was taken or not.

d) Any off-duty injury requiring a physician’s examination or treatment.

e) When requested by the Fire Chief.

5-6 Frequent claiming of sick leave may constitute grounds for the assumption by the Fire Chief that the physical condition of a member is below the standard required for the proper performance of duties and this may lead to a request for a physical examination to determine fitness for the job. Any such examination shall be conducted in accordance with requirements of Texas Civil Service law.

5-7 Members who abuse sick leave are subject to disciplinary action, up to and including indefinite suspension.

5-8 In Operations Division, members claiming sick leave shall notify the Operations Chief on duty of their inability to report to work and the reason they cannot report. Members shall make this notification at least 30 minutes prior to their scheduled duty shift. The Operations Chief receiving this notification shall notify the station captain where the member was scheduled to work and both the Battalion Chief and the captain shall notify their relief at shift change. In other divisions, members shall notify someone in the office of their absence. This notification shall be made within 30 minutes of the start of their scheduled shift.

5-9 While on sick leave, members shall not work at another job. The Fire Chief may make exceptions to this rule with appropriate medical clearance.

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

5-10 Members who use sick leave shall sign a personnel action form and shall indicate on the form the reason for their absence.

5-11 Members who are members of the "Doubling List" and whose sick leave is exhausted are allowed to have other members work for them in accordance with the guidelines on substitutes and rules of the "Doubling List" as established by the members.

Section 6 Military Leave

6-1 Fifteen (15) days of military leave per Federal fiscal year are available to members of the reserves or National Guard. This military leave may be taken for weekend drills, annual duty, specialized training, or any other active military duty.

6-2 Members must notify their chain of command as far in advance as possible of the need to take military leave.

Section 7 Return from Active Military Duty

7-1 Return from active military duty will be handled in accordance with USERRA and applicable sections of Civil Service law.

7-2 In order to be eligible to be returned to duty after a period of military service, a member must meet each of the following requirements:

a) Member must have received an honorable discharge or other honorable separation from service

b) Member must remain physically and mentally fit to discharge the duties of their position

c) Member must make application for reinstatement within the time limits established in USERRA

d) Member must maintain current required certifications, including TCFP structure firefighter and DSHS Emergency Medical Technician

7-3 To determine physical fitness for duty, members may be required to complete an entry physical and the incumbent physical ability test

a) Members whose absence for military duty is greater than or equal to one year shall be required to take the physical and PAT

b) Members whose absence for military service is less than one year may be required to take the physical and PAT at the discretion of the Fire Chief

7-4 Mental fitness for duty will be assumed unless evidence indicates otherwise. If a question as to mental fitness arises, the Fire Chief will institute proceedings under Section 143.081 of Civil Service law.

7-5 At the discretion of the Fire Chief, an orientation and retraining period may be required prior to a returning member being assigned to fire suppression duties.

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

Section 8 Substitutes

8-1 Members in operations division may employ substitutes (commonly called swap time) to work in their place.

8-2 Members may have no more than 12 substitutions during the fiscal year (Oct. 1st – Sept. 30th), exceptions may be requested in writing to the Fire Chief.

8-3 When a member employs a substitute, the member is on duty for payroll purposes only. The substitute is on duty for all other purposes.

8-4 Members shall request approval for substitutes at least one shift in advance on the form provided for this purpose. The Company Officer shall recommend approval or disapproval of the substitution and forward the form to the Operations Chief. The Operations Chief shall make the final decision of approval or disapproval of the substitution. Operations Chief substitutes shall be approved or disapproved by the Fire Chief. Requests for substitutes received less than one shift in advanced may be considered at the discretion of the officers involved.

8-5 Members shall make a reasonable effort to employ a substitute of equal rank. In every case, substitutes shall be qualified to perform the duties of the position filled. Members shall not employ substitutes more than one rank below their own.

8-6 Substitutions are time for time only, no other form of remuneration is allowed regardless of the circumstance.

8-7 Members working overtime are not permitted to employ a substitute.

8-8 Station officers shall record substitutes in the company log book. Operations Chiefs shall record substitutes in the Operations Chief's log book and on the status report.

8-9 Members shall not work another job while off with a substitute with the exception of required military reserve drills.

8-10 Any substitute arrangements that will result in a member being off multiple shifts shall not be approved.

8-11 Receiving time off by employing a substitute is a privilege, not a right. Members who abuse this privilege are subject to disciplinary action and/or having this privilege revoked on an individual basis at the discretion of the Fire Chief.

Section 9 Disciplinary Action

9-1 All disciplinary action taken shall be taken in accordance with State and local Civil Service rules and regulations and in accordance with any applicable federal, state, and local statutes.

9-2 The degree of disciplinary action that may be taken by the Fire Department is as follows:

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

a) Oral reprimand (including documented oral reprimand)
b) Written reprimand
c) Demotion
d) Temporary suspension without pay.
e) Indefinite suspension without pay.

9-3 Action taken will depend on the degree of the offense, the record of the offender, and the seriousness of the consequences of the violation.

9-4 Company officers and Battalion Chiefs may give oral reprimands. If desired, these officers may document these oral reprimands to the Fire Chief on the form provided.

9-5 All levels of disciplinary action other than oral reprimand shall be given by the Fire Chief. Officers who believe disciplinary action is needed shall initiate such action by letter through channels to the Fire Chief. Officers shall include in this letter a description of the problem, any supporting evidence or documentation, and a recommendation for action.

9-6 Any member subject to disciplinary action shall be given an opportunity to present any information he/she has or any mitigating circumstances prior to disciplinary action being taken.

9-7 The Fire Chief shall have the final decision in all disciplinary matters, subject to appeal procedures in civil service statutes.

Section 10 Promotional Procedures

10-1 The Fire Chief shall make all promotions in accordance with Texas civil service law and City of Texarkana, Texas Civil Service Rules and Regulations.

10-2 At least two copies of all books on promotional reading lists will be available at the Texarkana Public Library. One copy of each book will be kept in the library and will be available to study there. One or more copies of each book will be available to members to check out. Books shall be checked out for seven (7) days only. Books shall not be checked out consecutively by the same person

10-3 Books on promotional reading lists may be available from the Fire Department library. When a promotional exam is not posted, members may check out these books in accordance with normal procedures. From the time an exam notice is posted until an exam is given, members may check out these books for no longer than seven (7) consecutive days. Books shall not be checked out consecutively by the same person.

10-4 From the time an exam notice is posted until an exam is given, only those members eligible to take that promotional exam may check out study material for that exam. This applies both at the public library and at the department library.

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

10-5 Members shall return any books that are on the reading list for a currently posted promotional exam in a prompt manner and no later than the due date. Failure to return books on time will result in disciplinary action.

10-6 Members shall not take promotional exams while on duty; however, members may employ a substitute while taking a promotional exam.

10-7 Members must make arrangements to be present when an exam is given regardless of vacation or other leave time.

10-8 The Civil Service Director shall schedule the date, time, and location of exams. Member's dates of eligibility for the exam will not be consulted when scheduling the exam.

Section 11 Overtime Hiring and Emergency Recall

11-1 Routine Overtime Hiring

a) Routine overtime hiring must be done in a consistent manner to insure fairness to all members. Circumstances in hiring vary. Generally, someone must be hired immediately. Sometimes time is not a concern within reasonable limits. Be sure that all members are afforded the same opportunity to work if they so desire, within the guidelines imposed by these rules.

b) Overtime hiring worksheets will be provided for each crew. Each crew's worksheet will have the names of members on the other two crews listed in order of seniority. Care must be exercised to be certain that the appropriate worksheet for the crew on duty is used.

c) The last member hired will be listed in the Operations Chief log book and on the list kept in the Operations Chief's office for that purpose. Each shift will have a separate column on the "last hired" sheet.

d) When hiring, the member calling (normally the Operations Chief) will start with the first name on the overtime hiring worksheet under the person last hired.

e) Members will be called in the order that their name appears on the worksheet. No member will be skipped except for reasons listed in this procedure. If a member is hired, write the time hired for and the station on the left side of their name. If a member is not hired, indicate the reason on the right side of their name.

f) Overtime hiring will be for ½ shift at a time under normal circumstances. All daytime slots will be filled prior to hiring evening slots.

g) Members will be utilized at their rank whenever possible. If not possible, they will be utilized at the highest available position below their rank.

Attachment: 2016-116 ATTH 01 City of Texarkana FD Policy 20161114 (1545 : 2016-116 RES revising fire department swap time policy)

h) Members must be capable of filling the position needed. Members who cannot drive fire department vehicles, including those on probation, may be hired if sufficient personnel are available to fill required driver and officer positions. (Except see policy on probationary firefighters for exception during first few months of employment.) Otherwise, no member should be excluded from working overtime if arrangements can reasonably be made to fill all required positions.

i) Members on sick leave will not be hired overtime. For purposes of overtime, sick leave begins when a member calls in sick and does not end until the member reports back to work. For example, a member is off on sick leave 24 hours on Monday. His next scheduled shift is Thursday. He is not eligible for overtime on Tuesday or Wednesday.

j) Members on vacation are not eligible for overtime. For purposes of overtime, vacation leave begins at the time a member is actually off work and ends when he reports back. For example, a member's vacation starts at 7:00 AM on April 15 and he reports back to work at 7:00 AM on April 30. He is eligible for overtime on April 13 and 14, but he is not on April 28 or 29. This rule is written for purposes of consistency. This is being approached in different ways by different people.

k) Members off on holiday, vacation, or incentive leave of one shift or less are ineligible for overtime only on their shift while they are actually on leave. For example, a member takes a holiday on Monday night. He is eligible for overtime on Tuesday.

l) Operations Chiefs may consider response time in the hiring process. For example, it is 06:45 and the next person on the list for hiring lives approximately 90 minutes away. The position needs to be filled at 07:00 or someone will be forced to stay overtime. It is appropriate to skip the out of town person and go down the list to someone who lives closer. It would not be appropriate to skip someone if the hiring is being done for the PM shift and there is sufficient time for travel. The Operations Chief needs to use judgment in this process. He must balance giving equal rights to overtime work to all members against the immediate need to fill an open position. If a member is skipped when hiring for daytime because of travel time, the skipped member(s) shall be considered for the PM shift if needed.

m) When calling for overtime, always identify yourself and the purpose of your call to the person answering the phone even if the member is not home. If you reach an answering machine, leave this information on the machine. This is the proper and courteous thing to do and helps prevent complaints that the member was not called.

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n) Phone rings are only 5 seconds apart. Always let the phone ring at least 6 times before hanging up and writing "no answer" on the call sheet.

o) Both primary and secondary contact numbers are shown on the overtime sheet. Primary numbers will always be called. Secondary numbers are shown for convenience sake and are not required to be called. Be consistent. If you call the secondary number for one person, call them for all.

p) Show equal consideration to all members when hiring overtime. Each member deserves an equal chance to work. If you have time to let one member's spouse call him to call you back, treat all the same. Favoritism has no place in the hiring process.

q) Only members assigned to Operations Division are eligible for regular overtime in Operations Division. New members who have not completed training and members assigned to other divisions are not eligible. Members are not eligible for regular overtime on their own shift.

11-2 Emergency Recall

a) Emergency recall hiring will be handled differently. If an entire shift is needed to be recalled, or all off duty personnel, the Incident Commander should request the dispatcher to initiate a recall of a particular shift or shifts through the "Code Red" system. When the Incident Commander needs a certain number of personnel (less than a full shift), he should contact the investigator on call and request that the investigator initiate a recall of personnel until he has contacted the required number. Members living in the immediate Texarkana area will be called before those who travel any significant distance. No particular order of calling is required in an emergency recall. Any members who can be reached will be hired.

Section 12 Miscellaneous Provisions

12-1 Moonlighting

a) City personnel guidelines require that all full-time city employees who hold other positions of paid employment or accept pay for services obtain written approval of their department head prior to accepting such employment. The Department Head may cancel such approval at any time it is determined that such outside employment conflicts or interferes with a member's duties and responsibilities as an employee of the City of Texarkana, Texas.

b) Members wishing to request such approval shall do so on a form available from the Fire Chief's office. Members must fill out forms completely, providing all requested information.

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c) Members shall give priority to their duties and responsibilities as Fire Department employees over any responsibility to other employers. Such responsibility to another employer shall not be a valid reason for not responding to an emergency recall, mandatory overtime, required meeting, required training, or any other obligation to this department.

d) Members shall not engage in business activities related to other employment while on duty and shall not use city property or facilities for such activities.

e) Members shall use care in selecting outside employment to ensure that the employment does not create a conflict of interest with regard to their Fire Department employment.

f) Members shall not use their status as Fire Department members in any way to generate additional business or solicit favors in regard to outside employment.

g) Members shall inform the Fire Chief on the appropriate form when the member leaves employment at a part-time job previously approved.

12-2 Flower Fund

a) A flower fund has been established in the Fire Department. This fund shall be maintained to provide flowers in accordance with these guidelines.

b) When the balance in the fund is depleted, the Battalion Chiefs in charge of each crew and division will collect a contribution from each participating member. The particular amount of the contribution will be determined by the Fire Chief. Participation by members is voluntary.

c) The flower fund will be administered by the Fire Department Administrative Coordinator. The Administrative Coordinator will receive and deposit all contributions, make payments, and place orders. In the absence of the Administrative Coordinator, the Fire Chief or a member designated by the Fire Chief will administer the fund.

d) Flowers will be sent to the funeral of a current member, the immediate family of a current member, or a retired member. For purposes of this section, immediate family is defined as husband, wife, son, daughter, father, mother, brother, sister, father-in-law, or mother-in-law.

e) If requested by the family of the deceased, a contribution may be made to a chosen charity in lieu of sending flowers.

f) Members who become aware of a death in one of these categories shall notify the Battalion Chief on duty. The Battalion Chief shall notify the Fire Chief so that necessary arrangements can be made.

12-3 Nepotism

a) City personnel guidelines regulate nepotism within the City government. Refer to the personnel guidelines for exact wording.

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b) Within the Fire Department, the nepotism rules will be applied as follows:

i) Two related members will not be allowed to work at the same station.

ii) Two related Captains will not be allowed to work on the same crew.

iii) No member shall supervise, directly or indirectly, a related member.

c) As long as the requirements in 3-9.02 above are not violated, related members may work on the same shift. Operations Chiefs should make a reasonable effort to accommodate related members when a related member is eligible for overtime on his relative's shift.

d) Related members will not normally be permanently assigned to the same crew. While legal, it would present scheduling problems if the restrictions had to be dealt with on a regular basis.

12-4 Education and Training Procedures

a) In order to maintain consistency between City personnel guidelines and Fire Department policies while maintaining an awareness of differences in Fire Department schedules, the following policy will be followed in regard to attending training or college & university classes on duty days.

i) Members may employ a substitute (swap time) to attend classes, but not from 7:00 AM to 5:00 PM weekdays.

ii) Regular college classes may not be attended on duty regardless of job relationship except for classes that are required by the department.

iii) Shorter seminars (one or two day) that are job related will be considered on an individual basis by the Fire Chief.

b) Exceptions to the above policy may be made if the Fire Chief considers a particular class beneficial to the department as a whole and the exception is reasonable.

12-5 Public Service Leave

a) A member called to jury duty or subpoenaed to testify as a witness will receive public service leave during the time of the court appearance.

b) If a member is not selected for a jury, the member will return to work immediately after being dismissed by the judge.

c) If a member is selected to serve on a jury, the member will return to work after the completion of the trial and dismissal by the judge.

d) A member called as a witness will return to work as soon as released by the judge.

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e) The above guidelines are general. Obviously, if a member is selected for a jury but does not have to report for an extended period of time, he should work when scheduled in the interim. Common sense must be used in applying these guidelines.

f) All members shall document court appearance requirements by providing a copy of the juror summons or the subpoena.

12-6 Member Telephone Numbers

a) All members are required to provide their home telephone number for contact during off duty hours.

b) Normally, member phone numbers will be posted at all fire stations and in the Operations Chief's office.

c) If a member requests in writing, his phone number will be omitted from the lists posted at the fire stations. It will still be included on the list posted at the Operations Chief's office.

d) Member's phone numbers are not to be released to callers. If a request is received for a member phone number, advise the caller that the number cannot be released. Offer to take the caller's name and phone number and relay the information to the member as soon as possible. Always maintain a professional and courteous attitude when dealing with this situation.

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Attachment: 2016-116 ATTH 02 City of Texarkana FD Policy 20091102 (1545 : 2016-116 RES revising fire department swap time policy)

Texarkana Fire Department **Policy and Procedures Manual**	
Title: General Personnel Policies	
Applies to: All Personnel	
Approved by: Harry H. Simms, Fire Chief	Effective Date: 11-02-2009 Revision Date: 11-02-2009 Pages: 1 of 14 Tab: 19

This Policy/Procedure is for the Texarkana Texas Fire Department's internal use only and does not enhance an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Policy/Procedure, if proven, may only form the basis for a complaint by the Texarkana Texas Fire Department in a non-judicial, administrative setting.

Section 1 Administration

1-1 Purpose: The purpose of this section is to provide information on various personnel related issues within the department. This policy should be used in conjunction with Chapter 143, Texas Local Government Code; City of Texarkana, Texas Personnel Policies; and various Federal and State of Texas laws related to personnel issues.

