

PANAMA CITY BEACH CITY COUNCIL

AGENDA

NOTE: AT EACH OF ITS REGULAR OR SPECIAL MEETINGS, THE CITY COUNCIL ALSO SITS, EX-OFFICIO, AS THE CITY OF PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY AND MAY CONSIDER ITEMS AND TAKE ACTION IN THAT LATTER CAPACITY.

MEETING DATE: MARCH 14, 2019
MEETING TIME: 6:00 P.M.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION – COUNCILMAN SOLIS
- III. PLEDGE OF ALLEGIANCE – COUNCILMAN SOLIS
- IV. COMMUNITY ANNOUNCEMENTS
- V. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 28, 2019
- VI. APPROVAL OF AGENDA, AND ADDITIONS OR DELETIONS
- VII. PRESENTATIONS- COUNCILMAN SOLIS
 - 1 BOYS & GIRLS CLUB CIVIC ACHIEVEMENT AWARD
- VIII. PUBLIC COMMENTS – REGULAR (NON-PUBLIC HEARINGS) & CONSENT ITEMS ONLY (LIMITED TO THREE MINUTES)
- IX. CONSENT AGENDA
 - 1 **RESOLUTION 19-64, TASK ORDER NO. 8 TO THE MASTER SERVICES AGREEMENT WITH TETRA TECH, INC. RELATING TO MAJOR WASTEWATER ENGINEERING SERVICES.** *“A Resolution of the City of Panama City Beach, Florida approving Task Order #8 to the Master Services Agreement for Major Wastewater Engineering Services with Tetra Tech, Inc., related to Conservation Park Biological Monitoring – 2019 in the amount of \$92,120; authorizing execution and providing an immediately effective date.”*
 - 2 **RESOLUTION 19-67 - TASK ORDER 2019-01, MASTER SERVICE AGREEMENT WITH MCNEIL CARROL ENGINEERING, INC. IN THE AMOUNT OF \$13,900 FOR PROFESSIONAL STORMWATER ENGINEERING SERVICES, RELATING TO EAGLE DRIVE DRAINAGE IMPROVEMENTS.** *“A Resolution of the City of Panama City Beach, Florida approving Task Order #2019-01 to the Master Services Agreement for Stormwater Engineering Services with McNeil Carrol Engineering, Inc., related to Eagle Drive Drainage Improvements in the amount of \$13,900; authorizing execution and providing an immediately effective date.”*
- X. REGULAR AGENDA - DISCUSSION/ACTION
 - NO. OFFICIAL ITEM
 - 1 MG RESOLUTION 19-68, PERSONNEL POLICY AMENDMENT AND UPDATE.
- XI. DELEGATE AND STAFF REPORTS
 - 1 **DELEGATIONS.** In accordance with the City Council's rules and procedures, residents or tax-collectors of the City (upon any subject of general or public interest), City employees (regarding his/her employment), and water and sewer customers (on matters related to the City's water and/or sewer system), may address the City Council under Delegations on items not on the printed agenda by filling out a speaker card. Speaker cards are located inside the Council meeting room and should be provided to the City Clerk. Please observe the time limit of three (3) minutes while speaking under Delegations. Delegations shall be limited to thirty (30) minutes unless extended by the Chair.

- 2 ATTORNEY REPORT.
- 3 CITY MANAGER REPORT.
- 4 COUNCIL COMMENTS.
- 5 ADJOURN.

*Action items noted with an asterisk are taken both by the City Council and the Panama City Beach Redevelopment Agency jointly and concurrently.

PAUL CASTO	<input checked="" type="checkbox"/>	PAUL CASTO	<input checked="" type="checkbox"/>
PHIL CHESTER	<input checked="" type="checkbox"/>	PHIL CHESTER	<input checked="" type="checkbox"/>
GEOFF MCCONNELL	<input checked="" type="checkbox"/>	GEOFF MCCONNELL	<input checked="" type="checkbox"/>
HECTOR SOLIS	<input checked="" type="checkbox"/>	HECTOR SOLIS	<input checked="" type="checkbox"/>
MIKE THOMAS	<input checked="" type="checkbox"/>	MIKE THOMAS	<input checked="" type="checkbox"/>

I certify that the Council members listed above have been contacted and given the opportunity to include items on this agenda.

I certify that the Council members listed above have been contacted and made aware of the items on this agenda.

M.G. Borzuet 3/12/19
 City Clerk Date

M.G. Borzuet 3/12/19
 City Clerk Date

IN AN EFFORT TO CONDUCT YOUR COUNCIL MEETINGS IN AN ORDERLY AND EXPEDIENT MANNER, WE RESPECTFULLY REQUEST THAT YOU WAIT UNTIL THE CHAIR RECOGNIZES YOU TO SPEAK, THEN COME TO THE PODIUM AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

E-mailed to interested parties and posted on the website on: 3/12/19 2P.M.

NOTE; COPIES OF THE AGENDA ITEMS ARE POSTED ON THE CITY'S WEBSITE

WWW.PCBGOV.COM.

THIS MEETING WILL BE LIVE-STREAMED ON THE CITY WEBSITE AND CITY FACEBOOK PAGE "CITY OF PANAMA CITY BEACH-GOVERNMENT".

NOTE: ONE OF MORE MEMBERS OF OTHER CITY BOARDS MAY APPEAR AND SPEAK AT THIS MEETING.

If a person decides to appeal any decision made by the City Council with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding, and such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Sec. 286.0105, FS (1995)

DRAFT MINUTES

The Regular Meeting of the City Council of the City of Panama City Beach, Florida, and when permitted or required by the subject matter, the Panama City Beach Community Redevelopment Agency, held on February 28, 2019.

ROLL

COUNCILORS:
PAUL CASTO
PHIL CHESTER
GEOFF MCCONNELL
HECTOR SOLIS

CITY MANAGER:
MARIO GISBERT
CITY CLERK:
MARY JAN BOSSERT
CITY ATTORNEY:
AMY MYERS

With Mayor Thomas absent, Vice-Mayor Chester called the Regular Meeting to order at 9 a.m. with all Councilmen, the City Manager, City Clerk and City Attorney present.

Councilman McConnell gave the invocation and led the Pledge of Allegiance.

Vice-Mayor Chester announced the upcoming Community Events.