1-2 Scope: This policy applies to all personnel. When conflicts arise between various laws and policies governing personnel issues, they are to be resolved by the following priority order:

a) Federal Statutes and Rules
b) Chapter 143, Texas Local Government Code (Civil Service)
c) Other State of Texas statutes and rules
d) City of Texarkana, Texas Local Civil Service Rules
e) City of Texarkana, Texas Personnel Policies
   i) Exception: In circumstances where department policies are more stringent than city policies, the more stringent policy will apply.
f) Texarkana Fire Department Policies and Procedures

Section 2 Definitions

2-1 Civil Service Law – Chapter 143 of the Texas Local Government Code.

2-2 Local Civil Service Rules – Rules governing local Civil Service as approved by the Civil Service Commission and published by the Civil Service Director

2-3 Personnel Policies – Policies of the City of Texarkana, Texas as approved by the City manager and City Council and made available to employees by the Human Resources Director.

2-4 USSERA –*Uniformed Services Employment and Reemployment Rights Act.* This Federal law specifies rights regarding employment and re-employment for veterans returning from active duty.

Section 3 Pay and Benefits

3-1 Base Pay – All members shall receive base pay as approved by the City Council in the current budget. All members holding the same rank and having the same tenure in their rank shall receive the same base pay.

3-2 Longevity Pay – All members shall receive longevity pay at the rate of $4.00 per month per year of service. The maximum longevity pay is $100.00 per month.

3-3 Certification Incentive Pay – Members who hold advanced levels of certification from the Texas Commission on Fire Protection are eligible for certification incentive pay. Members with Intermediate certification shall receive $50.00 per month. Members with advanced certification shall receive $100.00 per month. Members with master certification shall receive $150.00 per month. Members may receive both certification incentive pay and education incentive pay.

3-4 Education incentive pay – Eligible members may receive education incentive pay. Qualifications and pay amounts are listed in the City Personnel Policy Handbook. Members may receive both certification incentive pay and education incentive pay.

3-5 Overtime pay – Overtime pay shall be calculated and paid in accordance with the Fair Labor Standards Act and City Personnel Guidelines. In Operations Division, overtime pay shall be calculated based on a 15 day FLSA cycle. Overtime shall be paid on the payday following the pay period in which the FLSA cycle ends. In calculating overtime, leave time shall be credited in accordance with City personnel guidelines.

3-6 Step-up Pay – Members temporarily working in a higher classification shall be paid step-up pay. Step-up pay shall be the difference between the member's base pay and the lowest base pay of the next higher classification.

3-7 Assignment Pay – Members assigned to Fire Prevention or Training Divisions will receive assignment pay in the amount specified in the City budget. Other members may receive assignment pay if assigned to special functions and assignment pay is approved in the City budget.

3-8 Vacation – Members shall accumulate 15 days of vacation per year. Rate of accumulation shall be as indicated in the city personnel guidelines.

3-9 Holidays – Members shall receive holiday leave as indicated in the city personnel guidelines.

3-10 For members in Operations Division, two (2) days of leave time shall be equivalent to one (1) 24 hour shift.

3-11 Members in Operations Division shall take holidays with their vacation. Vacations and holidays shall be scheduled as directed by the Fire Chief.

3-12 Members in all divisions except Operations shall take holidays on the scheduled day as listed in the city personnel guidelines. These members shall request vacation time by submitting a written request to their immediate supervisor for approval.

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3-13 Sick Leave – Members shall accumulate 15 days of sick leave per year as indicated in the city personnel guidelines. Members may take sick leave as allowed by the City personnel guidelines and by the section in this chapter entitled "Sick Leave".

Section 4 Working in a higher classification

4-1 Members working temporarily in a higher classification shall receive step-up pay in accordance with paragraph 3-6 above.

4-2 The Battalion Chief of Operations is authorized to approve step-up in accordance with these guidelines. Any exceptions to these guidelines shall be approved by the Fire Chief.

4-3 Each individual selected to step-up shall be qualified and capable of filling the position in the next higher rank that is open. Not every individual of a particular rank meets these requirements. Determination of the fitness to step-up is based solely on the judgment of the Operations Chief and/or Fire Chief.

4-4 Members shall not step-up more than one rank.

4-5 Newly promoted members shall not step-up until after successful completion of a six-month training period in their new rank. This six-month training period also applies to personnel transferred from other divisions who do not have prior experience at their current rank in Operations Division.

4-6 Newly hired members shall not step-up until after completion of their probationary period

4-7 Members shall not step-up to fill positions if there are members of the appropriate rank available to fill the position.

Section 5 Sick Leave

5-1 All members are eligible for sick leave benefits. Members shall accumulate sick leave in accordance with Texas Civil Service Law and City personnel guidelines.

5-2 Members retiring or resigning from the Fire Department shall receive pay for unused sick leave in accordance with Texas Civil Service Law and City personnel guidelines.

5-3 All Members are eligible for incentive days for non-use of sick leave as described in City personnel guidelines.

5-4 Sick leave shall be granted for the following reasons only:

a) When a member is unable to perform his duties due to illness or an off-duty injury.

b) When a medical, dental, or optical examination or treatment is necessary. Members shall attempt to schedule such appointments on off-duty time when possible. All such appointments shall be approved in advance by the Fire Chief or the member's Battalion Chief.

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c) When a member has been exposed to a contagious disease (as would normally be subject to quarantine as prescribed by Health Department Standards) and presence on the job would jeopardize the health of others.

d) When a medical situation arises involving illness of a member's immediate family. The relationship must meet the requirements defined in the City Personnel Guidelines.

e) When leave is needed for the purpose of attending a funeral, making arrangements, or otherwise attending to the affairs of a deceased family member.

f) When leave is authorized by the Family and Medical Leave Act.

5-5 Members shall provide a physician's release in certain circumstances. The release shall state that the member has been under the physician's care and that the member is released to perform full or regular duties. The member shall provide the release prior to or at the time of returning to work. Supervisors shall not allow a member to return to work without this release. A release is required in all the following circumstances:

a) Any sick leave taken for personal illness or injury which exceeds 48 hours (2 shifts).

b) Any sick leave taken due to exposure to contagious disease.

c) Following any surgery, whether sick leave was taken or not.

d) Any off-duty injury requiring a physician’s examination or treatment.

e) When requested by the Fire Chief.

5-6 Frequent claiming of sick leave may constitute grounds for the assumption by the Fire Chief that the physical condition of a member is below the standard required for the proper performance of duties and this may lead to a request for a physical examination to determine fitness for the job. Any such examination shall be conducted in accordance with requirements of Texas Civil Service law.

5-7 Members who abuse sick leave are subject to disciplinary action, up to and including indefinite suspension.

5-8 In Operations Division, members claiming sick leave shall notify the Operations Chief on duty of their inability to report to work and the reason they cannot report. Members shall make this notification at least 30 minutes prior to their scheduled duty shift. The Operations Chief receiving this notification shall notify the station captain where the member was scheduled to work and both the Battalion Chief and the captain shall notify their relief at shift change. In other divisions, members shall notify someone in the office of their absence. This notification shall be made within 30 minutes of the start of their scheduled shift.

5-9 While on sick leave, members shall not work at another job. The Fire Chief may make exceptions to this rule with appropriate medical clearance.

5-10 Members who use sick leave shall sign a personnel action form and shall indicate on the form the reason for their absence.

5-11 Members who are members of the "Doubling List" and whose sick leave is exhausted are allowed to have other members work for them in accordance with the guidelines on substitutes and rules of the "Doubling List" as established by the members.

Section 6 Military Leave

6-1 Fifteen (15) days of military leave per Federal fiscal year are available to members of the reserves or National Guard. This military leave may be taken for weekend drills, annual duty, specialized training, or any other active military duty.

6-2 Members must notify their chain of command as far in advance as possible of the need to take military leave.

Section 7 Return from Active Military Duty

7-1 Return from active military duty will be handled in accordance with USERRA and applicable sections of Civil Service law.

7-2 In order to be eligible to be returned to duty after a period of military service, a member must meet each of the following requirements:

a) Member must have received an honorable discharge or other honorable separation from service

b) Member must remain physically and mentally fit to discharge the duties of their position

c) Member must make application for reinstatement within the time limits established in USERRA

d) Member must maintain current required certifications, including TCFP structure firefighter and DSHS Emergency Medical Technician

7-3 To determine physical fitness for duty, members may be required to complete an entry physical and the incumbent physical ability test

a) Members whose absence for military duty is greater than or equal to one year shall be required to take the physical and PAT

b) Members whose absence for military service is less than one year may be required to take the physical and PAT at the discretion of the Fire Chief

7-4 Mental fitness for duty will be assumed unless evidence indicates otherwise. If a question as to mental fitness arises, the Fire Chief will institute proceedings under Section 143.081 of Civil Service law.

7-5 At the discretion of the Fire Chief, an orientation and retraining period may be required prior to a returning member being assigned to fire suppression duties.

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Section 8 Substitutes

8-1 Members in operations division may employ substitutes (commonly called swap time) to work in their place.

~~8-1~~8-2 Members may have no more than 12 substitutions during the fiscal year (Oct.1st-Sept. 30th), exceptions may be requested in writing to the Fire Chief.

~~8-2~~8-3 When a member employs a substitute, the member is on duty for payroll purposes only. The substitute is on duty for all other purposes.

~~8-3~~8-4 Members shall request approval for substitutes at least one shift in advance on the form provided for this purpose. The Company Officer shall recommend approval or disapproval of the substitution and forward the form to the Operations Chief. The Operations Chief shall make the final decision of approval or disapproval of the substitution. Operations Chief substitutes shall be approved or disapproved by the Fire Chief. Requests for substitutes received less than one shift in advanced may be considered at the discretion of the officers involved.

8-5 Members shall make a reasonable effort to employ a substitute of equal rank. In every case, substitutes shall be qualified to perform the duties of the position filled. Members shall not employ substitutes more than one rank below their own. ~~Operations Chiefs may make exceptions to this rule if sufficient qualified members are available to fill all positions, any moving by members is voluntary, no step-up pay is created, and no major disruption of the crew is created.~~

8-6 Substitutions are time for time only, no other form of remuneration is allowed regardless of the circumstance.

~~8-4~~8-7 Members working overtime are not permitted to employ a substitute.

~~8-5~~8-8 Station officers shall record substitutes in the company log book. Operations Chiefs shall record substitutes in the Operations Chief's log book and on the status report.

~~8-6~~8-9 Members shall not work another job while off with a substitute with the exception of required military reserve drills.

~~8-7~~8-10 Any substitute arrangements that will result in a member being off multiple shifts ~~over an extended period of time will~~ shall not be approved.

~~8-8~~8-11 ~~Substitutes may be employed to attend college or university classes but not between the hours of 7:00 a.m. and 5:00 p.m. weekdays.~~

~~8-9~~8-12 Receiving time off by employing a substitute is a privilege, not a right. Members who abuse this privilege are subject to disciplinary action and/or having this privilege revoked on an individual basis at the discretion of the Fire Chief.

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Section 9 Disciplinary Action

9-1 All disciplinary action taken shall be taken in accordance with State and local Civil Service rules and regulations and in accordance with any applicable federal, state, and local statutes.

9-2 The degree of disciplinary action that may be taken by the Fire Department is as follows:

a) Oral reprimand (including documented oral reprimand)
b) Written reprimand
c) Demotion
d) Temporary suspension without pay.
e) Indefinite suspension without pay.

9-3 Action taken will depend on the degree of the offense, the record of the offender, and the seriousness of the consequences of the violation.

9-4 Company officers and Battalion Chiefs may give oral reprimands. If desired, these officers may document these oral reprimands to the Fire Chief on the form provided.

9-5 All levels of disciplinary action other than oral reprimand shall be given by the Fire Chief. Officers who believe disciplinary action is needed shall initiate such action by letter through channels to the Fire Chief. Officers shall include in this letter a description of the problem, any supporting evidence or documentation, and a recommendation for action.

9-6 Any member subject to disciplinary action shall be given an opportunity to present any information he/she has or any mitigating circumstances prior to disciplinary action being taken.

9-7 The Fire Chief shall have the final decision in all disciplinary matters, subject to appeal procedures in civil service statutes.

Section 10 Promotional Procedures

10-1 The Fire Chief shall make all promotions in accordance with Texas civil service law and City of Texarkana, Texas Civil Service Rules and Regulations.

10-2 At least two copies of all books on promotional reading lists will be available at the Texarkana Public Library. One copy of each book will be kept in the library and will be available to study there. One or more copies of each book will be available to members to check out. Books shall be checked out for seven (7) days only. Books shall not be checked out consecutively by the same person

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10-3 Books on promotional reading lists may be available from the Fire Department library. When a promotional exam is not posted, members may check out these books in accordance with normal procedures. From the time an exam notice is posted until an exam is given, members may check out these books for no longer than seven (7) consecutive days. Books shall not be checked out consecutively by the same person.

10-4 From the time an exam notice is posted until an exam is given, only those members eligible to take that promotional exam may check out study material for that exam. This applies both at the public library and at the department library.

10-5 Members shall return any books that are on the reading list for a currently posted promotional exam in a prompt manner and no later than the due date. Failure to return books on time will result in disciplinary action.

10-6 Members shall not take promotional exams while on duty; however, members may employ a substitute while taking a promotional exam.

10-7 Members must make arrangements to be present when an exam is given regardless of vacation or other leave time.

10-8 The Civil Service Director shall schedule the date, time, and location of exams. Member's dates of eligibility for the exam will not be consulted when scheduling the exam.

Section 11 Overtime Hiring and Emergency Recall

11-1 Routine Overtime Hiring

a) Routine overtime hiring must be done in a consistent manner to insure fairness to all members. Circumstances in hiring vary. Generally, someone must be hired immediately. Sometimes time is not a concern within reasonable limits. Be sure that all members are afforded the same opportunity to work if they so desire, within the guidelines imposed by these rules.

b) Overtime hiring worksheets will be provided for each crew. Each crew's worksheet will have the names of members on the other two crews listed in order of seniority. Care must be exercised to be certain that the appropriate worksheet for the crew on duty is used.

c) The last member hired will be listed in the Operations Chief log book and on the list kept in the Operations Chief's office for that purpose. Each shift will have a separate column on the "last hired" sheet.

d) When hiring, the member calling (normally the Operations Chief) will start with the first name on the overtime hiring worksheet under the person last hired.

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e) Members will be called in the order that their name appears on the worksheet. No member will be skipped except for reasons listed in this procedure. If a member is hired, write the time hired for and the station on the left side of their name. If a member is not hired, indicate the reason on the right side of their name.

f) Overtime hiring will be for ½ shift at a time under normal circumstances. All daytime slots will be filled prior to hiring evening slots.

g) Members will be utilized at their rank whenever possible. If not possible, they will be utilized at the highest available position below their rank.

h) Members must be capable of filling the position needed. Members who cannot drive fire department vehicles, including those on probation, may be hired if sufficient personnel are available to fill required driver and officer positions. (Except see policy on probationary firefighters for exception during first few months of employment.) Otherwise, no member should be excluded from working overtime if arrangements can reasonably be made to fill all required positions.

i) Members on sick leave will not be hired overtime. For purposes of overtime, sick leave begins when a member calls in sick and does not end until the member reports back to work. For example, a member is off on sick leave 24 hours on Monday. His next scheduled shift is Thursday. He is not eligible for overtime on Tuesday or Wednesday.

j) Members on vacation are not eligible for overtime. For purposes of overtime, vacation leave begins at the time a member is actually off work and ends when he reports back. For example, a member's vacation starts at 7:00 AM on April 15 and he reports back to work at 7:00 AM on April 30. He is eligible for overtime on April 13 and 14, but he is not on April 28 or 29. This rule is written for purposes of consistency. This is being approached in different ways by different people.

k) Members off on holiday, vacation, or incentive leave of one shift or less are ineligible for overtime only on their shift while they are actually on leave. For example, a member takes a holiday on Monday night. He is eligible for overtime on Tuesday.

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l) Operations Chiefs may consider response time in the hiring process. For example, it is 06:45 and the next person on the list for hiring lives approximately 90 minutes away. The position needs to be filled at 07:00 or someone will be forced to stay overtime. It is appropriate to skip the out of town person and go down the list to someone who lives closer. It would not be appropriate to skip someone if the hiring is being done for the PM shift and there is sufficient time for travel. The Operations Chief needs to use judgment in this process. He must balance giving equal rights to overtime work to all members against the immediate need to fill an open position. If a member is skipped when hiring for daytime because of travel time, the skipped member(s) shall be considered for the PM shift if needed.

m) When calling for overtime, always identify yourself and the purpose of your call to the person answering the phone even if the member is not home. If you reach an answering machine, leave this information on the machine. This is the proper and courteous thing to do and helps prevent complaints that the member was not called.

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11-2 Emergency Recall

a) Emergency recall hiring will be handled differently. If an entire shift is needed to be recalled, or all off duty personnel, the Incident Commander should request the dispatcher to initiate a recall of a particular shift or shifts through the "Code Red" system. When the Incident Commander needs a certain number of personnel (less than a full shift), he should contact the investigator on call and request that the investigator initiate a recall of personnel until he has contacted the required number. Members living in the immediate Texarkana area will be called before those who travel any significant distance. No particular order of calling is required in an emergency recall. Any members who can be reached will be hired.

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b) Members wishing to request such approval shall do so on a form available from the Fire Chief's office. Members must fill out forms completely, providing all requested information.

c) Members shall give priority to their duties and responsibilities as Fire Department employees over any responsibility to other employers. Such responsibility to another employer shall not be a valid reason for not responding to an emergency recall, mandatory overtime, required meeting, required training, or any other obligation to this department.

d) Members shall not engage in business activities related to other employment while on duty and shall not use city property or facilities for such activities.

e) Members shall use care in selecting outside employment to ensure that the employment does not create a conflict of interest with regard to their Fire Department employment.

f) Members shall not use their status as Fire Department members in any way to generate additional business or solicit favors in regard to outside employment.

g) Members shall inform the Fire Chief on the appropriate form when the member leaves employment at a part-time job previously approved.