The Minutes of the Regular Meeting February 14, 2019 were read. **Councilman McConnell made the motion to approve the Minutes as written. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

Vice-Mayor Chester asked if there were any additions or deletions to the Agenda. There were none. **Councilman Solis made the motion to approve the Agenda as written. Second was by Councilman McConnell and the motion passed by unanimous roll call vote of those present recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

PRESENTATIONS

1 **POLICE DEPARTMENT UPDATE.** Chief Whitman presented the Police Department Update with a slideshow presentation. Chief Whitman explained the breakdown of the police department. He recognized several programs such as Citizens Assisting Police Program, Holiday Helpers, the Honor Guard, and Police Chaplains.

Councilman McConnell asked if there were challenges during the hurricane that he hasn't seen in the past. Chief Whitman explained elderly people were taken advantage of and peoples' patience was very low due to their loss of their homes.

2 PARKS & RECREATION PRESENTATION TO BOBBY PURVIS FOR 35 YEARS OF SERVICE. Vice-Mayor Chester invited Mr. Bobby Purvis to the podium. Mr. Jim Ponek, Parks and Recreation Director, commended Mr. Purvis for his teamwork and loyalty for his service and congratulated him on his 35 years of service to the City. He presented Mr. Purvis with a plaque and memento. The audience responded with applause.

PUBLIC COMMENTS (REGULAR NON-PUBLIC HEARINGS AND CONSENT ITEMS)

Vice-Mayor Chester opened the Public Comments section of the meeting at 9:30 a.m. and invited comments. There were none. He closed the Public Comments at 9:30 a.m.

CONSENT AGENDA

Ms. Bossert read the Consent Agenda Items by title.

1 RESOLUTION 19-56, BID AWARD – ALF COLEMAN UTILITIES EXTENSION. *“A Resolution of the City of Panama City Beach, Florida, approving and authorizing execution of an agreement for extension of Alf Coleman Utilities with Marshall Brothers Construction and Engineering, Inc. in the amount of \$560,910.”*

2 RESOLUTION 19-63, BID AWARD – PORTABLE GROUND PENETRATING RADARS PURCHASE. *“A Resolution of the City of Panama City Beach, Florida, authorizing the purchase of two ground penetrating radars from Green Equipment Company in the total amount of \$31,698; and providing an immediately effective date.”*

Councilman McConnell made the motion to approve the Consent Agenda. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

REGULAR AGENDA

ITEM 1 ORDINANCE 1480, ST. JOE LARGE SCALE COMP PLAN AMENDMENT, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1480 by title. Vice-Mayor Chester opened the Public Hearing at 9:32 a.m. and invited audience comments. There were none. He closed the Public Hearing at 9:32 a.m. **Councilman McConnell made the motion to approve Ordinance 1480. Second was by Councilman Chester and the motion passed by unanimous roll call vote recorded as follows:**

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

ITEM 2 ORDINANCE 1481, ST. JOE REZONING, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1481 by title. Vice-Mayor Chester opened the Public Hearing at 9:34 a.m. and invited audience comments. There were none. He closed the Public Hearing at 9:34 a.m.

Councilman McConnell made the motion to approve Ordinance 1481. Second was by Councilman Casto and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

ITEM 3 ORDINANCE 1483, AMENDING COASTAL MANAGEMENT ELEMENT OF THE COMP PLAN – SEA LEVEL RISE, 2ND READING, PUBLIC HEARING AND ADOPTION. Ms. Myers read Ordinance 1483 by title. Vice-Mayor Chester opened the Public Hearing at 9:36 a.m. and invited audience comments. There were none. He closed the Public Hearing at 9:36 a.m.

Councilman Casto made the motion to approve Ordinance 1483. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

ITEM 4* RESOLUTION 19-65, TASK ORDER 2019-01, FOR PROFESSIONAL ENGINEERING DESIGN, SURVEY, PERMITTING AND CONSTRUCTION ADMINISTRATION SERVICES, MASTER SERVICES AGREEMENT WITH DEWBERRY ENGINEERS, INC., FRONT BEACH ROAD CRA SEGMENT 4.1 (LULLWATER DRIVE TO HILL ROAD). Ms. Myers read Resolution 19-65 by title. The Council had no comments.

Councilman McConnell made the motion to approve Resolution 19-65. Second was by Councilman Solis and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

ITEM 5* RESOLUTION 19-66, TASK ORDER 2019-02, FOR UTILITY DESIGN, MASTER SERVICE AGREEMENT WITH DEWBERRY ENGINEERS, INC., FRONT BEACH ROAD CRA SEGMENT 4.1 (LULLWATER DRIVE TO HILL ROAD) AND BUDGET AMENDMENT #19. Ms. Myers read Resolution 19-66 by title. Councilman Solis thanked Ms. Jenkins and her department for doing a great job on the TRIP grant from FDOT we received that paid for 50% of this project.

Councilman Solis made the motion to approve Resolution 19-66. Second was by Councilman McConnell and the motion passed by unanimous roll call vote recorded as follows:

Councilman McConnell	Aye
Councilman Solis	Aye
Councilman Casto	Aye
Councilman Chester	Aye
Mayor Thomas	Absent

*Action items noted with an asterisk are taken both by the City Council and the Panama City Beach Redevelopment Agency jointly and concurrently.

DELEGATIONS

Mayor Thomas explained the Delegations period and opened this portion of the meeting at 9:25 a.m.

1 Genese Hatcher, 203 S Wells Street. Ms. Hatcher commented parking has been an issue. She requested that discussion of parking and a progress update by Mr. Leonard be placed on the next city council agenda.

With no further comments, Vice-Mayor Chester closed the Delegations period at 9:40 a.m.

ATTORNEY REPORT

Ms. Myers had no report.

CITY MANAGER REPORT

Mr. Gisbert commented that after many wonderful years with Mrs. Jo Smith in service to the City, she has officially retired on February 27, 2019. Mr. Gisbert welcomed Ms. Mary Jan Bossert as the new City Clerk.

COUNCIL COMMENTS

Councilman Solis expressed his well wishes to Mrs. Smith on her outstanding service and future plans. He commented that the Conservation Park is looking great and looks forward to the new additions.

Councilman McConnell announced he will be having a Town Hall Meeting on March 5, 2019 from 5:30 p.m. to 7:00 p.m.

Councilman Casto requested the City provide a letter of support to extend the FEMA TSA program. This program pays for approximately 240 households to stay in hotels/motels on the beach. The program is expected to end mid-April and the community needs an extension for 90 days, with an option to renew another 90 days after that. If the extension letter is not granted, the 240 households will be left homeless.

With nothing further, the meeting was adjourned at 9:44 a.m.

READ AND APPROVED this 14th of March, 2019.

IN THE EVENT OF A CONFLICT BETWEEN THE FOREGOING MINUTES AND A VERBATIM TRANSCRIPT OF THESE MINUTES, THE FOREGOING MINUTES SHALL CONTROL.

Mayor

ATTEST:

City Clerk

DRAFT

PRESENTATION

1

CITY OF PANAMA CITY BEACH

CIVIC ACHIEVEMENT AWARD

Be It Known That

Hannah Smith

HAS GIVEN EXCEPTIONAL SERVICE

TO THE BOYS AND GIRLS CLUB
OF PANAMA CITY BEACH

For the responsibility assumed, for the unselfish
service rendered her community and its citizens in discharging
the duties of good citizenship, this token of CIVIC ACHIEVEMENT
is hereby awarded.

Presented this 14th of March, 2019



A handwritten signature in blue ink, which appears to read "Mike Thomas", is written over a horizontal line.

MAYOR MIKE THOMAS

CONSENT ITEM

1



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Utilities Department - Al Shortt, Utilities Director

2. MEETING DATE:

March 14, 2019

3. REQUESTED MOTION/ACTION:

Approve the annual task order with Tetra Tech, Inc. for biological monitoring at Conservation Park in the amount of \$92,120.

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

The City Wastewater Treatment Plant (WWTP) on Gulf Boulevard ceased all discharges of treated effluent to West Bay on May 28, 2011 when the new 2,900 acre receiving wetland project (Conservation Park) became operational. The City's wastewater treatment facility permit with the Florida Department of Environmental Protection (FDEP) requires extensive quarterly hydrologic and environmental monitoring of the wetland site in addition to the routine water quality sampling performed by City staff. This monitoring effort provides the City, and FDEP, information needed to evaluate any long-term changes that may occur to the wetland ecosystem.

In addition, both the FDEP and the US Army Corps of Engineers (USACoE) require biological monitoring of several areas within the park identified to be mitigation areas. The City is required to restore native habitat in order to address wetland impacts that occurred during construction and operation of the effluent discharge project.

Staff requested and has received a proposed Task Order Number 8 for work under the existing Master Services Agreement (MSA) with the City's wetland engineering consultant, Tetra Tech, Inc., to perform certain monitoring and reporting tasks required for next year that are outside of staff's capabilities. A copy is attached for your review as Attachment A to the MSA. Fees in the Task Order total \$92,120 to complete activities required during the next 12 months. Monitoring quarter number two requires the most man-hours as it includes preparation of the required "Annual Wetlands Monitoring Summary Report" for submission to FDEP.

This is a planned expenditure and funds are available in the Utility Wastewater budget.

CONSENT
AGENDA ITEM # 1

RESOLUTION 19-64

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING TASK ORDER #8 TO THE MASTER SERVICES AGREEMENT FOR MAJOR WASTEWATER ENGINEERING SERVICES WITH TETRA TECH, INC., RELATED TO CONSERVATION PARK BIOLOGICAL MONITORING - 2019 IN THE AMOUNT OF \$92,120; AUTHORIZING EXECUTION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

BE IT RESOLVED that the appropriate officers of the City are authorized to deliver and execute on behalf of the City that certain Task Order #8 to the Master Services Agreement for Major Wastewater Engineering Services between the City and Tetra Tech, Inc., relating to the Conservation Park Biological Monitoring - 2019, in the basic amount of Ninety-Two Thousand, One Hundred Twenty Dollars (\$92,120.00), in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this ____ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By: _____
Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk

CONSENT
AGENDA ITEM # 1

Resolution 19-64

EXHIBIT B
COMBINED TASK ORDER AND
NOTICE TO PROCEED

TASK ORDER NO. 8

DATE: March 14, 2019

Reference is made to that certain MASTER SERVICES AGREEMENT BETWEEN CITY OF PANAMA CITY BEACH AND TETRA TECH, INC. RELATING TO MAJOR WASTEWATER ENGINEERING SERVICES dated December 29, 2013, (the Agreement), the terms, conditions and definitions of which are incorporated herein as if set forth in full. Neither party is in breach of the Agreement.

Pursuant to the Agreement, Engineer agrees to perform the specific tasks set forth upon incorporated Attachment A, Scope of Services, relating to **Conservation Park Biological Monitoring – 2019**.

Engineer's total compensation shall be (check one):

a stipulated sum of **\$92,120**; or
 a stipulated sum of \$ _____ plus one or more specified allowances listed below which may be authorized in writing by the City Manager or his designee,
Allowance of \$ _____ for _____, and
Allowance of \$ _____ for _____; or
 a fee determined on a time-involved basis with a maximum cost of \$ _____;

Work shall begin on March 15 2019, and shall be completed within one calendar year. The date of completion of all work is therefore March 14, 2020. Liquidated delay damages, if any, are set at the rate of \$0 per day. There are no additional rights and obligations related to this Task Order other than as specified in the Agreement.

Upon execution of this task order by both Engineer and City, Engineer is directed to proceed.

IN WITNESS WHEREOF the parties have caused these presents to be executed in their names on the date shown.

Witness:

TETRA TECH, INC.

By: _____ Date: _____
Its:

CITY OF PANAMA CITY BEACH, FL.