Attachment: 2016-116 ATTH 02 City of Texarkana FD Policy 20091102 (1545 : 2016-116 RES revising fire department swap time policy)

12-2 Flower Fund

a) A flower fund has been established in the Fire Department. This fund shall be maintained to provide flowers in accordance with these guidelines.

b) When the balance in the fund is depleted, the Battalion Chiefs in charge of each crew and division will collect a contribution from each participating member. The particular amount of the contribution will be determined by the Fire Chief. Participation by members is voluntary.

c) The flower fund will be administered by the Fire Department Administrative Coordinator. The Administrative Coordinator will receive and deposit all contributions, make payments, and place orders. In the absence of the Administrative Coordinator, the Fire Chief or a member designated by the Fire Chief will administer the fund.

d) Flowers will be sent to the funeral of a current member, the immediate family of a current member, or a retired member. For purposes of this section, immediate family is defined as husband, wife, son, daughter, father, mother, brother, sister, father-in-law, or mother-in-law.

e) If requested by the family of the deceased, a contribution may be made to a chosen charity in lieu of sending flowers.

f) Members who become aware of a death in one of these categories shall notify the Battalion Chief on duty. The Battalion Chief shall notify the Fire Chief so that necessary arrangements can be made.

12-3 Nepotism

a) City personnel guidelines regulate nepotism within the City government. Refer to the personnel guidelines for exact wording.

b) Within the Fire Department, the nepotism rules will be applied as follows:

i) Two related members will not be allowed to work at the same station.

ii) Two related Captains will not be allowed to work on the same crew.

iii) No member shall supervise, directly or indirectly, a related member.

c) As long as the requirements in 3-9.02 above are not violated, related members may work on the same shift. Operations Chiefs should make a reasonable effort to accommodate related members when a related member is eligible for overtime on his relative's shift.

d) Related members will not normally be permanently assigned to the same crew. While legal, it would present scheduling problems if the restrictions had to be dealt with on a regular basis.

Attachment: 2016-116 ATTH 02 City of Texarkana FD Policy 20091102 (1545 : 2016-116 RES revising fire department swap time policy)

12-4 Education and Training Procedures

a) In order to maintain consistency between City personnel guidelines and Fire Department policies while maintaining an awareness of differences in Fire Department schedules, the following policy will be followed in regard to attending training or college & university classes on duty days.

i) Members may employ a substitute (swap time) to attend classes, but not from 7:00 AM to 5:00 PM weekdays.

ii) Regular college classes may not be attended on duty regardless of job relationship except for classes that are required by the department.

iii) Shorter seminars (one or two day) that are job related will be considered on an individual basis by the Fire Chief.

b) Exceptions to the above policy may be made if the Fire Chief considers a particular class beneficial to the department as a whole and the exception is reasonable.

12-5 Public Service Leave

a) A member called to jury duty or subpoenaed to testify as a witness will receive public service leave during the time of the court appearance.

b) If a member is not selected for a jury, the member will return to work immediately after being dismissed by the judge.

c) If a member is selected to serve on a jury, the member will return to work after the completion of the trial and dismissal by the judge.

d) A member called as a witness will return to work as soon as released by the judge.

e) The above guidelines are general. Obviously, if a member is selected for a jury but does not have to report for an extended period of time, he should work when scheduled in the interim. Common sense must be used in applying these guidelines.

f) All members shall document court appearance requirements by providing a copy of the juror summons or the subpoena.

12-6 Member Telephone Numbers

a) All members are required to provide their home telephone number for contact during off duty hours.

b) Normally, member phone numbers will be posted at all fire stations and in the Operations Chief's office.

c) If a member requests in writing, his phone number will be omitted from the lists posted at the fire stations. It will still be included on the list posted at the Operations Chief's office.

Attachment: 2016-116 ATTH 02 City of Texarkana FD Policy 20091102 (1545 : 2016-116 RES revising fire department swap time policy)

d) Member's phone numbers are not to be released to callers. If a request is received for a member phone number, advise the caller that the number cannot be released. Offer to take the caller's name and phone number and relay the information to the member as soon as possible. Always maintain a professional and courteous attitude when dealing with this situation.

Attachment: 2016-116 ATTH 02 City of Texarkana FD Policy 20091102 (1545 : 2016-116 RES revising fire department swap time policy)

Names	Count	Shifts	O/U 121	2013																																							
Anderson, J	5			5-Feb	23-Jun	3-Sep	11-Nov	23-Nov																																			
	3	119	-2	13-Jun	10-Sep	21-Nov																																					
Applegate, J	8			16-Mar	6-Apr	30-May	4-Aug	13-Aug	16-Aug	2-Nov	29-Dec																																
	10	123	2	3-Mar	11-Mar	13-Mar	16-Apr	10-Jun	7-Jul	28-Jul	20-Sep	24-Nov	1-Dec																														
Benson, M	8			2-Jan	26-Jan	10-Jun	13-Jun	25-Jul	2-Sep	20-Sep	19-Dec																																
	9	122	1	16-Jan	27-Feb	7-Apr	28-May	4-Sep	7-Sep	16-Sep	7-Oct	18-Dec																														
Buhrer, M	2			4-May	5-Oct																																				
	11	130	9	2-Jan	10-Mar	27-Apr	11-Jun	20-Jun	20-Jul	24-Sep	30-Sep	2-Nov	14-Dec	29-Dec																												
Burnett, M	4			7-Apr	10-Apr	20-Aug	26-Dec																																		
	3	120	-1	2-Jan	10-Jun	1-Jul																																				
Chambers, B	0																																								
	0	121	0																																						
Chamblee, K	3			6-Apr	28-Aug	23-Dec																																				
	6	124	3	27-Jan	18-Jun	1-Sep	25-Oct	22-Nov	31-Dec																																
Cheatham, K	1			19-Jul																																				
	1	121	0	25-May																																						
Clark, M	11			4-Jan	15-Feb	24-Feb	27-Feb	23-Mar	22-May	25-May	28-May	31-May	4-Sep	7-Oct																												
	7	117	-4	3-May	13-Jun	13-Aug	19-Aug	2-Sep	20-Sep	23-Nov																																
Corley, M	1			5-Oct																																						
	0	120	-1																																						
Daniel, M	1			5-Dec																																						
	0	120	-1																																						
Daniels, J	9			18-Jan	12-Apr	24-Apr	11-Jun	14-Jun	20-Jun	20-Jul	24-Sep	14-Dec																														
	0	112	-9																																						
Davidson, J	6			12-May	5-Jul	27-Sep	18-Oct	29-Nov	14-Dec																																
	0	115	-6																																						
Davis, A	0																																								
	0	121	0																																						
Douglas, D	1			11-Aug																																						
	2	122	1	28-Jun	7-Jul																																						
Fant, J	0																																								
	0	121	0																																						
Flanagan, Z	0																																								
	0	121	0																																						
Garrett, J	1			8-Mar																																						
	0	120	-1																																						
Gilliam, M	4			16-Mar	18-Apr	18-Oct	26-Nov																																			
	3	120	-1	8-Apr	26-Oct	22-Nov																																					
Gilley, M	3			3-Jan	23-Mar	19-Jun																																					
	5	123	2	23-Mar	30-Mar	13-Apr	22-Jun	15-Aug																																		
Gingery, J	0																																								
	2	123	2	18-May	6-Sep																																						
Green, G	0																																								
	0	121	0																																						
Greenway, R	3			27-Apr	14-Jun	30-Sep																																				
	0	118	-3																																						
Hale, J	0																																								
	0	121	0																																						
Hamilton, N	9			27-Jan	30-Jan	17-Feb	6-Apr	26-Jun	22-Aug	6-Sep	21-Sep	23-Nov																														
	2	114	-7	1-Sep	30-Nov																																						
Hand, R	1			10-Apr																																						
	1	121	0	14-Sep																																						
Hawkins, Jeremy	12			26-Jan	9-Mar	23-Apr	26-Apr	29-Apr	4-Jul	9-Aug	14-Sep	5-Oct	25-Oct	25-Dec	28-Dec																											
	0	109	-12																																						
Hawkins, Josh	7			10-Jun	13-Jun	6-Jul	9-Aug	22-Nov	1-Dec	4-Dec																																
	5	119	-2	23-Jun	6-Jul	15-Jul	23-Jul	16-Aug																																		
Hemby, A	9			13-Jun	13-Jul	28-Jul	31-Jul	16-Aug	30-Aug	20-Sep	7-Nov	19-Dec																														
	4	116	-5	16-Aug	3-Sep	2-Nov	26-Nov																																			
Huddleston, D	8			12-Jun	14-Jun	13-Jul	1-Sep	10-Sep	16-Sep	21-Nov	24-Nov																																
	13	126	5	4-Jan	24-Feb	14-Jun	13-Jul	19-Jul	25-Jul	6-Aug	22-Aug	27-Sep	17-Oct	20-Oct	11-Nov	3-Dec																											
Jansen, K	0																																								
	1	122	1	17-Aug																																						
Jones, O	2			6-Jul	30-Nov																																						
	5	124	3	10-Jun	28-Aug	25-Oct	23-Nov	22-Dec																																		
Jones, P	0																																								
	0	121	0																																						
Lachowsky, C	4			11-Mar	4-May	18-Jun	18-Dec																																		
	3	120	-1	16-Mar	26-Jun	19-Dec																																				
Lathrop, R	6			29-Jan	12-Mar	15-Mar	6-Jul	3-Aug	31-Dec																																
	9	124	3	19-Jan	20-Feb	23-Feb	6-Jul	16-Jul	10-Aug	21-Aug	24-Aug	23-Dec																														
Lauck, P	0																																								
	1	122	1	17-Jul																																						
Lawrence, M	6			19-Jan	8-Mar	28-May	31-May	21-Jul	22-Sep																																
	0	115	-6																																						
Martin, P	10			8-Feb	11-Feb	9-May	12-May	26-Jun	17-Jul	13-Aug	19-Aug	19-Oct	3-Nov																													
	0	111	-10																																						
May, J	3			14-Jul	17-Jul	20-Jul																																				
	7	125	4	10-Feb	1-Jul	4-Jul	7-Jul	31-Jul	3-Aug	19-Dec																																

Attachment: 2016-116 ATTH 03 Trade Time Log (1545 : 2016-116 RES revising fire department swap time

Names	Count	Shifts	O/U 121	2013																																			
McCasland, E	5			3-May	18-May	14-Jun	12-Oct	26-Nov																															
	7	123	2	13-Apr	16-Apr	12-Jun	21-Jun	15-Jul	18-Jul	7-Nov																												
McKinnon, B	0																																						
	0	121	0																																				
Mixon, Jimmy	0																																						
	0	121	0																																				
Moore, D	8			8-Apr	16-Jul	18-Aug	21-Aug	24-Aug	27-Aug	30-Aug	14-Oct																												
	36	149	28	19-Jan	30-Jan	8-Feb	11-Feb	15-Feb	24-Feb	8-Mar	9-Mar	12-Mar	15-Mar	16-Mar	17-Mar	6-Apr	18-Apr	19-Apr	24-Apr	3-May	12-May	28-May	31-May	6-Jun	14-Jun	26-Jun	6-Jul	9-Jul	10-Aug	18-Sep	21-Sep	5-Oct	12-Oct	19-Oct	25-Oct	28-Oct	3-Nov	26-Nov	5-Dec
Newman, D	0																																						
	1	122	1	9-Aug																																			
Norwood, M	3			6-Apr	13-Apr	7-Sep																																	
	16	134	13	3-Jan	6-Apr	9-May	11-May	13-Jun	5-Jul	13-Jul	21-Jul	28-Jul	27-Aug	30-Aug	14-Oct	18-Oct	26-Oct	22-Nov	25-Nov																				
Page, S	0																																						
	0	121	0																																				
Peeples, L	0																																						
	0	121	0																																				
Phillips, C	4			20-Feb	23-Jul	2-Dec	5-Dec																																
	6	123	2	26-Jan	25-May	31-May	6-Jul	16-Jul	28-Dec																														
Raschke, R	4			26-Jan	3-Mar	13-Mar	26-Oct																																
	25	142	21	18-Jan	5-Feb	15-Feb	24-Feb	8-Mar	17-Mar	23-Mar	6-Apr	10-Apr	12-Apr	23-Apr	26-Apr	29-Apr	4-May	12-May	15-May	22-May	25-May	31-May	9-Jun	14-Jun	15-Jul	17-Jul	5-Oct	18-Oct											
Rich, D	3			15-May	12-Jun	25-Oct																																	
	4	122	1	4-May	14-May	18-Aug	5-Oct																																
Robertson, S	3			1-Jul	6-Aug	26-Oct																																	
	5	123	2	10-Apr	20-Aug	19-Oct	21-Nov	5-Dec																															
Robison, B	6			10-Feb	14-May	1-Jul	7-Jul	3-Aug	26-Oct																														
	6	121	0	12-Jun	14-Jul	20-Jul	19-Oct	29-Nov	14-Dec																														
Rogers, S	4			11-May	22-Jun	22-Nov	25-Nov																																
	0	117	-4																																				
Shelton,L	3			24-Feb	13-Apr	15-Jul																																	
	2	120	-1	29-Jan	9-Aug																																		
Sikes, A	5			19-Jun	15-Aug	18-Aug	26-Oct	22-Nov																															
	1	117	-4	7-Sep																																			
Smith, K	0																																						
	2	123	2	17-Feb	6-Apr																																		
Smith, M	0																																						
	0	121	0																																				
Smith, N	2			2-Jan	19-Jul																																		
	1	120	-1	2-Dec																																			
Stringer, J	15			19-Jan	15-Feb	24-Feb	17-Mar	19-Apr	25-May	6-Jun	9-Jun	6-Jul	9-Jul	15-Jul	18-Jul	17-Aug	28-Oct	24-Nov																					
	0	106	-15																																				
Taylor, J	1			21-Jun																																			
	1	121	0	14-Jun																																			
Thompson, B	0																																						
	0	121	0																																				
Weerts, C	5			16-Jan	16-Apr	10-Jul	13-Jul	5-Oct																															
	4	120	-1	26-Jan	11-Aug	10-Sep	24-Nov																																
Whitehurst, B	0																																						
	0	121	0																																				
Wilhite, C	3			10-Mar	18-Sep	2-Nov																																	
	0	118	-3																																				
Ytzen, D	1			19-Oct																																			
	2	122	1	26-Jan	26-Dec																																		
Craig, K	2			23-Feb	10-Aug																																		
	1	120	-1	3-Aug																																			
Ragsdale, J	2			23-Mar	30-Mar																																		
	1	120	-1	23-Mar																																			
Rogers, B	2			3-May	10-Aug																																		
	0	119	-2																																				
Williams, J	4			10-Jun	28-Jun	7-Jul	22-Dec																																
	3	120	-1	30-May	4-Aug	13-Aug																																	
Tice, J	0																																						
	1	122	1	10-Sep																																			
Jones, R	1			10-Sep																																			
	0	120	-1																																				
Spradlin, B	2			17-Oct	20-Oct																																		
	0	119	-2																																				
Campbell, A	3			7-Sep	10-Sep	19-Oct																																	
	6	124	3	13-Jul	19-Jul	30-Aug	22-Sep	5-Oct	26-Oct																														
Holder, R	2			16-Jul	28-Jul																																		
	0	119	-2																																				
McNeely, D	0																																						
	0	121	0																																				
Henson, W	0																																						
	0	121	0																																				
Off w/Substitute	241																																						
Worked as Substitute	244																																						

Attachment: 2016-116 ATTH 03 Trade Time Log (1545 : 2016-116 RES revising fire department swap time