ATTEST:

By: _____ Date: _____
City Manager

City Clerk

CONSENT
AGENDA ITEM # 1



**ATTACHMENT A – SCOPE OF SERVICES
UNDER
MASTER SERVICES AGREEMENT BETWEEN CITY OF PANAMA CITY BEACH AND TETRA TECH, INC.,
RELATING TO MAJOR WASTEWATER ENGINEERING SERVICES DATED DECEMBER 29, 2013**

CONSULTANT

CLIENT

Name	<u>Tetra Tech, Inc.</u>	<u>City of Panama City Beach, Florida</u>
Street Address	<u>61 St. Joseph Street, Suite 550</u>	<u>110 South Arnold Road</u>
City, State, Zip	<u>Mobile, Alabama 36602</u>	<u>Panama City Beach, Florida 32413</u>
Contact Person	<u>Michael B. Bomar, P.E.</u>	<u>Al Shortt, P.E.</u>
Telephone	<u>850.240.0436</u>	<u>850.233.5054</u>
Fax	<u></u>	<u>850.233.5116</u>
E-Mail	<u>michael.bomar@tetrattech.com</u>	<u>ashortt@pcbqov.com</u>

Date Work Order Prepared: February 15, 2019

Project Identification: **Name:** Conservation Park Biological Monitoring – FY19

Tt Project No: **Location:** Panama City Beach, Florida

SCOPE OF WORK

Consultant shall provide biological monitoring and reporting services as required by the Florida Department of Environmental Protection (FDEP) and the U.S. Army Corps of Engineers (USACE) for the Client's 3,000 acre Conservation Park (Park) for fiscal year 2019. The Park is the permitted receiving wetland for the Client's reclaimed water. The intent of this scope of work is to assist the Client in meeting the conditions of FDEP and USACE permits for the receiving wetland use of the Park. This scope is intended to address specific conditions in FDEP Wetland Permit 03-231981-003-DF, FDEP Wastewater Permit FL0021512, and USACE Permit SAJ-2006-1857 (IP-DEB). The work shall cover four sampling events – Quarters 1-4 in 2019, Semi-Annual Monitoring, Annual Reporting.

Conduct 2019 Wetland Quarterly Monitoring, Sampling, and Reporting:

Task I. Conduct Quarterly USACE Monitoring and Reporting, as well as Quarterly FDEP Monitoring:

Consultant shall conduct the quarterly monitoring field activities and subsequent preparation of reports based on such field activities required by the USACE and the FDEP. This will include the belt transects for herbaceous vegetation, belt transects for woody vegetation, threatened and endangered (T&E) species transects, and fish sampling stations. The required monitoring and reporting at the fourteen Discharge Distribution Sites will also be performed by the Consultant.

Information collected and prepared by the Consultant will be provided in tabular format to the Client for the Client's submission to the FDEP with other quarterly monitoring information prepared by others. The Consultant shall provide this information to the Client on or before the agreed upon dates identified by the Client.

Consultant shall also prepare a Draft "2019 Annual Wetlands Monitoring Summary Report" for the Client's review that satisfies the permit conditions in the referenced permit. The Consultant will provide a Draft Report in electronic format to the Client for review and comment. Upon receiving the Client's comments and reviewing the comments with the Client, the Consultant shall prepare the required number of copies of a Final "2019 Annual Wetlands Monitoring Summary Report" and submit on the Client's behalf to the FDEP by the required date.

The Consultant shall process the quarterly transect monitoring data for incorporation into the USACE 2019 Annual Monitoring Report to include wetland mitigation area semi-annual monitoring data/reporting as outlined in Task II below.



The following itemized breakdown summarizes the Consultant's work for the USACE and FDEP quarterly monitoring and reporting:

- A. Per conditions of FDEP Wastewater Permit (FL0021512, as revised on December 5, 2013)
 - 1. Monitoring of 4 previously established belt transects for herbaceous vegetation (quarterly)
 - 2. Monitoring of 4 previously established belt transects for woody vegetation (annually in Quarter 3)
 - 3. Monitoring of 4 1000-foot T&E transects (annually in Quarter 3)
 - 4. Monitoring of 4 fish sampling stations (annually in Quarter 2 or 3, depending upon conditions)
 - 5. Draft and submit Quarterly "DMR" data tables to the Client (per schedule provided by Kevin Aclin)
 - 6. Draft the "2019 Annual Wetlands Monitoring Summary Report", per permit conditions I.E.1-9, for submittal to Client by June 1, 2019, for review and comment. The final report is due to the FDEP by June 28, 2019.
- B. Per conditions of USACE Permit SJA 2006-1857 (IP-DEB)
 - 1. Monitoring of all 9 previously established 50m transects at Discharge Distributions Sites. (semi-annually)
 - 2. Process (quarterly) the 50m transect monitoring data for incorporation into USACE Annual Monitoring Report to include wetland mitigation area semi-annual monitoring data/reporting as outlined in Task II below):

Task II. Conduct Semi-Annual Monitoring and Annual Reporting for the Wetland Mitigation Area (269 acres, four 50m transects and Walk Paths):

Consultant will perform semi-annual monitoring and annual reporting services related to the Client's wetland mitigation area as required to satisfy the first two quarterly sampling events and to close out the monitoring of the wetland mitigation area. The wetland mitigation area includes 269 acres within the Park which the Client is required to perform mitigation services that include slash pine tree thinning and prescribed burning. There are four 50 meter long transects where specific monitoring is required on a quarterly basis and walking paths that require monitoring on an annual basis. The four 50 meter transects were previously permitted and accepted by the FDEP and USACE that the Consultant will monitor and the walking paths are constructed walking paths.

Consultant shall also prepare a Draft 2019 Annual Monitoring Report covering the conditions required by the USACE and a Draft 2019 Annual Monitoring Report covering the FDEP's permit conditions. Both Draft 2019 Annual Monitoring Reports will be provided to the Client for review and comment prior to submitting to either regulatory agency.

The following itemized breakdown summarizes the Consultant's work for the monitoring and reporting related to the 269 acre wetland mitigation area per conditions of FDEP Wetland Resource Permit (03-231981-003-DF) and USACE Permit SJA 2006-1857 (IP-DEB):

- A. Monitoring (semi-annual) of 4 previously established 50m transects
- B. Monitoring (annual) of Walk Paths within the wetland mitigation area
- C. Draft 2019 Annual Monitoring Report for submittal to the USACE (due within 60 days of completion of second semi-annual monitoring event)
- D. Draft 2019 Annual Monitoring Report for submittal to the FDEP

Deliverables

- Four FDEP Wetland Quarterly Monitoring Data Tables (to be submitted to the Client, per quarterly submittal schedule provided by Kevin Aclin via email to M. Bomar and before January 17, 2019)
- One FDEP Annual Wetlands Monitoring Summary Report (due June 28, 2019, to FDEP)
- One USACE Annual Monitoring Report
- One FDEP Annual Monitoring Report (due to FDEP by October 31 each year)

Period of Performance – January 1, 2019 to December 31, 2019

Quarterly Breakdown (Tasks by Quarter):

Quarter 1 (January-March):

- Task I.A.1
- Task I.A.5



- Task I.B.1
- Task I.B.2
- Task II.A

Quarter 2 (April-June):

- Task I.A.1
- Task 1.A.4
- Task I.A.5
- Task I.A.6
- Task I.B.1
- Task I.B.2

Quarter 3 (July-September):

- Task I.A.1
- Task I.A.2
- Task I.A.3
- Task I.A.5
- Task I.B.1
- Task I.B.2
- Task II.A
- Task II.B
- Task II.D

Quarter 4 (October-December):

- Task I.A.1
- Task I.A.5
- Task I.B.1
- Task I.B.2
- Task II.C

EXCLUSIONS

If Client wishes Consultant to perform any of the following Additional Services, Client shall instruct Consultant in writing and Consultant shall perform or obtain from others such services for additional fees.

- Groundwater, surface water, soil or vegetative sampling, and laboratory analysis.
- Sampling and reporting for other quarters or semi-annual events outside the noted Period of Performance or other parameters or conditions not included in this scope of work.

SCHEDULE OF WORK (attach sheet if necessary to describe)

Services described under Scope of Work above will begin upon receipt of signed Work Order.

FEE

The described scope of services will be performed for the following lump sum fees by task:

TASK ACTIVITIES	AMOUNT
Quarter 1 Tasks	\$14,890.00
Quarter 2 Tasks	\$31,850.00
Quarter 3 Tasks	\$25,580.00
Quarter 4 Tasks	\$19,800.00
TOTAL	\$92,120.00



**City of Panama City Beach
Conservation Park Monitoring & Reporting Matrix**
Tetra Tech, Inc.
March 2019

	Task ID#	Description	Required Task			
			2019			
			Quarter			
			1	2	3	4
FDEP Wastewater Permit	I.A.1	Monitor belt transects for herbaceous vegetation	✓	✓	✓	✓
	I.A.2	Monitor belt transects for woody vegetation			✓	
	I.A.3	Monitor T&C transects			✓	
	I.A.4	Monitor fish sampling stations		✓		
	I.A.5	Draft and submit Quarterly Monitoring data tables to City	✓	✓	✓	✓
	I.A.6	Draft the "2019 Annual Wetlands Monitoring Summary Report" per permit conditions I.E.1-9, for submittal to City for review and comment		✓		
USACE Permit	I.B.1	Monitor 50m transects at Discharge Distribution Sites	✓	✓	✓	✓
	I.B.2	Process 50m transect monitoring data for incorporation into USACE Annual Monitoring Report	✓	✓	✓	✓
FDEP & USACE Wetland Permits	II.A	Monitor 50m transects	✓		✓	
	II.B	Monitor Walk Paths within the wetland mitigation area			✓	
	II.C	Draft 2019 Annual Monitoring Report for submittal to the USACE				✓
	II.D	Draft 2019 Annual Monitoring Report for submittal to the FDEP			✓	

CONSENT ITEM

2



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

Public Works / Kathy Younce

2. MEETING DATE:

03/14/19

3. REQUESTED MOTION/ACTION:

Approve the design of Eagle Drive drainage improvement project located in Colony Club Subdivision through a master services contract with McNeil Carroll Engineering, Inc. in the amount of \$13,900.00.

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

Eagle Drive is located in Colony Club Subdivision and has encountered flooding problems around the existing pond during different rainfall events. There is currently no stormwater collection system and stormwater runoff has no positive discharge in this area. It is staff's intent to drop the pond approximately 1' by providing an outfall structure and associated piping that will discharge to a ditch located on the Holiday Golf Course. Coordination with Holiday Golf Course has begun to help clean out the outfall ditch this project will be discharging into. This project was added to the capital improvement list after the event in 2013 and is currently up for engineering design work to be performed in this fiscal year. Construction is budgeted for the next fiscal year.

Staff requested and has received a proposed task order number 2019-01 (see Exhibit B Combined Task Order and Notice to Proceed) for work under the Master Services Agreement (MSA) with one of the City's stormwater consultants, McNeil Engineering Inc. The proposed attached will provide services for surveying, engineering design, bidding, permitting and construction oversight.

Staff recommends approval of this proposal in the amount of \$13,900.00 and has sufficient funds in this fiscal year stormwater budget for the design work to be completed.

RESOLUTION 19-67

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA APPROVING TASK ORDER # 2019-01 TO THE MASTER SERVICES AGREEMENT FOR STORMWATER ENGINEERING SERVICES WITH MCNEIL CARROLL ENGINEERING, INC., RELATED TO EAGLE DRIVE DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$13,900; AUTHORIZING EXECUTION AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

BE IT RESOLVED that the appropriate officers of the City are authorized to deliver and execute on behalf of the City that certain Task Order # 2019-01 to the Master Services Agreement for Stormwater Engineering Services between the City and McNeil Carroll Engineering, Inc., relating to the Eagle Drive Drainage Improvements, in the basic amount of Thirteen Thousand, Five Hundred Dollars (\$13,900.00), in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager, whose execution shall be conclusive evidence of such approval.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this ____ day of _____, 2019.

CITY OF PANAMA CITY BEACH

By: _____
Mike Thomas, Mayor

ATTEST:

Mary Jan Bossert, City Clerk

EXHIBIT B
COMBINED TASK ORDER AND
NOTICE TO PROCEED

TASK ORDER NO. 2019-01

DATE: March 14, 2019

Reference is made to that certain MASTER SERVICES AGREEMENT BETWEEN CITY OF PANAMA CITY BEACH AND McNeil Carroll Engineering Inc. RELATING TO PROFESSIONAL STORMWATER ENGINEERING SERVICES dated December 29, 2013, (the Agreement), the terms, conditions and definitions of which are incorporated herein as if set forth in full. Neither party is in breach of the Agreement.

Pursuant to the Agreement, Engineer agrees to perform the specific tasks set forth upon incorporated Attachment A, Scope of Services, relating to Eagle Drive Drainage Improvements.