Names	Count	Shifts	O/U 121	2014																																											
Anderson, J	4			12-Jun	2-Aug	4-Oct	15-Nov
	3	120	-1	27-Mar	29-Jul	5-Nov
Applegate, J	8			9-Feb	1-Apr	13-Apr	22-Apr	4-May	20-Jul	26-Jul	31-Aug
	1	114	-7	28-Feb
Benson, M	8			12-Apr	9-May	24-Jun	27-Jun	19-Oct	25-Oct	31-Oct	15-Nov
	11	124	3	25-Jan	8-May	11-May	20-Jul	1-Aug	13-Aug	27-Sep	3-Oct	30-Oct	2-Nov	16-Dec
Buhrer, M	4			3-Jan	13-Sep	31-Oct	21-Nov
	2	119	-2	14-Mar	23-Sep
Burnett, M	3			1-Feb	11-May	26-Nov
	2	120	-1	2-Feb	12-Apr
Chambers, B	0		
	0	121	0
Chamblee, K	1			16-May
	3	123	2	16-Mar	13-Jun	25-Jun
Cheatham, K	0		
	1	122	1	6-May
Clark, M	8			21-Mar	8-May	16-Jul	6-Aug	15-Aug	8-Sep	29-Oct	16-Dec
	15	128	7	3-Jan	18-Jan	27-Jan	8-Feb	14-Feb	1-Mar	10-Mar	16-Mar	17-Mar	20-Mar	1-Apr	27-Apr	3-May	24-May	14-Aug
Corley, M	2			3-Jan	31-Aug
	0	119	-2
Daniel, M	3			17-Mar	20-Mar	6-Dec
	3	121	0	28-Mar	6-Aug	25-Nov
Daniels, J	11			11-Mar	27-Jun	9-Jul	21-Jul	24-Jul	27-Jul	29-Aug	28-Sep	12-Nov	15-Nov	6-Dec
	0	110	-11
Davidson, J	2			10-Jan	12-Jul
	0	119	-2
Davis, A	3			14-Jul	18-Oct	2-Nov
	1	119	-2	15-Nov
Douglas, D	2			25-Jun	13-Jul
	2	121	0	6-Jan	17-Feb
Fant, J	3			7-Jun	5-Oct	17-Oct
	5	123	2	22-Mar	28-Aug	12-Sep	25-Oct	31-Oct
Flanagan, Z	3			28-Aug	27-Sep	25-Oct
	8	126	5	7-Jun	14-Sep	1-Oct	5-Oct	11-Oct	25-Oct	26-Oct	4-Dec
Garrett, J	0		
	0	121	0
Gilliam, M	4			7-Jan	30-Jun	2-Aug	13-Oct
	2	119	-2	5-Feb	14-Dec
Gilley, M	1			27-Nov
	6	126	5	14-Jun	20-Jul	16-Aug	31-Aug	1-Nov	5-Dec
Gingery, J	4			9-Mar	8-May	24-Aug	31-Dec
	1	118	-3	9-May
Green, G	0		
	0	121	0
Greenway, R	2			14-Mar	15-Jun
	0	119	-2
Hale, J	8			26-Mar	6-Jul	14-Sep	26-Sep	29-Sep	14-Oct	24-Dec	27-Dec
	6	119	-2	9-May	8-Jun	2-Jul	20-Jul	4-Aug	5-Dec
Hamilton, N	13			13-Apr	10-May	16-May	19-May	6-Jun	9-Jun	18-Jun	27-Jun	20-Aug	13-Sep	22-Oct	15-Dec	30-Dec
	1	109	-12	9-Mar
Hand, R	1			26-Apr
	0	120	-1
Hawkins, Jeremy	11			11-Feb	22-Mar	15-Apr	24-Apr	6-May	9-May	5-Jun	26-Jul	12-Sep	5-Nov	20-Nov
	0	110	-11
Hawkins, Josh	11			1-Mar	1-Apr	6-Apr	3-May	8-Jun	11-Jun	29-Jul	5-Nov	8-Nov	23-Nov	26-Nov
	7	117	-4	14-Mar	1-Apr	22-Apr	2-Aug	13-Oct	15-Nov	30-Nov
Hemby, A	10			17-Feb	9-Apr	6-May	9-May	15-May	17-Jul	20-Jul	12-Sep	3-Oct	24-Oct
	1	112	-9	25-Jun
Huddleston, D	2			6-May	20-Jul
	3	122	1	11-Feb	13-Mar	9-Apr
Jansen, K	0		
	1	122	1	7-Aug
Jones, O	3			22-Jun	14-Oct	31-Dec
	3	121	0	6-Jun	21-Jul	24-Jul
Jones, P	0		
	1	122	1	27-May
Lachowsky, C	9			28-Feb	3-Mar	13-Jun	28-Jul	9-Aug	1-Sep	25-Nov	16-Dec	19-Dec
	4	116	-5	9-Feb	13-Mar	13-Apr	6-Dec
Lathrop, R	4			13-Mar	16-Mar	31-Mar	13-Aug
	4	121	0	4-Aug	19-Dec	22-Dec	31-Dec
Lauck, P	0		
	1	122	1	23-Jun
Lawrence, M	5			19-Jun	10-Jul	19-Jul	23-Oct	7-Nov
	0	116	-5
Martin, P	5			7-Feb	10-Feb	11-May	31-Jul	3-Aug
	1	117	-4	11-Jun
May, J	1			25-Jan
	3	123	2	13-Mar	31-Mar	13-Jun
McCasland, E	4			14-Mar	20-Mar	14-Aug	21-Nov
	3	120	-1	3-Jan	6-Apr	25-Jul
McKinnon, B	1			4-Dec
	0	120	-1
Mixon, Jimmy	0		
	0	121	0
Moore, D	3			5-Feb	23-Jul	14-Dec
	44	162	41	4-Jan	7-Feb	10-Feb	15-Mar	29-Mar	5-Apr	13-Apr	17-Apr	19-Apr	4-May	10-May	11-May	19-May	22-May	19-Jun	27-Jun	30-Jun	9-Jul	12-Jul	19-Jul	27-Jul	31-Jul	3-Aug	8-Aug	18-Aug	22-Aug	25-Aug	28-Aug	3-Sep	13-Sep	17-Sep	20-Sep	28-Sep	8-Oct	13-Oct	14-Oct	20-Oct	23-Oct	31-Oct	7-Nov	22-Nov	27-Nov	24-Dec	30-Dec
Newman, D	2			13-Oct	30-Nov
	28	147	26	24-Apr	6-May	9-May	11-Jun	13-Jun	20-Jun	28-Jun	10-Jul	16-Jul	26-Jul	28-Jul	1-Aug	12-Aug	15-Aug	31-Aug	1-Sep	6-Sep	8-Sep	29-Sep	14-Oct	17-Oct	18-Oct	29-Oct	5-Nov	8-Nov	20-Nov	23-Nov	16-Dec
Norwood, M	2			5-Apr	13-Jun
	2	121	0	6-Jan	9-Jun
Page, S	0		
	5	126	5	27-Mar	24-May	11-Jul	23-Jul	29-Jul
Peeples, L	0		
	0	121	0
Phillips, C	5			20-Mar	1-Oct	17-Oct	20-Oct	22-Dec
	25	141	20	3-Jan	1-Mar	9-Apr	6-May	15-May	21-May	5-Jun	29-Jun	5-Jul	13-Jul	14-Jul	17-Jul	22-Jul	26-Jul	28-Jul	31-Jul	12-Aug	30-Aug	31-Aug	12-Sep	3-Oct	24-Oct	27-Nov	27-Dec	31-Dec

Attachment: 2016-116 ATTH 03 Trade Time Log (1545 : 2016-116 RES revising fire department swap time

Names	Count	Shifts	O/U 121	2014																						
Raschke, R	1			3-Jan																						
	13	133	12	15-Apr	26-Apr	13-Jun	18-Jun	27-Jun	10-Jul	24-Jul	20-Aug	17-Oct	1-Nov	7-Nov	21-Nov	25-Dec										
Rich, D	5			25-Jan	29-Mar	22-May	18-Jul	9-Dec																		
	4	120	-1	6-Apr	25-Jul	26-Sep	26-Nov																			
Robertson, S	8			2-Feb	28-Mar	8-May	25-Jul	28-Jul	31-Jul	26-Sep	29-Sep															
	6	119	-2	1-Feb	20-Mar	21-Mar	9-May	18-Jul	9-Dec																	
Robison, B	1			16-Mar																						
	3	123	2	25-Jan	24-Jun	18-Oct																				
Rogers, S	3			6-Jan	3-May	29-Jun																				
	0	118	-3																							
Shelton,L	2			27-Mar	11-Oct																					
	1	120	-1	29-Jun																						
Sikes, A	1			5-Dec																						
	1	121	0	7-Jan																						
Smith, K	0																									
	18	139	18	15-Jun	21-Jul	31-Jul	2-Aug	15-Aug	24-Aug	29-Aug	7-Sep	29-Sep	5-Oct	14-Oct	22-Oct	26-Oct	12-Nov	15-Nov	6-Dec	13-Dec	31-Dec					
Smith, M	2			13-Jun	18-Oct																					
	2	121	0	26-Sep	21-Nov																					
Smith, N	3			24-May	1-Aug	6-Sep																				
	0	118	-3																							
Stringer, J	23			15-Mar	17-Apr	13-Jun	25-Jun	28-Jun	10-Jul	13-Jul	22-Jul	31-Jul	12-Aug	15-Aug	30-Aug	17-Sep	20-Sep	5-Oct	8-Oct	14-Oct	26-Oct	1-Nov	7-Nov	22-Nov	13-Dec	31-Dec
	0	98	-23																							
Taylor, J	0																									
	4	125	4	10-Jan	3-May	12-Jun	12-Dec																			
Thompson, B	2			8-Jul	5-Dec																					
	1	120	-1	17-Oct																						
Weerts, C	4			13-Mar	9-May	3-Oct	30-Oct																			
	6	123	2	11-Mar	26-Mar	8-May	27-Jun	19-Oct	31-Oct																	
Whitehurst, B	0																									
	0	121	0																							
Wilhite, C	6			29-Mar	21-Jul	24-Jul	7-Sep	31-Oct	12-Dec																	
	0	115	-6																							
Ytzen, D	3			27-Mar	17-Oct	26-Oct																				
	2	120	-1	4-Oct	26-Nov																					
Craig, K	0																									
	0	121	0																							
Ragsdale, J	0																									
	0	121	0																							
Rogers, B	2			4-Jan	19-Apr																					
	1	120	-1	5-Jun																						
Williams, J	9			6-Jan	13-Mar	27-Apr	20-Jun	2-Jul	5-Jul	29-Jul	1-Aug	4-Aug														
	5	117	-4	3-Mar	8-May	22-Jun	6-Jul	13-Jul																		
Tice, J	0																									
	0	121	0																							
Jones, R	1			23-Sep																						
	2	122	1	13-Sep	23-Nov																					
Spradlin, B	6			18-Jan	27-Jan	8-Feb	14-Feb	1-Mar	10-Mar																	
	0	115	-6																							
Campbell, A	0																									
	0	121	0																							
Holder, R	22			6-Apr	9-Apr	21-May	24-May	27-May	5-Jun	11-Jun	14-Jun	23-Jun	29-Jun	11-Jul	25-Jul	4-Aug	7-Aug	16-Aug	18-Aug	22-Aug	25-Aug	28-Aug	31-Aug	3-Sep	23-Nov	
	3	102	-19	25-Jan	20-Mar	29-Mar																				
McNeely, D	0																									
	1	122	1	8-Jul																						
Henson, W	0																									
	0	121	0																							
Off w/Substitute	280																									
Worked as Substitute	282																									

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Names	Count	Shifts	O/U 121	2015																		
Anderson, J	0																					
	0	121	0																			
Applegate, J	4			5-Mar	6-Jun	18-Jun	12-Jul															
	0	117	-4																			
Benson, M	11			7-Feb	28-Feb	4-Jun	22-Jun	25-Jun	25-Jul	12-Aug	15-Aug	17-Oct	23-Oct	13-Nov								
	13	123	2	16-Apr	1-May	16-May	21-Jun	12-Jul	24-Jul	9-Aug	4-Oct	16-Oct	22-Oct	12-Nov	18-Nov	21-Nov						
Buhrer, M	12			17-Jan	27-Mar	11-Apr	28-Jun	1-Jul	8-Aug	4-Sep	11-Sep	4-Oct	16-Oct	22-Oct	10-Dec							
	19	128	7	20-Feb	12-Apr	1-May	15-May	6-Jun	11-Jun	17-Jun	9-Jul	12-Jul	23-Jul	28-Jul	7-Aug	15-Aug	18-Aug	11-Sep	17-Oct	23-Oct	27-Oct	9-Dec
Burnett, M	7			15-Feb	6-Jun	2-Aug	5-Aug	8-Aug	4-Sep	7-Sep												
	5	119	-2	19-Mar	2-May	24-Jun	27-Jun	30-Jun														
Chambers, B	1			13-Apr																		
	0	120	-1																			
Chamblee, K	4			13-Feb	11-Jul	27-Oct	10-Nov															
	15	132	11	16-May	22-May	3-Jun	11-Jul	718	24-Jul	7-Aug	9-Aug	10-Aug	23-Aug	28-Aug	29-Aug	4-Sep	4-Nov	25-Dec				
Cheatham, K	2			7-May	19-Sep																	
	0	119	-2																			
Clark, M	4			9-Apr	2-Jun	11-Jun	17-Jun															
	1	118	-3	7-May																		
Corley, M	0																					
	0	121	0																			
Daniel, M	4			2-May	22-Jun	11-Sep	7-Nov															
	4	121	0	6-Jun	18-Jun	26-Aug	19-Sep															
Daniels, J	7			17-Apr	5-May	25-Jun	18-Aug	24-Aug	16-Nov	19-Nov												
	0	114	-7																			
Davidson, J	2			28-Feb	29-May																	
	1	120	-1	11-Jun																		
Davis, A	1			24-Feb																		
	3	123	2	7-Mar	4-Jun	18-Jun																
Douglas, D	1			14-Jul																		
	1	121	0	12-Jun																		
Fant, J	2			20-Feb	6-Apr																	
	3	122	1	5-Mar	27-Mar	23-Jun																
Flanagan, Z	1			16-May																		
	7	127	6	21-Mar	6-Apr	3-May	8-May	14-Jun	29-Jul	18-Aug												
Garrett, J	1			4-Mar																		
	0	120	-1																			
Gilliam, M	2			17-Jan	11-Oct																	
	1	120	-1	21-Jul																		
Gilley, M	2			20-Jun	19-Nov																	
	1	120	-1	19-Aug																		
Gingery, J	0																					
	0	121	0																			
Green, G	0																					
	0	121	0																			
Greenway, R	0																					
	0	121	0																			
Hale, J	4			26-Apr	2-May	29-May	25-Nov															
	10	127	6	31-Mar	8-Apr	10-Apr	8-Jun	3-Jul	15-Jul	24-Aug	4-Sep	13-Sep	18-Sep									
Hamilton, N	7			16-Feb	17-May	29-May	20-Jun	10-Dec	25-Dec	28-Dec												
	11	125	4	5-Jul	11-Jul	1-Aug	4-Aug	9-Oct	27-Oct	30-Oct	5-Nov	11-Nov	20-Nov	23-Nov								
Hand, R	0																					
	0	121	0																			
Hawkins, Jeremy	11			14-Mar	16-Apr	1-May	19-May	22-May	3-Jun	21-Jun	24-Jun	24-Jul	29-Aug	25-Sep								
	1	111	-10	22-Jun																		
Hawkins, Josh	7			28-Mar	16-May	18-Jul	8-Aug	18-Aug	2-Sep	5-Sep												
	6	120	-1	4-Jun	20-Jun	18-Aug	2-Sep	5-Sep	20-Sep													
Hemby, A	12			16-Jan	10-Apr	22-May	24-Jun	27-Jun	30-Jun	3-Jul	6-Jul	9-Jul	12-Jul	14-Aug	4-Sep							
	11	120	-1	26-Apr	29-May	2-Jun	5-Jun	22-Jun	25-Jun	1-Aug	2-Aug	5-Aug	8-Aug	25-Nov								
Huddleston, D	5			15-Jul	24-Jul	9-Aug	18-Aug	18-Nov														
	3	119	-2	5-May	25-Jul	18-Aug																
Jansen, K	0																					
	3	124	3	2-Jun	8-Aug	11-Nov																
Jones, O	7			10-Mar	27-Apr	5-Jun	23-Jun	5-Jul	30-Oct	20-Nov												
	5	119	-2	16-Feb	8-Apr	17-May	27-Jun	16-Sep														
Jones, P	1			5-Sep																		
	2	122	1	6-Jun	28-Sep																	
Lachowsky, C	4			11-Feb	21-May	11-Jun	14-Jun															
	0	117	-4																			
Lathrop, R	4			16-May	3-Jun	3-Jul	23-Aug															
	7	124	3	29-Jan	7-Feb	21-May	2-Jun	11-Jun	23-Jun	26-Sep												
Lauck, P	4			2-Jun	5-Jun	29-Jul	24-Sep															
	1	118	-3	6-Jul																		
Lawrence, M	11			21-May	2-Jun	8-Jun	17-Jul	4-Aug	28-Aug	18-Sep	9-Oct	30-Oct	5-Nov	11-Nov								
	0	110	-11																			
Martin, P	1			19-Aug																		
	2	122	1	19-Jun	19-Nov																	
May, J	1			16-Nov																		
	2	122	1	27-Apr	5-Jun																	
McCasland, E	8			5-Jan	29-Jan	2-May	8-May	20-Jun	28-Jul	18-Aug	20-Sep											

Attachment: 2016-116 ATTH 03 Trade Time Log (1545 : 2016-116 RES revising fire department swap time