Engineers total compensation shall be (check one):

- a stipulated sum of \$ 13,900.00 ; or
 a stipulated sum of \$ _____ plus one or more specified allowances listed below which may be authorized in writing by the City Manager or his designee,
Allowance of \$ _____ for _____, and
Allowance of \$ _____ for _____; or
 a fee determined on a time-involved basis at the rates set forth upon incorporated **Attachment B, Hourly Fee Breakdown (if applicable)**, with a maximum cost of \$ _____; and shall be paid in monthly installments as specified in the Agreement.

Work shall begin on _____, and shall be completed within _____ months. The date of completion of all work is therefore _____, 201____. Liquidated delay damages, if any, are set at the rate of \$ _____ per day. There are no additional rights and obligations related to this Task Order other than as specified in the Agreement.

Upon execution of this task order by both Engineer and City, Engineer is directed to proceed.

IN WITNESS WHEREOF the parties have caused these presents to be executed in their names on the date shown.

Witness: _____ [name of firm]

By: _____ Date: _____
Its:

CITY OF PANAMA CITY BEACH, FLA.

ATTEST:

By: _____ Date: _____
City Manager

City Clerk

March 1, 2019

SENT VIA EMAIL

Ms. Kelly Jenkins, P.E.
City of Panama City Beach
110 South Arnold Road
Panama City Beach, FL 32413

Re: Task Order # 2019-01
Proposal for Engineering Services
Eagle Drive Drainage
Panama City Beach, Florida
MCEI File No. 245.36

Dear Ms. Jenkins:

McNeil Carroll Engineering, Inc. is pleased to have the opportunity to provide professional services for the proposed drainage improvement project located in Panama City Beach, Florida. Based on information provided to us, we have developed the following scope of services for your review and consideration.

Professional Service Description

- Task 1: Topographical Surveying (\$2,500.00)**
Preble Rish, Inc. will provide topographical surveying identifying existing grades and existing improvements for channel improvements.
- Task 2: Engineering Design (\$7,500.00)**
MCEI will provide engineering services designing the drainage improvements including pipe sizing and outfall structure.
- Task 3: Construction and Bidding Documents (\$1,200.00)**
MCEI will prepare specifications and bid documents for bidding purposes for construction and oversee bidding process.
- Task 4: Permitting (\$1,200.00)**
MCEI will submit documents to NFWFMD for regulatory approvals.
- Task 5: Construction Oversight (\$1,500.00)**
MCEI will provide construction observation during construction.

Panama City
475 Harrison Avenue, Suite 200
Panama City, FL 32401

Phone (850) 763-5730
Fax (850) 763-5744

mcneilcarroll.com

Panama City Beach
17800 Panama City Beach Parkway
Panama City Beach, FL 32413

Phone (850) 234-1730
Fax (850) 234-1731

COMPENSATION

The work described above will be performed on a flat fee basis with progress billing rates. The flat fee to complete the work described herein is as follows:

Task 1-5 Total: **\$13,900.00**

Once again, we appreciate your consideration of McNeil Carroll Engineering, Inc. and look forward to providing the City of Panama City Beach with quality engineering services. Should you have any questions or need any additional information, please do not hesitate to call.

Sincerely,

McNeil Carroll Engineering, Inc.