Names	Count	Shifts	O/U 121	2015																																				
	1	114	-7	24-Jun																																				
McKinnon, B	1			23-Jul																																				
	0	120	-1																																					
Mixon, Jimmy	1			16-Oct																																				
	0	120	-1																																					
Moore, D	4			13-Feb	21-Jul	11-Nov	16-Nov																																	
	37	154	33	27-Jan	30-Jan	5-Feb	8-Feb	13-Feb	28-Feb	4-Mar	10-Mar	12-Mar	31-Mar	6-Apr	11-Apr	17-Apr	2-May	21-May	29-May	2-Jun	8-Jun	14-Jun	19-Jun	11-Jul	17-Jul	19-Jul	3-Aug	3-Sep	18-Sep	21-Sep	11-Oct	30-Oct	2-Nov	14-Nov	16-Nov	20-Nov	5-Dec	10-Dec	20-Dec	28-Dec
Newman, D	5			21-Mar	16-Jul	19-Jul	28-Jul	5-Sep																																
	13	129	8	11-Feb	8-Mar	14-Mar	13-Apr	16-Apr	28-Apr	9-May	16-May	19-May	15-Jun	17-Jun	8-Aug	29-Aug																								
Norwood, M	0																																							
	1	122	1	10-Nov																																				
Page, S	1			11-Sep																																				
	0	120	-1																																					
Peeples, L	8			29-Jan	10-Feb	28-Feb	17-Apr	1-Jul	18-Aug	2-Sep	4-Nov																													
	11	124	3	29-Mar	1-Apr	16-May	21-May	22-May	30-May	29-Jun	26-Jul	11-Aug	19-Sep	25-Sep																										
Phillips, C	8			21-Jan	31-Mar	9-Apr	8-Jun	28-Aug	3-Sep	18-Sep	20-Nov																													
	4	117	-4	5-Jan	16-Jan	2-Aug	8-Aug																																	
Raschke, R	3			2-Aug	8-Aug	19-Sep																																		
	12	130	9	6-Jan	13-Feb	14-Feb	27-Apr	2-May	29-Jul	28-Aug	3-Sep	11-Sep	24-Sep	24-Oct	20-Nov																									
Rich, D	3			19-Jul	22-Jul	3-Aug																																		
	1	119	-2	13-Sep																																				
Robertson, S	5			19-Mar	9-May	17-Jun	23-Jun	7-Aug																																
	12	128	7	15-Feb	9-Apr	22-May	3-Jun	1-Jul	3-Jul	28-Jul	8-Aug	14-Aug	2-Sep	5-Sep	7-Sep																									
Robison, B	6			7-Mar	12-Apr	15-May	29-Jun	1-Aug	7-Aug																															
	7	122	1	17-Jan	11-Apr	28-Jun	22-Jul	4-Sep	5-Sep	30-Dec																														
Rogers, S	2			1-May	8-Aug																																			
	0	119	-2																																					
Shelton,L	1			11-Jun																																				
	1	121	0	29-May																																				
Sikes, A	0																																							
	0	121	0																																					
Smith, K	0																																							
	11	132	11	17-Jan	9-May	25-Jun	26-Jul	29-Jul	19-Aug	28-Aug	8-Nov	16-Nov	19-Nov	5-Dec																										
Smith, M	5			1-Apr	16-May	6-Jun	13-Sep	28-Sep																																
	15	131	10	29-Jan	10-Feb	28-Feb	17-Apr	3-May	11-Jun	20-Jun	16-Jul	17-Jul	19-Jul	20-Jul	22-Jul	23-Jul	5-Sep	4-Nov																						
Smith, N	2			8-Mar	29-Aug																																			
	0	119	-2																																					
Stringer, J	35			6-Jan	27-Jan	30-Jan	5-Feb	8-Feb	14-Feb	31-Mar	6-Apr	27-Apr	3-May	9-May	2-Jun	11-Jun	14-Jun	20-Jun	11-Jul	17-Jul	20-Jul	23-Jul	26-Jul	29-Jul	1-Aug	19-Aug	28-Aug	3-Sep	21-Sep	24-Oct	27-Oct	2-Nov	8-Nov	14-Nov	20-Nov	23-Nov	5-Dec	20-Dec		
	0	86	-35																																					
Taylor, J	1			10-Aug																																				
	1	121	0	18-Aug																																				
Thompson, B	1			18-Jun																																				
	2	122	1	21-Jan	24-Feb																																			
Weerts, C	5			16-Apr	1-May	12-Nov	21-Nov	9-Dec																																
	4	120	-1	28-Feb	12-Aug	13-Nov	10-Dec																																	
Whitehurst, B	0																																							
	0	121	0																																					
Wilhite, C	4			12-Mar	8-Apr	11-Apr	28-Jun																																	
	0	117	-4																																					
Ytzen, D	2			21-May	30-May																																			
	2	121	0	1-May	1-Jul																																			
Craig, K	0																																							
	0	121	0																																					
Ragsdale, J	0																																							
	0	121	0																																					
Rogers, B	0																																							
	0	121	0																																					
Williams, J	8			28-Apr	12-Jun	15-Jun	11-Aug	26-Aug	13-Sep	16-Sep	30-Dec																													
	4	117	-4	14-Jul	16-Jul	30-Oct	7-Nov																																	
Tice, J	0																																							
	0	121	0																																					
Jones, R	0																																							
	0	121	0																																					
Spradlin, B	0																																							
	0	121	0																																					
Campbell, A	0																																							
	2	123	2	11-Sep	16-Oct																																			
Holder, R	0																																							
	0	121	0																																					
McNeely, D	2			9-Aug	26-Sep																																			
	0	119	-2																																					
Henson, W	0																																							
	0	121	0																																					
Off w/Substitute	268																																							
Worked as Substitute	279																																							

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Names	Count	Shifts	O/U 81	2016								
Anderson, J	1			25-Jun								
	1	81	0	9-Jun								
Applegate, J	1			12-Jun								
	1	81	0	13-Jun								
Benson, M	6			30-Jan	30-Mar	8-Apr	14-May	1-Jul	9-Aug			
	9	84	3	26-Jan	4-Feb	5-Mar	20-Mar	10-Apr	13-May	30-Jun	27-Jul	5-Aug
Buhrer, M	2			19-Jul	25-Jul							
	4	83	2	24-Jun	6-Jul	30-Jul	20-Aug					
Burnett, M	0											
	0	81	0									
Chambers, B	0											
	0	81	0									
Chamblee, K	0											
	3	84	3	13-May	14-May	3-Jun						
Cheatham, K	2			30-Jun	30-Jul							
	2	81	0	1-Jul	25-Jul							
Clark, M	3			26-May	13-Jun	22-Jun						
	4	82	1	12-Apr	24-May	12-Jun	14-Jun					
Corley, M	0											
	0	81	0									
Daniel, M	2			26-Apr	29-Apr							
	0	79	-2									
Daniels, J	0											
	0	81	0									
Davidson, J	1			23-Jul								
	0	80	-1									
Davis, A	2			20-Mar	10-Apr							
	1	80	-1	7-Mar								
Douglas, D	0											
	0	81	0									
Fant, J	2			19-Mar	14-Apr							
	1	80	-1	14-Apr								
Flanagan, Z	0											
	1	82	1	10-Jun								
Garrett, J	0											
	1	82	1	21-Jul								
Gilliam, M	0											
	1	82	1	16-May								
Gilley, M	0											
	3	84	3	15-Feb	21-Feb	21-May						
Gingery, J	0											
	1	82	1	24-Aug								
Green, G	0											
	0	81	0									
Greenway, R	0											
	0	81	0									
Hale, J	1			7-Jul								
	4	84	3	22-Jan	24-Feb	26-Jul	22-Aug					
Hamilton, N	0											
	4	85	4	6-Jun	14-Jun	23-Jun	28-Aug					
Hand, R	0											
	0	81	0									
Hawkins, Jeremy	4			1-Apr	13-May	24-Jun	20-Aug					
	0	77	-4									
Hawkins, Josh	2			9-Jun	11-Aug							
	0	79	-2									
Hemby, A	0											
	1	82	1	11-Jul								
Huddleston, D	4			4-Feb	8-Apr	18-Jun	5-Aug					
	6	83	2	30-Jan	19-Mar	30-Mar	8-Apr	2-Jul	9-Aug			
Jansen, K	0											
	0	81	0									
Jones, O	1			3-Feb								
	0	80	-1									
Jones, P	0											
	0	81	0									
Lachowsky, C	2			6-Jun	8-Jul							
	0	79	-2									
Lathrop, R	9			26-Apr	13-Apr	13-May	26-May	3-Jun	18-Jun	24-Jul	27-Jul	30-Jul
	4	76	-5	29-Apr	14-May	26-May	14-Jul					
Lauck, P	1			19-Mar								
	0	80	-1									
Lawrence, M	7			31-Jan	30-May	17-Jun	26-Jun	11-Jul	29-Jul	16-Aug		
	0	74	-7									
Martin, P	3			21-Feb	21-May	2-Jun						
	0	78	-3									
May, J	0											
	0	81	0									
McCasland, E	5			11-Feb	5-Apr	14-Apr	26-Apr	29-Apr				

Names	Count	Shifts	O/U 81	2016																			
	2	78	-3	1-Mar	19-Mar																		
McKinnon, B	0																						
	0	81	0																				
Mixon, Jimmy	0																						
	0	81	0																				
Moore, D	3			16-May	2-Jun	21-Jul																	
	20	98	17	25-Jan	31-Jan	3-Feb	12-Feb	7-Mar	27-Apr	29-Apr	6-May	9-May	21-May	30-May	2-Jun	11-Jun	17-Jun	26-Jun	2-Jul	11-Jul	26-Jul	29-Jul	16-Aug
Newman, D	1			27-Aug																			
	2	82	1	13-May	11-Aug																		
Norwood, M	1			21-May																			
	1	81	0	26-Jan																			
Page, S	0																						
	0	81	0																				
Peeples, L	5			8-Feb	17-Apr	14-May	10-Jun	24-Aug															
	1	77	-4	27-May																			
Phillips, C	3			7-Jan	7-Mar	6-May																	
	3	81	0	1-Apr	10-Apr	14-Apr																	
Raschke, R	0																						
	4	85	4	7-Jan	26-May	2-Jul	23-Jul																
Rich, D	0																						
	0	81	0																				
Robertson, S	5			29-Apr	27-May	2-Jul	11-Jul	14-Jul															
	4	80	-1	29-Apr	3-Jun	18-Jun	24-Jul																
Robison, B	1			9-May																			
	5	85	4	5-Mar	8-Apr	18-Jun	22-Jun	30-Jul															
Rogers, S	0																						
	0	81	0																				
Shelton,L	0																						
	0	81	0																				
Sikes, A	0																						
	0	81	0																				
Smith, K	1			15-Feb																			
	16	96	15	12-Apr	15-Apr	26-Apr	12-May	27-May	2-Jun	11-Jun	17-Jun	25-Jun	26-Jun	2-Jul	8-Jul	29-Jul	13-Aug	25-Aug	31-Aug				
Smith, M	0																						
	5	86	5	30-Jan	8-Feb	19-Mar	14-Apr	17-Apr															
Smith, N	2			26-Jan	6-Jul																		
	1	80	-1	19-Jul																			
Stringer, J	19			25-Jan	12-Feb	12-Apr	15-Apr	27-Apr	12-May	21-May	27-May	11-Jun	14-Jun	23-Jun	26-Jun	2-Jul	26-Jul	29-Jul	13-Aug	25-Aug	28-Aug	31-Aug	
	0	62	-19																				
Taylor, J	9			22-Jan	24-Feb	1-Mar	12-Apr	9-May	24-May	14-Jun	26-Jul	22-Aug											
	3	75	-6	11-Feb	5-Apr	7-Jul																	
Thompson, B	1			26-Jan																			
	0	80	-1																				
Weerts, C	1			5-Mar																			
	2	82	1	8-Apr	9-May																		
Whitehurst, B	0																						
	0	81	0																				
Wilhite, C	0																						
	0	81	0																				
Ytzen, D	1			11-Jun																			
	0	80	-1																				
Craig, K	0																						
	0	81	0																				
Ragsdale, J	0																						
	0	81	0																				
Rogers, B	0																						
	0	81	0																				
Williams, J	0																						
	0	81	0																				
Tice, J	0																						
	0	81	0																				
Jones, R	0																						
	0	81	0																				
Spradlin, B	0																						
	0	81	0																				
Campbell, A	0																						
	0	81	0																				
Holder, R	0																						
	0	81	0																				
McNeely, D	0																						
	0	81	0																				
Henson, W	0																						
	1	82	1	27-Aug																			
Off w/Substitute	114																						
Worked as Substitute	122																						

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in the case of public safety employees as discussed below in section (3)), as well as all the facts and circumstances in a particular case, in determining whether employment in a second capacity is substantially different from the regular employment.

(3) For example, if a public park employee primarily engaged in playground maintenance also from time to time cleans an evening recreation center operated by the same agency, the additional work would be considered hours worked for the same employer and subject to the Act's overtime requirements because it is not in a *different capacity*. This would be the case even though the work was *occasional or sporadic*, and, was not regularly scheduled. Public safety employees taking on any kind of security or safety function within the same local government are never considered to be employed in a *different capacity*.

(4) However, if a bookkeeper for a municipal park agency or a city mail clerk occasionally referees for an adult evening basketball league sponsored by the city, the hours worked as a referee would be considered to be in a different general occupational category than the primary employment and would not be counted as hours worked for overtime purposes on the regular job. A person regularly employed as a bus driver may assist in crowd control, for example, at an event such as a winter festival, and in doing so, would be deemed to be serving in a different capacity.

(5) In addition, any activity traditionally associated with teaching (e.g., coaching, career counseling, etc.) will not be considered as employment in a *different capacity*. However, where personnel other than teachers engage in such teaching-related activities, the work will be viewed as employment in a *different capacity*, provided that these activities are performed on an occasional or sporadic basis and all other requirements for this provision are met. For example, a school secretary could substitute as a coach for a basketball team or a maintenance engineer could provide instruction on auto repair on an occasional or sporadic basis.

§ 553.31 Substitution—section 7(p)(3).

(a) Section 7(p)(3) of the FLSA provides that two individuals employed in any occupation by the same public agency may agree, solely at their option and with the approval of the public agency, to substitute for one another during scheduled work hours in performance of work in the same capacity. The hours worked shall be excluded by the employer in the calculation of the hours for which the substituting employee would otherwise be entitled to overtime compensation under the Act. Where one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift.

(b) The provisions of section 7(p)(3) apply only if employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee substitute or "trade time" with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision. An employee's decision to substitute will be considered to have been made at his/her sole option when it has been made (i) without fear of reprisal or promise of reward by the employer, and (ii) exclusively for the employee's own convenience.

(c) A public agency which employs individuals who substitute or "trade time" under this subsection is not required to keep a record of the hours of the substitute work.

(d) In order to qualify under section 7(p)(3), an agreement between individuals employed by a public agency to substitute for one another at their own option must be approved by the agency. This requires that the agency be aware of the arrangement prior to the work being done, i.e., the employer must know what work is being done, by whom it is being done, and where and when it is being done. Approval is manifest when the employer is aware of the substitution and indicates approval in whatever manner is customary.

Attachment: 2016-116 ATTH 04 29 CFR 553 Substitution (1545 : 2016-116 RES revising fire department

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

November 23, 2004 **FLSA2004-23**

Dear ***Name****,*

This is in response to your letter requesting an opinion letter concerning the issue of "donating" and "exchanging" time under section 7(p)(3) of the Fair Labor Standards Act (FLSA) for firefighters employed by the ***Name**** We regret the long delay in responding.

A firefighter suffered an injury and was unable to work for an extended period. Her fellow firefighters decided to work her regular shift to ensure that her pay and benefits would continue uninterrupted. The employer, after becoming aware of this practice, disallowed it, and stated that the injured firefighter would be required to repay all the donated time. A discussion between you and a member of my staff on March 9, 2004, revealed that this employee has not worked for about four months, and during that time up to nine of her co-workers voluntarily substituted in her place during her scheduled shifts. On average, each of the firefighters substituted one 24 hour shift on her behalf.

You ask whether a group of firefighters may "donate" time to another firefighter by working in her place during her regular shift schedule in order for her to receive regular pay. The FLSA does not use the terms "donate" or "exchange," but rather uses the term "substitute." Generally, the FLSA and the implementing regulations provide that public agency employees may agree to substitute for each other and that the pay of both the substituting and substituted employee is unaffected. These provisions would permit the scenario described in your letter as long as the "substitution" comports with the statutory and regulatory substitution requirements set out below.

Section 7(p)(3) of the FLSA provides that two individuals employed in the same capacity by the same public agency may agree, solely at their option and with the approval of the public agency, to substitute for one another during scheduled work hours. 29 U.S.C. §207(p)(3). It further states that the hours worked by the substituting employee shall be excluded by the public agency in the calculation of the hours for which the substituting employee is entitled to overtime compensation under the Act. The implementing regulations provide that when "one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift." 29 CFR §553.31(a).

The regulations limit the application of section 7(p)(3) to situations where the "employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee substitute or 'trade time' with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision. An employee's decision to substitute will be considered to have been made at his/her sole option when it has been made (i) without fear of reprisal or promise of reward by the employer, and (ii) exclusively for the employee's own convenience." 29 CFR §553.31(b).

The implementing regulations also provide guidance on satisfying the statutory requirement for a public agency to approve an agreement between employees to substitute for one another. This approval requirement is satisfied "when the employer is aware of the substitution and indicates approval in whatever manner is customary." 29 CFR §553.31(d).

Finally, there is no provision in section 7(p)(3) or its implementing regulations that could be construed to require one individual to "repay" the other individual who agrees to a work substitution arrangement. Previous opinion letters issued by the Wage and Hour Division, dated January 2, 1987 and December 13, 1993, have stated consistently that there is no FLSA requirement that an employee substitute in turn in order to pay back the other employee. This is a matter left for the parties to resolve.

You also ask whether a firefighter may substitute shifts with more than one firefighter at any one time.

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

Neither section 7(p)(3) nor its implementing regulations limit the number of substitutions between employees. See January 2, 1987 opinion letter. However, as mentioned above, an agreement between individuals employed by a public agency to substitute for one another at their own option must be approved by the agency. Additionally, section 7.7 of the collective bargaining agreement between the ***Name**** and the ***Name**** Professional Fire Fighters Union Local 3174 is consistent with this requirement by noting that employees "may exchange shifts if advance approval is obtained from the Fire Chief, and there shall be no liability for overtime pay as a result of the shift exchange." Thus, while both section 7(p)(3) and the collective bargaining agreement require employer approval to substitute work performed by one employee for another employee, neither prohibits a public agency from limiting the number of times work substitutions can be exchanged.

This opinion is based exclusively on the facts and circumstances described in your request and is given on the basis of your representation, explicit or implied, that you have provided a full and fair description of all the facts and circumstances which would be pertinent to our consideration of the question presented. Existence of any other factual or historical background not contained in your request might require a different conclusion than the one expressed herein. You have represented that this opinion is not sought by a party to pending private litigation concerning the issue addressed herein. You have also represented that this opinion is not sought in connection with an investigation or litigation between a client or firm and the Wage and Hour Division or the Department of Labor.

We trust that the above is responsive to your inquiry.

Sincerely,

Alfred B. Robinson, Jr.
Acting Administrator

*Note: * The actual name(s) was removed to preserve privacy.*

Attachment: 2016-116 ATTH 05 email from Labor Counsel Cranford (1545 : 2016-116 RES revising fire

TTFD-Schlotter, Eric

From: Melissa Cranford <cranford@laborcounsel.net>
Sent: Wednesday, July 22, 2015 10:35 AM
To: TEX-Powell, Jim
Subject: SWAP time issue

CONFIDENTIAL COMMUNICATION: PROTECTED BY ATTORNEY-CLIENT PRIVILEGE

Dear Jim:

Per our conversation of yesterday, please be advised that the City has a large area of discretion in regulating the practice of shift swapping in the fire department. Please find some of the options we discussed below, from most restrictive to least:

1. Prohibit employees from engaging in shift swapping. (The only caution I would add, is that it needs to be applied uniformly and in both the police and fire departments.)

2. Prohibit employees from paying workers directly. (This is probably a good limitation for a number of reasons, as the City does have some exposure in allowing an individual to work if it results in either a minimum wage violation or an overtime deficit because of additional time worked for which the employee would not receive a time and a half equivalent. Allowing the extra shifts also drives up the potential cost of overtime if paid in accordance with the FLSA and the City's payroll practices. Further, by allowing an employee to pay a co-worker out of pocket to work instead of a time-for-time swap results likely results in a non-payment of payroll taxes and proportional retirement benefits.)

3. Require a minimum number of hours to be worked by each employee per pay period or per month. (This restriction is also backed up by the guidelines for the Affordable Care Act. Under the ACA, to be considered a full-time employee and eligible for employee sponsored coverage, employees must work 30 hours per week. Employees who are not working 30 hours per week, but are accepting benefits may be engaging in fraudulent conduct under the insurance plan. Employers who knowingly allow the employee's conduct may also encounter liability through the plan documents.)

4. Require a minimum number of shifts to be worked per pay period or per month.

5. Require that shift swap be paid back within a pay period.

6. Require approval from supervisor to engage in shift swapping

7. Prohibit shift swapping between ranks. (i.e., only drivers may work for drivers.)

These are some of the most obvious and common limitations, but a combination of any of these rules may also be instituted. Please let me know what questions you might have in forming a policy.

Kindest regards,

Melissa H. Cranford

Approved; C. P. Birmingham
C. P. Birmingham, Fire Chief

Texarkana, Texas
December 15th, 1954

To: C. P. Birmingham
Chief Fire Department
Texarkana, Texas

We; the undersigned members of the Texarkana, Texas Fire Department, desire to make the following agreement. It is agreed and understood by and between each of the undersigned that in the event any of us should become sick or disabled to the extent that we are unable to carry out our duties in the Fire Department., and after all sick leave has been exhausted by the man affected that we agree to "double" for him. Providing however, that the following provisions are complied with.

(1) No member is to be actively engaged in gainfull employment while receiving the benefits of this agreement. If the members of this agreement feel that this provision is being violated or abused they can by a majority vote "expell" the member in question.

(2) No member is required to work (double) during his vacation or specified (regular) day off.. However this provision is optional and should a man elect to work during these periods he can do so. Should a member desire not to work during these periods he is required to make up the time at a later date. Each mans cooperation will contribute to the success of this agreement.

(3) The members of this agreement request the Chief and Department Officers to allow the men that are doubling to work at the station where the vacancy exists, as a result of man being off sick or disable. However this request is made with the thought in mind of maintaining the efficiency of the Department at all times.

EACH UNDERSIGNED MEMBER IS ENTITLED TO RECEIVE DOUBLING BENEFITS OF 180 WORKING DAYS (not to exceed 180 work days)

Resigned 1	Darrel D. Flynn	E. D. Dixon	Retired
Deceased 2	Clyde Hall	B. G. James	Retired
3	J. M. Hutchison	H. J. Schlinke	Retired
4	Jack Daines	G. A. Slaton	
5	Cecil Jackson	Joe A. Burnett	Resigned
6	R. T. Amick	G. J. Barrett	
7	J. A. Smith	J. H. Hughes	Resigned
Deceased 8	W. M. Hargis	Joe H. Gill	
9	A. L. Brandon	Joe E. Benjamin	Retired
Retired 10	B. B. Ball	B. W. Fort	
Retired 11	J. B. Ogden	H. E. McGee	
12	[illegible]	B. L. Olivera	Retired
Resigned 13	Paul M. Pippins	John L. Ennis	Resigned
Retired 14	J. Heaney	B. J. Fox	
15	J. E. Lemley	Joe E. Pope	Deceased
16	[illegible]	Edward Berling	
Resigned 17	[illegible]	Conn R. Finn	Deceased

Additional signatures to be made on the reverse side.

Attachment: 2016-116 ATTH 06 Council Minutes 28 DEC 54 - FF Double (1545 : 2016-116 RES revising fire

REGULAR MEETING
DECEMBER 28, 1954
7:00 P.M.

The City Council of the City of Texarkana, Texas, met in Regular Session in the Council Chambers of the Municipal Building, December 28, 1954 at 7:00 P.M. Mayor A. P. Miller, Jr. present and presiding.

CALL TO ORDER

Chief of Police Leon Arnold called the meeting to order.

ROLL CALL

On roll call the following Aldermen were present:

Hon. J. R. Bryant, Alderman Ward 1
Hon. A. P. LeGrand, Jr. Alderman Ward 2
Hon. Paul Blankenship, Alderman Ward 3
Hon. J. W. Poore, Jr., Alderman Ward 4
Hon. N. S. Petty, Alderman Ward 5
Hon. C. E. Hervey, Alderman Ward 6
Hon. Geo. McCoppin, Alderman at large

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* * * * * * * * * *

LIGHT, WATER AND FIRE

Alderman Petty discussed the matter of off duty firemen which was placed in his Committee at the last meeting.

ACTION TAKEN

Motion was made by Alderman Petty, seconded by Alderman Bryant, that firemen in the Fire Department of the City of Texarkana, Texas, shall be permitted to engage in agreements to double for sick or disabled fellow firemen, not sick, injured or disabled in line of duty, said doubling to be on a volunteer basis, without any compulsion from anyone. The sick, injured or disabled firemen shall be carried on the payroll of the City of Texarkana, Texas, after his sick leave has been exhausted so long as there is some qualified fireman of the Fire Department of the City of Texarkana, Texas, working for him during his tour of duty, and the period of time for such doubling shall not exceed 180 working days. For the purposes of clarity, if a fellow firemen agrees to double for the sick, injured or disabled employee, fails to present himself for work, the sick, injured or disabled firemen shall be considered absent without leave. If a fellow fireman presents himself for work and begins work, the fellow fireman will be considred in line of duty for all purposes, except pay purposes. If the fellow fireman violates any civil service rule while doubling for a sick, injured or disabled fireman, the fellow fireman shall be subject to such disciplinary action as though he were on his regular tour of duty.

On roll call the following Aldermen voted:

Yeas: Bryant, LeGrand, Blankenship, Poore, Petty, Hervey, McCoppin
Yeas: 7
Nays: None

McKINNEY FIRE DEPARTMENT
ADMINISTRATIVE DIRECTIVE

Issued 08/09/2013	**Archived:**
Effective: 08/09/2013	
Revised: 05/21/15	
Authorized by: D T Kistner	**Date: 05/21/15**

Trade-Out
1.028

Related Directives/SOG/Memo's	Related Forms

1.028.01 PURPOSE:

It is the purpose of this policy to outline and define the Trade-out Policy for the McKinney Fire Department.

1.028.02 SCOPE:

It is the policy of the McKinney Fire Department to allow shift personnel to trade with each other on a limited basis while meeting the needs of the Department. It shall be the responsibility of all members and Fire Department employees to be familiar, understand, and implement this directive.

1.028.03 DEFINITIONS:

Trade-out – By mutual agreement, one individual of equal classification is voluntarily working for another with the concurrence of their supervisors.

Company Officer – the officer (s) for whom a person works and officially reports.

1.028.04 POLICY:

A. Company officers are responsible for their personnel; they have the authority to approve or deny trade-out requests.

B. All trade-outs shall be on a time-for-time basis only.

C. Trade-out shall be allowed on an "as needed" basis, regulated by the company officer. The members involved in the trade-out will be within the same classification and have the necessary knowledge and expertise to perform all the duties of the position. (e.g., Captain for

Attachment: 2016-116 ATTH 07 City of McKinney FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

Captain, Driver for Driver, Firefighter for Firefighter). Duties, functions, and activities of a particular assignment shall not be compromised.

D. Members are responsible for their particular shift. Members cannot delegate responsibility for their work shift to another. When a substitute does not or cannot report as agreed, the responsibility for securing another substitute remains with the member originally scheduled to work. If a substitute cannot be secured, the regularly scheduled member shall report for work as scheduled. If a substitute calls in sick or must leave due to illness or family emergency, the sick time will be charged to the regularly scheduled member.

E. Trade-out records will be the responsibility of the members trading time. The company officer will be responsible for recording the trade on the Central Calendar as well as keeping all records in the stations trade-out log. Disputes should be settled at the company officer's level, then up the chain of command as required.

F. Member will not be eligible for trade-outs while on probation for fire recruit or disciplinary probation.

1.028.04 **SUSPENSION:**

A. Trade-out leave shall be considered a privilege, and as such, may be suspended. Any individual placed on trade-out suspension shall not give or receive new trade-outs for the duration of the suspension. Any outstanding time to be received or given by the suspended individual shall only be allowed upon approval of the Battalion Chief.

1.028.05 **EXCEPTIONS:**

A. Any exceptions to this policy shall be at the discretion of the Fire Chief or designee.

Approved by: Danny Kistner, Fire Chief

Attachment: 2016-116 ATTH 07 City of McKinney FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

Nacogdoches Fire & Rescue	104.3
Standard Operating Procedure	**Leave Time – Exchange of Time**
Originally Issued: 00-00-00	Approved By:
Last Revision: 07-13-11	

OBJECTIVE:	The objective of this section is to establish guidelines regarding exchange of time that are in addition to those leave guidelines established in the City of Nacogdoches Personnel Policies guidebook. The following information is specific for Nacogdoches Fire & Rescue operations.

PHILOSOPHY

Exchange of time between members increases flexibility among firefighters, improves employee morale and has a direct relationship to decreased use of sick and emergency leave.

STANDARD

I. Exchange of Time

A. Members may have another member work for them for a total of 96 hours each month. Exchange of time must meet other conditions of this section.

B. Exchanges of time are just that, exchanges of time. Members may work for others who can reasonably be expected to repay them with time (see subsection I(2) below for special circumstances). Members are not authorized to exchange time for remuneration other than like time itself.

C. All exchanges must be documented on the Department's Exchange of Time Agreement form and must be approved prior to the occurrence of the exchange.

D. A station officer has the authority and responsibility for approving or not approving Exchange of time request for Driver/Engineers and Firefighters.

E. With due cause, a BC may disapprove an Exchange of Time that was approved by a Captain.

F. A Battalion Fire Chief (BC) has the authority and responsibility for approving or not approving Exchange of time request for Captains.

G. With due cause, a BC may disapprove an Exchange of Time that was approved by a Captain.

H. Exchanges permitted:

1. Battalion Fire Chief for Battalion Fire Chief
2. Captain for Captain or Driver/Engineer
3. Driver/Engineer for Captain, Driver/Engineer, or Firefighter
4. Firefighter for Firefighter or Driver/Engineer

I. Exchange of Time form: The Exchange of Time form is to be filled out before the exchange of time takes place. This document is to cover any possible questions about why an employee was working other than their normal shift. Both parties must sign the form before the exchange takes place.

J. Special Circumstances:

1. If an employee exhausts all leave time due to a major illness or accident, other members may at their own choice exchange time for that employee without the affected employee having to replace the time. Such situations must be approved by the Fire Chief

Attachment: 2016-116 ATTH 08 City of Nacogdoches FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

2. From time to time other situations occur that make non-traditional exchange of time appropriate (working outside of permitted ranks, extended family illness, etc.). Variances of this policy to accommodate those occasions require approval of the fire chief.

K. Qualifying Situations:
   1. An employee may not work for another employee on Exchange of Time after being absent due to sickness until they have completed their next shift assignment.
   2. If an Exchange of Time request was previously signed before an employee is off sick, it is the responsibility of the member who was to work to get someone else to take their place or notify the member for whom they were to work for that they cannot work. Any disciplinary action, docked pay, or charged leave time will be against the employee who was to work for another employee.
   3. Anyone on Firefighter Probation status is not eligible to work for another employee but they may have someone else work in their place.
   4. An employee on the same shift cannot take Vacation or Comp-time to Exchange Time with someone on their particular shift.
   5. An employee working overtime cannot get someone to work for him/her.

L. Exceptions: Exceptions to this policy may be made in extenuating circumstances. Members who feel they have a need for an exception shall present their request in writing to their BC. The final decision will come from the Fire Chief.

Legal Basis

Texas Local Government Code
Section 142.001. GENERAL PROVISIONS RELATING TO HOURS OF LABOR AND VACATION OF MEMBERS OF FIRE AND POLICE DEPARTMENTS IN MUNICIPALITIES.

(d) Sections 142.0013, 142.0015, and 142.0017 do not prevent a fire fighter or police officer from working extra hours when exchanging hours of work with another fire fighter or police officer with the consent of the department head.

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29 CFR §553.31(a).
Title 29: Labor
Subtitle B: Regulations Relating to Labor (Continued)
CHAPTER V: WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR
SUBCHAPTER A: REGULATIONS
PART 553: APPLICATION OF THE FAIR LABOR STANDARDS ACT TO EMPLOYEES OF STATE AND LOCAL GOVERNMENTS
Subpart A: General

553.31 – Substitution - section 7(p)(3).
(a) Section 7(p)(3) of the FLSA provides that two individuals employed in any occupation by the same public agency may agree, solely at their option and with the approval of the public agency, to substitute for one another during scheduled work hours in performance of work in the same capacity. The hours worked shall be excluded by the employer in the calculation of the hours for which the substituting employee would otherwise be entitled to overtime compensation under the Act. Where one employee substitutes for another, each employee will be credited as if he or she had worked his or her normal work schedule for that shift.

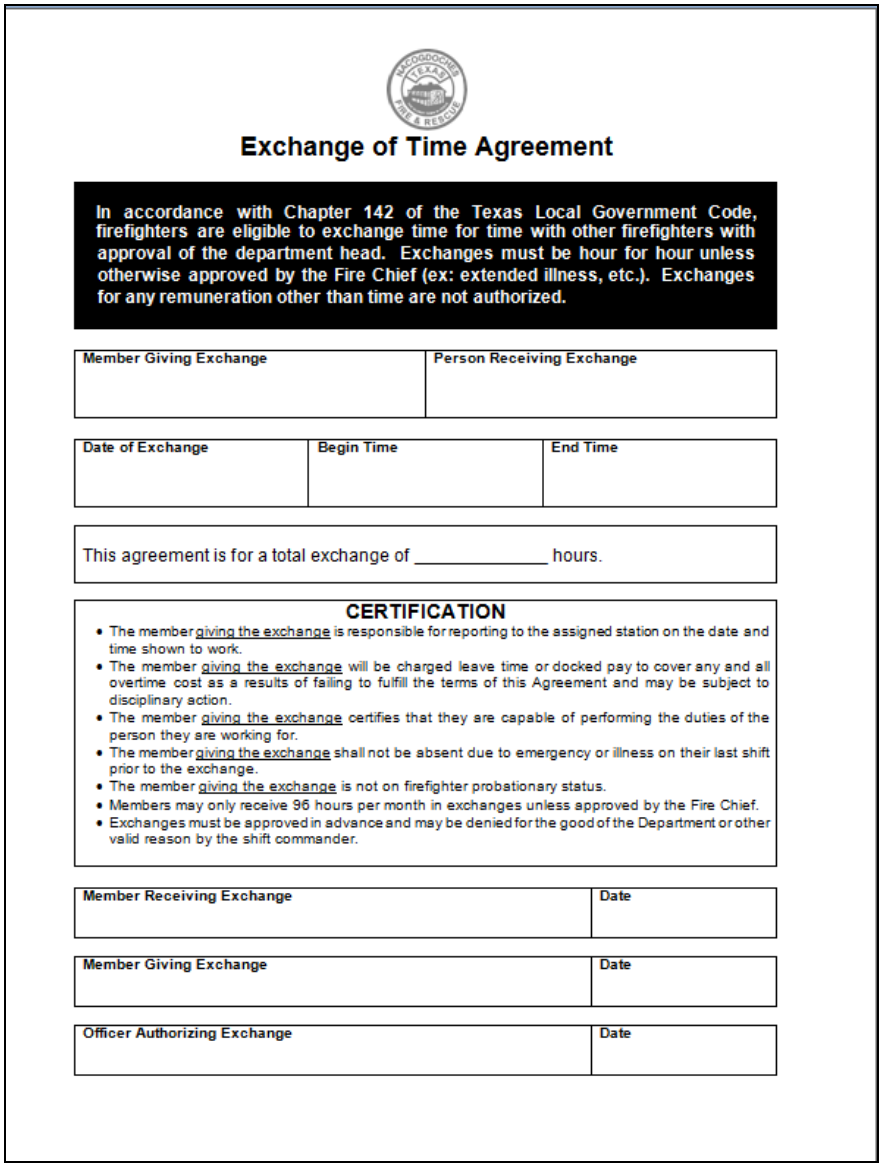
(b) The provisions of section 7(p)(3) apply only if employees' decisions to substitute for one another are made freely and without coercion, direct or implied. An employer may suggest that an employee

Attachment: 2016-116 ATTH 08 City of Nacogdoches FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

substitute or trade time with another employee working in the same capacity during regularly scheduled hours, but each employee must be free to refuse to perform such work without sanction and without being required to explain or justify the decision. An employee's decision to substitute will be considered to have been made at his/her sole option when it has been made (i) without fear of reprisal or promise of reward by the employer, and (ii) exclusively for the employee's own convenience.