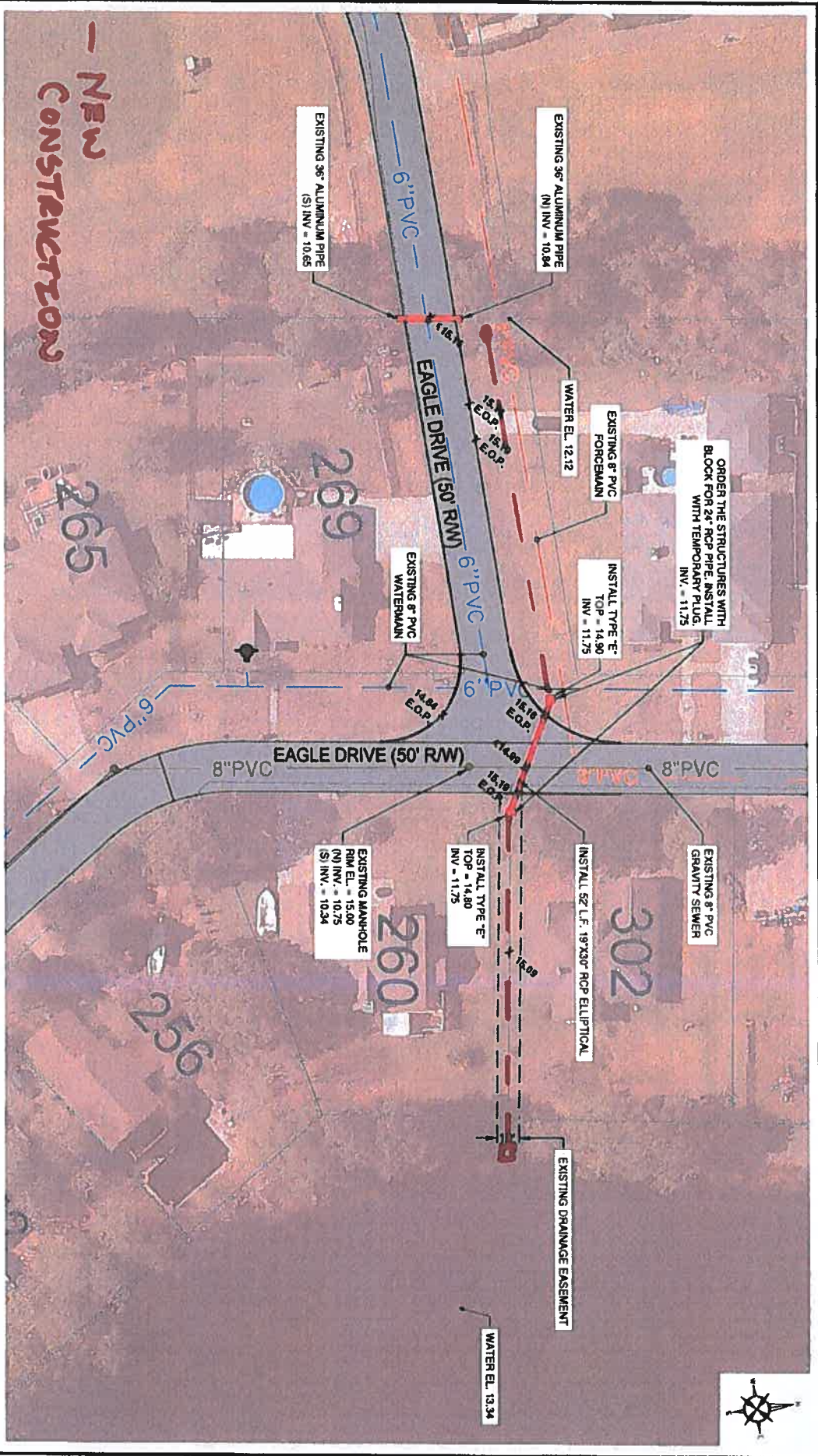
Robert Carroll, P.E.
Vice President

ACCEPTANCE

BY: _____
Mario Gisbert, City Manager
City of Panama City Beach

DATE: _____

RLC/sd
245.27/pro/pcbadmin/projects



- NEW CONSTRUCTION

NO.	DATE	BY	DATE	SCALE	1"=40'	DATE	10-18-2017
				DESIGNED BY	T.L.Y.	CHECKED BY	K.L.V.
				DRAWN BY	L.S.	DATE	NO. OF REVISIONS
				116 SOUTH ARBOLD ROAD			
				CITY OF PANAMA CITY BEACH			
				PANAMA CITY BEACH, FLORIDA 32413			
				STREET RESURFACING PROJECT 2018			
				EAGLE DRIVE			
				SHEET NUMBER			
				1			

CONSENT
AGENDA ITEM # 2

REGULAR ITEM

1



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:
ADMINISTRATION

2. MEETING DATE:
MARCH 14, 2019

3. REQUESTED MOTION/ACTION:
APPROVE AN AMENDMENT TO THE PERSONNEL POLICY RELATED TO TRAVEL PROCEDURE POLICY; AND RATIFY AND CONFIRM UPDATED EMPLOYEE HANDBOOK

4. AGENDA

- PRESENTATION
- PUBLIC HEARING
- CONSENT
- REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? Yes No N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED Yes No N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

STAFF RECOMMENDS REVISIONS TO THE CITY'S TRAVEL POLICY TO CLARIFY WHO IS TO REVIEW TRAVEL REQUESTS, AND TO UPDATE PER DIEM RATES AND REQUIREMENTS, AND WHEN MILEAGE REIMBURSEMENT IS ALLOWED FOR USE OF A PERSONAL AUTO.

STAFF ALSO REQUESTS APPROVAL, RATIFICATION AND CONFIRMATION OF THE EMPLOYEE HANDBOOK, WHICH INCORPORATES MAJOR CHANGES TO POLICIES PREVIOUSLY APPROVED BY THE COUNCIL, AS WELL AS MINOR CHANGES RECOMMENDED BY THE CITY MANAGER SINCE THE LAST COMPREHENSIVE UPDATE TO THE EMPLOYEE HANDBOOK APPROVED BY THE COUNCIL ON JUNE 22, 2017.

STAFF RECOMMENDS APPROVAL.

RESOLUTION 19-68

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA; UPDATING, AMENDING AND CONFIRMING THE CITY'S PERSONNEL POLICIES; REPEALING ALL POLICIES OR RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of Panama City Beach, that:

1. From and after the effective date of this Resolution, that the updated Personnel Policies attached and incorporated herein as Exhibit A to this Resolution (the "2019 Employee Handbook"), are hereby adopted. All policies or resolution or parts of resolutions or policies in conflict herewith are repealed to the extent of such conflict.
2. From and after the effective date of this Resolution, that the Travel Policy attached and incorporated herein as Exhibit B to this Resolution is hereby approved. The appropriate officers of the City are directed to incorporate the provisions of this amended policy into the 2019 Employee Handbook prior to distribution of that Handbook to employees.

This Resolution shall take effect on _____.

PASSED, APPROVED and ADOPTED in regular session this ___ day of _____, 2019.

CITY OF PANAMA CITY BEACH

MIKE THOMAS, MAYOR

ATTEST:

MARY JAN BOSSERT, CITY CLERK

PERSONNEL POLICIES
FOR THE
EMPLOYEES OF THE CITY OF
PANAMA CITY BEACH

EXHIBIT A

1

AGENDA ITEM # 1

APPLICATION AND REVISION OF POLICIES

This policy manual is an overview and summary of the City's personnel policies and procedures approved on March 14, 2019 with an effective date of March 14, 2019. The City reserves the right to direct and control the operations of its business, including but not limited to the right to modify, alter or delete policies. As policies and benefits are revised, changes will be communicated to you through standard communications channels.

The policies and procedures contained in this manual do not constitute part of an employment contract, nor are they intended to make a commitment to any employee concerning how individual employment action can, should, or will be handled.

The nature of operations in individual departments may require those departments to have additional policies, procedures and guidelines that are not covered in this manual. While individual department policies and procedures may be more stringent than the policies in this manual they shall otherwise be consistent with the policies in this manual.

Some policies in this manual require the use of a form or forms. Because the City's forms will be updated periodically, before completing any form you should confirm with your Department Head, Supervisor or the Human Resource Manager that you are using the most current form available.

If you have any questions or would like additional information about any particular guideline in this manual, please contact the Human Resource Manager.

This policy manual supersedes all previous manuals, letters, memoranda and understandings.

Welcome new employee!

I welcome you to the City and wish you every success here.

Our primary job as City employees is to give prompt, courteous and efficient service to the public we serve. As we share in the experience of working together, you will be making an important contribution to the growth and well-being of Panama City Beach. We believe that each employee contributes directly to the City's growth and success, and we hope you will take pride in being a member of our team.

This manual was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the City. Please read your manual carefully and discuss any questions you might have with your Supervisor or Department Head.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,



Mario Gisbert
City Manager

MESSAGE FROM THE CITY MANAGER

The policy of the City of Panama City Beach City Council has been and will continue to be one of an open door policy, under which all employees have the right, and are encouraged to deal directly with their supervisors and other members of management on matters pertaining to working conditions. Employees of the City are important individuals and we will always strive to ensure equitable treatment.