(c) A public agency which employs individuals who substitute or trade time under this subsection is not required to keep a record of the hours of the substitute work.

(d) In order to qualify under section 7(p)(3), an agreement between individuals employed by a public agency to substitute for one another at their own option must be approved by the agency. This requires that the agency be aware of the arrangement prior to the work being done, i.e., the employer must know what work is being done, by whom it is being done, and where and when it is being done. Approval is manifest when the employer is aware of the substitution and indicates approval in whatever manner is customary.



Exchange of Time Agreement

In accordance with Chapter 142 of the Texas Local Government Code, firefighters are eligible to exchange time for time with other firefighters with approval of the department head. Exchanges must be hour for hour unless otherwise approved by the Fire Chief (ex: extended illness, etc.). Exchanges for any remuneration other than time are not authorized.

Member Giving Exchange	Person Receiving Exchange

Date of Exchange	Begin Time	End Time

This agreement is for a total exchange of _____ hours.

CERTIFICATION

- The member giving the exchange is responsible for reporting to the assigned station on the date and time shown to work.
- The member giving the exchange will be charged leave time or docked pay to cover any and all overtime cost as a results of failing to fulfill the terms of this Agreement and may be subject to disciplinary action.
- The member giving the exchange certifies that they are capable of performing the duties of the person they are working for.
- The member giving the exchange shall not be absent due to emergency or illness on their last shift prior to the exchange.
- The member giving the exchange is not on firefighter probationary status.
- Members may only receive 96 hours per month in exchanges unless approved by the Fire Chief.
- Exchanges must be approved in advance and may be denied for the good of the Department or other valid reason by the shift commander.

Member Receiving Exchange	Date

Member Giving Exchange	Date

Officer Authorizing Exchange	Date

Attachment: 2016-116 ATTH 08 City of Nacogdoches FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

Attachment: 2016-116 ATTH 09 City of Longview FD Policy (1545 : 2016-116 RES revising fire department

LONGVIEW FIRE DEPARTMENT

Standard Operating Procedures/Guidelines

Revision Number
2

Shift Adjustment Policy

Date Issued: 10/19/2012 • Date Revised: 09/09/2016

Purpose: This policy will serve as the guideline for personnel wishing to perform mutually agreed-upon shift adjustment(s). This policy will only address mutual shift adjustment(s) or "time-for-time" agreements. Effective with this policy, shift adjustments based on "time-for-cash" or "time-for-services" agreements **will no longer be an option**.

Scope: The *Shift Adjustment Policy (aka: Traded Hours/Shift Trade/Time Trade)* SOP/SOG applies to all members within the Operational field of the Longview Fire Department.

Definitions: **TRO (Traded Hours Off)** is the payroll code for the time off an employee is using.

TRW (Traded Hours Worked) is the payroll code for the time worked for another employee.

I. Policy

A. An employee will be allowed no more than 10 shifts or 240 hours of TRO (Traded Hours Off) per calendar year. In addition, no employee will be allowed more than 10 shifts or 240 hours of TWO (Traded Hours Worked) per calendar year.

B. Employees participating in a mutually agreed-upon shift adjustment must be completely capable of fulfilling the expected job-duties of the individual with whom they are replacing.

C. Firehouse will be properly documented to reflect a shift adjustment taking place with the proper payroll codes TRW or TRO as the employee's Activity Code for that particular time/shift as well as the other mutually agreeing party.

D. When an employee wishes to arrange a shift adjustment they will notify their immediate supervisor not less than 24-hours prior to the scheduled date that the adjustment is to occur.

E. The Station Officer and/or Battalion Chief retain the authority to approve/deny any shift adjustment being requested at their discretion with reasonable justification.

F. Once a shift adjustment has been mutually agreed-upon at the individual-level and further approved at the supervisory-level, the responsibility of ensuring that the work expectation is met becomes that of the individual who agreed to cover the position. In the event that circumstances arise (sick, emergency, etc.) that prevent the adjustment from taking place as arranged, the responsibility to have the position covered remains with the individual who was expected to

work and any subsequent replacements must also meet all applicable work expectations.

G. The Training Section Chief must authorize (prior to Operational approval) all shift adjustments involving Apprentices and non-checked off Firefighter/Medics.

H. Violations of the Shift Adjustment Policy by exceeding the guidelines within the calendar year shall result in disciplinary action (Class II offense) and restriction from participating in future shift adjustments for a period of twelve months.

APPROVED:

J.P. Steelman, Fire Chief

BURLESON FIRE DEPARTMENT

104.06

Exchange of Time

Purpose

The purpose of this policy is to establish the procedures to be followed when exchanging time with another employee.

Policy

The Burleson Fire Department will allow exchanges of time when all stated procedures are followed.

Procedures

The following conditions and guidelines will designate when a trade out will be allowed:

1. A Burleson Cobweb form must be completed online prior to trade date, to be placed on the calendar, and immediate supervisor notified by employee.

2. A new employee will not be eligible for exchange of time until they complete their probation.

3. An employee will be responsible for making up any mandatory training missed, if the trade alters any scheduled training or any planned special events.

4. At all times, persons in each assigned apparatus positions must have completed the appropriate qualifications in the Task Books (SOP 102.02, 102.03, 102.04).

Attachment: 2016-116 ATTH 10 City of Burleson FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

LUFKIN FIRE DEPARTMENT

TRADE OUT POLICY

ADMINISTRATIVE DIRECTIVE
125

Issued/Revised: ~~02/15/2012~~, 02/10/2014 Effective: ~~02/15/2012~~, 03/12/2014 Reviewed:01/14/2014	Related Directives/Memos/SOP	Related Forms
	AD 150 Sick Leave Policy AD 190 General Orders	Trade Out Form at BC Office

125.01 PURPOSE

To provide a standardized policy for managing trade outs within the department. This Directive details the guidelines for the following scenarios:

A. Battalion Chief's Discretion

B. Planned Trade Out

C. Unplanned Trade Out

D. Sick leave use by scheduled working employee

E. Unexcused absence

125.02 BATTALION CHIEF'S DISCRETION

It shall be at the Battalion Chief's discretion whether to accept or deny the trading of a shift or any portion of a shift with another member or employee whether it is planned or unplanned. A trade out request form must be filled out and signed by both parties and the Battalion Chief prior to allowing a planned trade out. Failure to adhere to the following procedures may result in loss of trade out privileges and/or possible disciplinary action depending on circumstances, frequency, and/or severity.

It is the responsibility of the replacement to disclose to the affected Battalion Chief any lack of qualifications and/or capabilities with regard to their ability to perform all of the duties of the requesting employee. Disclosure is to take place prior to approval or disapproval of the trade-out.

125.03 PLANNED TRADE OUT:

A planned trade out is defined as one in which all paperwork has been completed and signed by the shift before the trade-out is to take place.

The required paperwork is the form on the clipboard at the office of the Battalion Chief. It must be completed and all required signatures obtained, as well as approved by the Battalion Chief. The trade-out should be placed on the department electronic calendar by the Battalion Chief or their designee, so that it will be noted when morning assignments are being completed.

Persons trading out must be of the **SAME** EMS certification level for the Lt. and FF positions. All persons trading out must be within one rank of each other. It should also be understood that if the person working is not trained to fill in a specialized position of the requesting employee, then the trade out will be refused on that basis.

This is the **PREFERRED** method of trading shifts.

125.04 UNPLANNED TRADE OUT:

The department recognizes that occasionally unforeseen personal events arise and employees need to be off within reasonable parameters and frequencies. When the concerned parties are unable to complete the required paperwork prior to the date the trade out is to occur the

Attachment: 2016-116 ATTH 11 City of Lufkin FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

following procedure **MUST** be followed **WITHOUT** deviation.

A. The person requesting the trade will contact their Battalion Chief (or designee) prior to the designated shift and request the trade. If the trade is approved, then the working employee will contact the affected Battalion Chief and verify that they will report for duty in place of the requesting employee.

B. If the requestor is unable to contact their Battalion Chief they are to contact the on duty Battalion Chief and submit their request under the same procedure and in accordance with all other policies and procedures of the department.

C. As soon as possible, on the shift in question, the working employee will complete all required paperwork.

D. Failure to follow these procedures may result in the loss of trade out privileges which may be invoked by a Battalion Chief or the Fire Chief.

125.05 **SICK LEAVE USE BY REPLACEMENT EMPLOYEE:**

If an employee has been approved to work for another employee and then finds that they are sick and unable to work the shift then they are directed to call and attempt to find a replacement. If they are unable to find a replacement then they are directed to conform to the normal **sick leave procedure (AD 150).** The person who was scheduled to work will be debited vacation, not the person who agreed to work the shift. The trade-out will need to be resolved between the affected employees.

125.06 **UNEXCUSED ABSENCE:** If the preceding policy is not followed, the employee will be considered to be AWOL, and appropriate departmental disciplinary policies will be adhered to. **(See General Orders 190.29)**

Ted Lovett, Fire Chief

Attachment: 2016-116 ATTH 11 City of Lufkin FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

Par. 01 **Purpose**

A. To establish appropriate policy, to be used by Paris Fire Department personnel, for regulating shift trades.

Par. 02 **Substitution Matrix**

A. The following applies:
1. A Deputy Chief may substitute for another Deputy Chief or for a "qualified" Captain.
   a. *Qualified* – refers to the capabilities/experience of an employee who has previous experience stepping-up to the higher rank and can competently complete those duties at the higher ranking level (e.g., a Captain which has previously stepped up to the Deputy Chief position and has had Incident Command experience would be "qualified" to repay a Deputy Chief for a time trade).
2. A Captain may substitute for another Captain, a Driver Engineer, or for a Deputy Chief (if qualified).
3. A Driver Engineer may substitute for another Driver Engineer, a Firefighter, or a Captain (if qualified and then only at the discretion of that shift's Deputy Chief), but **NOT** for a Deputy Chief.
4. A Firefighter may substitute for another Firefighter, or a Driver Engineer,
5. A Probationary Firefighter (PF) may substitute for another PF or a Firefighter, but only as allowed by the shift's Deputy Chief of whom the substitution will be on.

Par. 03 **Prerequisites**

A. Substitutions are a privilege and are not to be abused and of equal rank wherever possible.
1. Substitutions are an equal time-for-time trade.
2. Substitutions do not qualify for step-up or any salary compensation.
   a. An employee substituting for another employee at a higher ranking level does so without remuneration.
3. An employee may NOT pay cash or offer other considerations for future substitutions.
   a. Monetary reimbursement for time already owed, however, may be permitted, but only with special permission of the Fire Chief.
   4. Each and every substitution must be verified by both shift's Deputy Chief's prior to a trade.
      a. Deputy Chief's must ensure that apparatus staffing and/or special skill needs are not jeopardized.
      b. Once a trade has been verified with the DC's involved, the substitute employee then becomes responsible for the duty.
         aa. If the substitute employee fails to report for the substitute shift, that person (the substitute employee) will be considered AWOL and subject to loss in pay
         bb. If, however, the proposed trade has not been verified with the Deputy Chief's, then the person originally scheduled to work the shift will be responsible for the duty and, if the duty is not met, will be considered AWOL and subject to loss in pay.
5. A person substituting for an employee whose duties include driving/operating apparatus must have the Driver/Operator Certification.

Attachment: 2016-116 ATTH 12 City of Paris FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

6. An employee of rank, who is working as a substitute, will be used in a position of rank instead of utilizing "step-up" for another employee to fill the position.
   a. An exception may be for training purposes as authorized by the Fire Chief.

Attachment: 2016-116 ATTH 12 City of Paris FD Policy (1545 : 2016-116 RES revising fire department swap time policy)

Attachment: 2016-116 ATTH 13 City of Sherman FD Policy (1545 : 2016-116 RES revising fire department

CITY OF SHERMAN FIRE DEPARTMENT
STANDARD OPERATING PROCEDURES
103 Exchange Time

Issued: 10/2001
Revised 01/2013
Page 1 of 4

OBJECTIVE: To establish guidelines for the substitution of time for members of the Sherman Fire Department

103.01 EXCHANGE TIME

103.01.01 Exchange time is voluntary and is a agreement between two members of the department. Members are responsible for tracking exchange time and "pay back" of time.

103.01.02 Exchange time shall not result in overtime, out of classification pay, mileage pay or other costs to the City of Sherman

103.01.03 The Station Officer being affected by the trade may approve substitution for all exchanges within the same rank and classification. Exchanges out of rank or classification must be approved by the Shift Commander. Once the Station Officer approves an exchange time he must notify the Shift Commander as soon as possible of the trade.

103.01.04 The request for substitution must be submitted no later than one (1) hour prior to the trade beginning. Request for exchange time must be completed on the Department Exchange time form. **Request via e-mail and verbal request** will not be accepted. In case of an emergency situation the affected Station Officer shall complete an exchange time form by proxy and note on the form that the form was approved without signature. (01/2013).

103.01.05 Members may exchange time with members who do not hold the same qualifications only if the Company efficiency will not be unduly affected by the trade time. Minimum Company efficiency will be defined as three EMT-P personnel at sub stations and a minimum of one EMT-P at Central Station.

103.01.06 Members may stay over or relieve early another member up to a maximum of 1.0 hours without having to complete an exchange time form. Approval must be granted from the Station Officer, who must then inform the Shift Commander. (01/2013)

Approved and in effect. J J Jones, Fire Chief

103.01.06.01 If, during the one (1) hour early relief or late relief, the member is required to respond to an incident, the member shall complete a request for overtime. (01/2013).

103.01.07 Sick leave by either member involved in the exchange time, prior or immediately after a trade time will result of forfeiture of trade time privileges for a period of three (3) months on the first occurrence. A second occurrence will result in forfeiture of trade time privileges for a period of six (6) months. This may be appealed to the Fire Chief.

103.01.08 It is understood that members trading time are expected to maintain any continuing education requirements missed at their own expense.

103.01.09 Battalion Chiefs desiring to exchanging time must obtain approval from the Fire Chief.

103.01.10 Exchange time must be completed (paid back) within the same calendar year (01/2013). Each member shall work the required number of shifts each calendar year, including approved leaves.(01/2013).

103.01.11 Under no circumstance shall a "Cash Sub" be allowed. Trade time is for time only and no other form of compensation shall be permitted. (01/2013).

103.02 RESPONSIBILITY

103.02.01 When the exchange time has been approved by both members and approved by the supervisor, the employee who has agreed to work shall be responsible for the duty shift. When the employee who has agreed to work is unable to report as agreed, the responsibility for securing another substitute and getting the approval of the Shift Commander, remains his/her responsibility. (09/08).

Approved and in effect. J J Jones, Fire Chief

Attachment: 2016-116 ATTH 13 City of Sherman FD Policy (1545 : 2016-116 RES revising fire department

103.02.02 If the member who has agreed to work utilizes sick leave to cover the exchange time he will be required to verify the illness according to departmental policy. The member will be charged Sick Leave for the agreed hours and will be placed on trade time restriction for a period of three (3) months on the first occurrence. This may be appealed to the Fire Chief. (09/08).

103.02.03 A second occurrence will result in a forfeiture of exchange time privileges for a period of six (6) months. This may be appealed to the Fire Chief.

103.02.04 If the member who has agreed to work does not report for duty, that member will be considered to be in violation of Departmental Standard Operating Procedures and may be subject to disciplinary action. (09/08)

103.02.05 If the exchange time was not approved or submitted on the Department Trade Time Form, the responsibility for the duty hours remains with the person normally assigned to that shift. (09/08)

103.02.05 Members who are working exchange time, for any period of time, are considered "On Duty" and are subject to all department rules and regulations as well as City of Sherman Personnel Policies and Procedures. (10/08)

103.02.06 Members who are working exchange time are considered "On Duty" for purposes of protection under Worker Compensation and other like benefits. (10/08).

Approved and in effect. J J Jones, Fire Chief

Attachment: 2016-116 ATTH 13 City of Sherman FD Policy (1545 : 2016-116 RES revising fire department

Sherman Fire Department
Exchange Time Form

Name of member regularly scheduled for duty: _____

Name of member who will be working: _____

Date exchange will occur: _____

Hours exchange will occur: _____

Name of affected supervisor: _____

The undersigned members have agreed to trade time. Both members understand that a trade of time should be paid back. Both members participating in the exchange of time understand this is voluntary and in accordance with department policy.

_____
Supervisor Signature

_____
Member Signature
(Regularly scheduled for duty)

_____
Member Signature
(Member who will be working)

_____
(Date form submitted to supervisor)

Approved and in effect. J J Jones, Fire Chief

Tyler

RULES & REGULATIONS

SECTION 33: TRADING OF TIME

Personnel are allowed to trade time rank for rank with their supervisor's permission. District Chiefs may approve other than rank for rank trading of time in cases of emergencies or unusual circumstances. Members are not allowed to pay someone to work for them.

TTFD-Schlotter, Eric

From: Jennifer Otey <jotey@ci.duncanville.tx.us>
Sent: Thursday, July 30, 2015 8:48 AM
To: TEX-Powell, Jim
Subject: RE: Civil Service Fire Department - Swap Time

Trading Work Time

7.9 A trade or trading time is defined as any exchange of time within one shift between two members of the department. Employees involved in the trade scenario are making an agreement between themselves and not the city or department.

7.9.1 Trades can be taken for the enhancement of education, community service, and personal matters. The number of trades per individual or per shift will be at the discretion of the Station Officers. However, no shift trades shall be allowed if it will cause the employee to work more than (48) forty-eight consecutive hours without time off.

7.9.2 **The Fire Department is not responsible for any controversy or discrepancies over trade time, owed, to be paid back, or when trade time is to be paid back.**

7.9.3 All trades will be documented on a Trade Form and approved by the Station Officer of the on-duty shift prior to the trade become a bona-fide trade. Trade forms are located at each fire station.

7.9.4 Trades shall be between individuals of equal rank and capabilities.

7.9.5 Any employee who assumes a tour of duty for another also undertakes all responsibilities for that tour of duty.

7.9.6 Failure to report for a trade shall be considered absence without leave and will result in disciplinary action.

7.9.7 Trade time does not impact the FLSA twenty-eight day cycle.

7.9.8 Trade time can only be used when the person requesting the trade is scheduled to be on duty for his/her assigned shift. Trade time cannot be used for days when 114 the individual is not scheduled to be on duty, i.e. you cannot use a trade day if you are scheduled to be on vacation, ESL, holiday, and you cannot use a trade day if you are off on sick leave or workers compensation leave.

Jennifer Otey
HR Manager

From: TEX-Powell, Jim [mailto:Jim.Powell@txkusa.org]
Sent: Wednesday, July 29, 2015 4:46 PM
To: scollard@paristexas.gov; rivy@cityoflufkin.com; Denise Myers; pearls@ci.nacogdoches.tx.us; lstidham@nbtexas.org; rray@tylertexas.com; jrogers@tylertexas.com; jpittman@tylertexas.com; cjohnston@marshalltexas.net; wgraves@marshalltexas.net; craigl@ci.sherman.tx.us; jvaughn@coppelltx.gov; lnorris@gptx.org; kshields@ci.desoto.tx.us; Janet.goad@midlothian.tx.us; dlee@lancaster-tx.com; Jennifer Otey
Subject: Civil Service Fire Department - Swap Time

Our Fire Department is Civil Service and participates in "swap time," the trading of work shifts among firefighters. I am wanting to know if any of you have a policy regarding swap time. If so, please share. Thanks. jim

Jim Powell, CPM

6.6.r

Attachment: 2016-116 ATTH 16 City of Irving FD Policy (1545 : 2016-116 RES revising fire department

Packet Pg. 111

19.7 – SUB CALLS

A. Trading or exchanging of on-duty work time between members shall be known as a "sub call". Sub calls shall be by mutual agreement between the members concerned. Each member will be individually responsible for sub time they owe and sub time owed to them. A sub call is the exchange of on-duty time; cash transactions related to sub calls are prohibited. A member who is away from duty on a properly approved sub call where the sub actually works the member's scheduled duty period shall be considered as present for duty for pay purposes. Members scheduled for duty are the members paid for such duty.

1. A member may be off with a sub only during the member's regularly scheduled duty period.

2. A member who subs for another cannot qualify for overtime pay during the period of the sub call.

B. Sub calls shall be applicable only to members assigned to 24-hour shift duty, Fire Prevention Specialist assigned to the Fire Prevention Division, and members below the classification of Battalion Chief assigned to the Communications Section.

C. Sub calls are a privilege and are ***not*** an earned right; abuse of sub calls is cause for this privilege to be revoked. A prime factor to be considered prior to approving a sub call request is operational effectiveness.

D. Members are allowed to trade time, rank for rank, with their supervisor's permission. Battalion Chiefs must approve out of rank subs between Firefighters and Drivers and between Lieutenants and Captains. Sub calls for Fire Prevention Specialists must be approved by the Fire Marshal. Assistant Chiefs must approve subs between Captains and Battalion Chiefs.

E. Sub calls are ineligible for sick leave. If a member becomes ill and unable to work prior to or while serving as a sub, it shall be his/her responsibility to obtain another sub or notify the individual for who he/she was subbing. If another sub cannot be arranged or if the individual who arranged the sub cannot come in and finish the shift, the member who arranged the sub will be charged vacation leave for the remainder of the shift. When vacation time is utilized in these situations, a memo initiated by the member's immediate supervisor shall be forwarded through the chain-of-command to the Chief of Department for notification purposes.

Attachment: 2016-116 ATTH 16 City of Irving FD Policy (1545 : 2016-116 RES revising fire department

F. Members who are injured in the line of duty are eligible for injury leave and Worker's Compensation benefits. This also applies to members injured in the line of duty while subbing. However, if the injured member is unable to work the remainder of the shift due to an injury while serving as a sub, it shall be his/her responsibility to obtain another sub or notify the individual for whom he/she was subbing. If another sub cannot be arranged or if the individual who arranged the sub cannot come in and finish the shift, the member who arranged the sub will be charged vacation leave for the remainder of the shift. When vacation time is utilized in these situations, a memo initiated by the member's immediate supervisor shall be forwarded through the chain-of-command to the Chief of Department for notification purposes.

G. Sub calls requiring a member to work more than forty-eight (48) continuous hours on an MICU are not allowed. Sub calls for more than two (2) of the member's consecutive shifts must be approved by the Battalion Chief. Such requests must be justified and submitted to the Battalion Chief. The Battalion Chief will determine any impact the request would have on operational effectiveness and forward the request to the Assistant Chief, Operations for notification purposes only.

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 9/23/2016 9:07 AM

Lead Department: City Manager **Action Officer:** John Whitson, City Manager

Subject: Resolution No. 2016-118 joint with Riverbend Water Resources District to the U.S. Army Corps of Engineers concurring and confirming requests made for sponsorship for any existing or new water reallocated out of Lake Wright Patman.

Briefing: 9/26/2016	**Public Hearing:** 9/26/2016	**Second Briefing:** September 26, 2016	**Council Vote:** 9/26/2016

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City of Texarkana, Riverbend Water Resource District, and members of the district continue to work with the U.S. Army Corps of Engineers and state agencies that oversee or regulate water allocations regionally or state-wide to ensure that the region has adequate water resources to support economic growth and the general health, safety and welfare of all who reside in the region. Significant strategic activities are underway that impact Lake Wright Patman's future as a regional water reservoir for both flood control and water supply.

Within Riverbend Water Resource District's broad mission is the specific mission to represent its members with a singular voice and coordinating efforts to secure the region's water rights, both current and future, especially at this crucial time when studies are being conducted to determine exactly the quantity of water that Lake Wright Patman can provide. Other state water consumers desire to import water into their regions from wherever water can be found or developed which places a target on Lake Wright Patman, especially any new water that the lake can produce.

This resolution is intended to express that the governing bodies of Texarkana and Riverbend desire to provide the U.S. Army Corps of Engineers with a singular resolution concurring with and affirming the requests made for sponsorship for any existing or new water reallocated or developed out of Lake Wright Patman, requesting inclusion as formal local sponsors to the ongoing Sulphur River Basin Feasibility Study, and restating authorized points of contacts for Texarkana and Riverbend

Potential Options:

- Adopt the resolution as presented
- Adopt a revised resolution
- Deny the resolution

Fiscal Implications:

None

Staff Recommendation:

Recommend approval of the resolution as presented

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2016-118 RES Joint TXK RWRD to USACE concerning Lake Wright Patman (DOCX)
b. 2016-118 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	09/22/2016 5:20 PM
Water Utilities	JD Phillips	Review	Completed	09/23/2016 7:26 AM
Assistant City Manager Review	Skipped	John Whitson	Assistant City Manager	09/23/2016 7:58 AM
Public Information Officer	Lisa Thompson	PIO Review	Completed	09/23/2016 8:28 AM
City Manager	John Whitson	City Manager Review	Completed	09/23/2016 8:33 AM
City Council	Jennifer Evans	Meeting	Completed	09/26/2016 6:00 PM

Meeting History

Attachment: 2016-118 RES Joint TXK RWRD to USACE concerning Lake Wright Patman [Revision 1] (1548 : 2016-118 RES Joint TXK RWRD to

Texarkana Resolution No. 2016 - 118

Riverbend Resolution No. 2016 - _____

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF RIVERBEND WATER RESOURCES DISTRICT, DIRECTED TO THE U.S. ARMY CORPS OF ENGINEERS, CONCURRING WITH AND AFFIRMING THE REQUESTS MADE FOR SPONSORSHIP FOR ANY EXISTING OR NEW WATER REALLOCATED OR DEVELOPED OUT OF LAKE WRIGHT PATMAN, REQUESTING INCLUSION AS FORMAL LOCAL SPONSORS TO THE ONGOING SULPHUR RIVER BASIN FEASIBILITY STUDY, AND RESTATING AUTHORIZED POINTS OF CONTACTS FOR TEXARKANA AND RIVERBEND; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas ("Texarkana"), formed in 1873, is a home-rule municipality operating under a municipal charter adopted as authorized by Article XI, Section 5, of the Texas Constitution and as recognized by Texas Local Government Code Section 5.004 and having full power of local self-government; and

WHEREAS, the Texas Legislature created Riverbend Water Resources District ("Riverbend") in 2009, as a conservation and reclamation district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution, as set forth in Title 6, Special District Local Laws Code, Subtitle L, Municipal Water Districts, Chapter 9601, with statutory powers including the authority to acquire any and all storage rights and storage capacity in a reservoir or other water source inside or outside the boundaries of the district, and to acquire the right to take water from that reservoir or source, subject to the rights or permits held by municipalities or other persons; and

WHEREAS, in 2011 the Texas Legislature reconstituted the Board of Directors of Riverbend to be composed of five qualified voters who are residents of the district, not otherwise serving as an elected official or as an employee of a Riverbend member, selected by the local governing bodies of the Riverbend members (the Counties of Bowie, Cass, and Red River, TexAmericas Center, and the Cities of Annona, Atlanta, Avery, DeKalb, Hooks, Leary, Maud, Nash, New Boston, Redwater, Texarkana, and Wake Village) as provided by law; and

WHEREAS, Texarkana and Riverbend concur that fully utilizing Lake Wright Patman Reservoir to its highest and best use is a responsible strategy that produces a water supply that would be plentiful, immediate, and least costly, with minimal negative impact on the region, as compared to the creation of any new reservoirs; and

WHEREAS, Texarkana and Riverbend entered into an Interlocal Cooperation Agreement in 2010, revised in 2015, which, among other provisions, detailed specific services to be provided by Riverbend to Texarkana as set forth in Schedule A appended to the agreement, which states in pertinent part:

Attachment: 2016-118 RES Joint TXK RWRD to USACE concerning Lake Wright Patman [Revision 1] (1548 : 2016-118 RES Joint TXK RWRD to

Schedule A

Services to be provided by Riverbend under this Interlocal Cooperation Agreement shall include the following:

1. Acting as City's agent in coordination with the City Council and City Manager of City in the following matters:

a. negotiating with the United States Army Corps of Engineers regarding contractual rights and responsibilities with respect to the entire pool in the Lake Wright Patman Reservoir;

b. securing water permits and permissions from the Texas Water Development Board, Texas Commission on Environmental Quality, and any other state or federal agency, with respect to the entire pool in the Lake Wright Patman Reservoir, corresponding with item 1a, above;

c. negotiating with governmental entities or political subdivisions outside of Texas Regional Water Planning Group - Region D regarding the purchase of water in the Lake Wright Patman Reservoir, corresponding with items 1a and 1b, above; and

d. attendance at and participation in state and regional water planning and development meetings.

The term "coordination" as used in this Section 1 shall include the following:

- Notifying the Mayor and City Manager in advance of any meetings or engagements which correspond with items 1a, 1b, 1c, or 1d, that Agent intends to either attend or participate in, so as to facilitate City attendance; and regardless of City attendance, submitting a written summary of such meetings or engagements to the Mayor and City Manager, detailing any tasks or commitments Agent proposes or recommends for City.

- Submitting a monthly status report to the City Council on all major efforts which correspond with items 1a, 1b, 1c, or 1d, including securing water rights, providing water resources to the region, funding of recommended goals and efforts (including identification of revenues, sources of revenue, and expenditures), and defining any impediments towards achieving the recommended goals and efforts.

Agent shall have no authority to bind the City or the City Council on any matter. The City Council may revoke this Section 1 at any time with or without cause.

; and

WHEREAS, in 2015, the City Council of Texarkana, Texas, by resolution appointed Stephen A. Mayo as City Liaison regarding regional water issues, with the resolution stating in pertinent part:

WHEREAS, Stephen A. Mayo, during his tenure on the City Council as Ward 5 Councilmember and Mayor, devoted substantial time to regional water issues, and the City Council desires to appoint him as City Liaison regarding regional water issues.

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

SECTION 1: The City Council appoints Stephen A. Mayo as City Liaison regarding regional water issues. The appointment shall be at the pleasure of the City Council, revocable at any time with or without cause, and shall be without compensation. The City Liaison shall have specific duties and responsibilities as directed by the Mayor or his designee, but shall have no authority to bind the City or the City Council on any matter. The City Liaison shall be reimbursed for any travel expenses outside of Bowie County directly arising from his duties and responsibilities as City Liaison.

; and

WHEREAS, Texarkana's City Manager and City Liaison, together with Riverbend's Executive Director/CEO, have made multiple requests to Col. Calvin C. Hudson, II, Commander, U.S. Army Corps of Engineers, Fort Worth District, that Texarkana and its surrounding member entities through Riverbend remain local sponsors for any existing or new water reallocated or developed out of Lake Wright Patman; and

WHEREAS, Texarkana's Mayor, City Manager, City Liaison, and City Attorney, together with Riverbend's Executive Director/CEO, met with representatives of the U.S. Army Corps of Engineers, Fort Worth District, on May 31, 2016, to receive and discuss an estimate of costs prepared by the Corps and associated with the implementation of the "Ultimate Rule Curve"; and

WHEREAS, since the Lake Wright Patman Reservoir dam safety study − a necessary, vital, and key component to the implementation of the "Ultimate Rule Curve" − has been included into the Sulphur River Basin Feasibility Study, Texarkana and its surrounding entities through Riverbend should also be included as formal local sponsors to the overall, ongoing feasibility study; and

WHEREAS, the governing bodies of Texarkana and Riverbend desire to provide the U.S. Army Corps of Engineers with a singular resolution concurring with and affirming the requests made for sponsorship for any existing or new water reallocated or developed out of Lake Wright Patman, requesting inclusion as formal local sponsors to the ongoing Sulphur River Basin Feasibility Study, and restating authorized points of contacts for Texarkana and Riverbend.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF RIVERBEND WATER RESOURCES DISTRICT THAT:

Section 1. The City Council of Texarkana, Texas, and the Board of Directors of Riverbend continue to concur with and affirm the multiple requests made to Col. Calvin C. Hudson, II, Commander, U.S. Army Corps of Engineers, Fort Worth District, that Texarkana and its surrounding entities through Riverbend remain local sponsors for any existing or new water reallocated or developed out of Lake Wright Patman Reservoir. The City Council of Texarkana, Texas, and the Board of Directors of Riverbend support the full utilization of Lake Wright Patman

Attachment: 2016-118 RES Joint TXK RWRD to USACE concerning Lake Wright Patman [Revision 1] (1548 : 2016-118 RES Joint TXK RWRD to

Reservoir to its highest and best use as a responsible strategy that produces a water supply that would be plentiful, immediate, and least costly, with minimal negative impact on the region as compared to the creation of any new reservoirs.

Section 2. The City Council of Texarkana, Texas, and the Board of Directors of Riverbend respectfully submit that Texarkana and its surrounding entities through Riverbend should be included as formal local sponsors to the Sulphur River Basin Feasibility Study given the inclusion of the Lake Wright Patman Reservoir dam safety study into the feasibility study.

Section 3. Consistent with the previous authorizations recited herein, the City Council of Texarkana, Texas, and the Board of Directors of Riverbend Water District confirm that representatives of the U.S. Army Corps of Engineers may contact Texarkana City Liaison Stephen A. Mayo and Riverbend Executive Director / CEO Elizabeth Fazio Hale as authorized points of contact with regard to the subject matters set forth in this Resolution.

Section 4. This Resolution shall be in full force and effect from and after its passage and approval.

TEXARKANA:

PASSED AND APPROVED in Regular Council Session on this the **26th day of September, 2016.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

RIVERBEND:

PASSED AND APPROVED in Regular Board Meeting on this the _____ **day of September, 2016.**

ATTEST:

_____ _____

FRED MILTON, SECRETARY SEAN ROMMEL, PRESIDENT

Attachment: 2016-118 RES Joint TXK RWRD to USACE concerning Lake Wright Patman [Revision 1] (1548 : 2016-118 RES Joint TXK RWRD to

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 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:

Attachment: 2016-118 Goals & Perspectives (1548 : 2016-118 RES Joint TXK RWRD to USACE Concerning LWR)