Our philosophy includes goals of maintaining a climate of excellent employee relations by showing respect for the rights and dignity of employees, as well as striving for employee satisfaction through compensation, comprehensive benefits and job security. We continually work to treat all employees fairly and as individuals.

The personnel policies and procedures contained in the manual are designed to provide employees of the City of Panama City Beach with a sound and equitable system of personnel management.

CUSTOMER RELATIONS

Every employee represents the City to our customers and the public. The way we do our jobs presents an image of our entire City. The public judges all of us by how they are treated with each employee contact. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to the public.

Our personal contact with the public, our manners on the telephone, and the communications we send to customers are a reflection not only of ourselves, but also of the professionalism of the City.

**SECTION I
POLICY STATEMENTS**

THE OBJECTIVES OF THE PERSONNEL POLICIES ARE:

- A. To ensure employees provide efficient and friendly service at all times to all the citizens, visitors and customers of the City of Panama City Beach.
- B. To attract and retain employees of the highest caliber.
- C. To select employees based on qualifications, knowledge and skill.
- D. To provide training for supervisory personnel which will ensure their ability to lead and motivate their employees in an effective manner.
- E. To provide a pay plan and employee benefits which are fair and competitive.
- F. To provide clean, safe, and pleasant working conditions.
- G. To provide opportunities for employees to increase their skills and job potential through training and education opportunities.
- H. To promote from within based upon qualifications, performance, knowledge, skills, and potential to handle increased responsibilities.
- I. To encourage the development of individual acceptance of responsibility for the attainment of outstanding public service.

NATURE OF EMPLOYMENT AND "AT WILL" POLICY

Employment with the City is voluntarily entered into, and the employee is free to resign at any time, with or without cause. Similarly, the City may terminate the employment relationship at will at any time, with or without notice or cause.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the City and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time at the City's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the City Manager.

At-Will Defined

At-will means that an employer can terminate an employee at any time for any legal reason or for no reason, without incurring legal liability. Likewise, an employee is free to leave a job at any time for any or no reason with no adverse legal consequences.

At-will also means that an employer can change the terms of the employment relationship without notice. For example, an employer can alter wages, terminate benefits or reduce paid time off.

EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

The City of Panama City Beach is an equal opportunity employer. There shall be no discrimination exercised on account of race, national origin, color, religion, creed, age, marital status, sex, political affiliation, or the presence of any sensory, mental, or physical disability unless such disability effectively prevents the performance of the essential duties required of the position and which are bona fide occupational qualifications which cannot be accommodated without undue hardship, with respect to the recruitment, examination or appointment of applicants, or in any personnel actions affecting employees, including compensation, training, promotions, educational opportunities, transfers, demotions, layoffs and disciplinary transactions. Any employee who feels he/she or a fellow employee has been discriminated against should contact the Human Resources manager.

AMERICANS WITH DISABILITIES ACT (ADA) AND THE AMERICANS WITH DISABILITIES AMENDMENTS ACT (ADAAA) POLICY.

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of the City of Panama City Beach to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). A qualified individual with a disability will be afforded the same opportunity to compete in the workplace based upon the same performance standards and requirements expected of persons who are not disabled.

The City has designated the Human Resource Manager as the ADA Coordinator. Contact the Human Resource Manager with any questions or requests for accommodation. Determining whether a reasonable accommodation is appropriate is an individualized process. Decisions will be made on a case-by-case basis, depending upon the individual involved and the essential functions of the job in question. No specific form of accommodation is guaranteed.

Temporary or seasonal workers are not eligible for benefits unless specifically stated otherwise in the City's policies.

HARASSMENT POLICY

The City of Panama City Beach is committed to maintaining a work environment that is free from unlawful discrimination and harassment. Unlawful harassment, either intentional or unintentional, has no place in the work environment. Accordingly, it is and shall continue to be the policy of the City that its employees and their work environment shall be free from all forms of unlawful harassment and intimidation. The City prohibits unlawful discriminatory practices and harassment on the basis of race, color, religion, sex, national origin, age, disability, marital status, veteran status, or any other reason prohibited by law, whether the harassment is caused by another employee, a supervisor, a visitor or any person. Conduct prohibited by this policy can include, but is not limited to, slurs, epithets, threats, derogatory comments, and unwelcome jokes which would make a reasonable person experiencing such harassment uncomfortable in the work environment or which would interfere with the person's job performance.

All employees have a responsibility for keeping our work environment free of harassment. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their immediate supervisor or the City Manager. Appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. Any employee found to have harassed a fellow employee, subordinate, visitor or any other person will be subject to disciplinary action up to and including termination.

Retaliation against an individual who reports harassment or discrimination or participates in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be

promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

SEXUAL HARASSMENT POLICY

The Panama City Beach City Council is opposed to and will not tolerate sexual harassment. The City is also equally opposed to bad faith claims of sexual harassment which have no rational basis in fact or justifiable employee perception, and are deliberately designed to adversely affect the employment or personal relationships of persons against whom the complaint is made. The Panama City Beach City Council takes this position because such claims often affect the future employment and important family relationships of not only the claimant, but also the person against whom the claim is made.

The Equal Employment Opportunity Commission guidelines with regard to sexual harassment in the work place define, very generally, what type of conduct that will be considered sexual harassment, and thus violate Title VII of the Civil Rights Act of 1964. The guidelines set out three (3) basic circumstances in which unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature will be considered sexual harassment. Those three (3) circumstances are:

- Where submission to the conduct is an explicit or implicit term or condition of employment;
- Where employment decisions concerning an individual are based on whether he or she submitted to or rejected sexually harassing actions; or
- Where such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

How to Report Instances of Perceived Discrimination or Harassment.

Matters that are not brought to the attention of management cannot be investigated and resolved. Therefore, everyone will be held accountable for accomplishing our goal of a discrimination-free and harassment-free workplace. Any employee who believes he or she is being subjected to unlawful harassment or discrimination by a co-worker, manager, supervisor, or other individual (whether or not employed by the City), or who believes that his or her employment is being adversely affected by such conduct, is directed to report such incidents and any other observations of unlawful harassment or discrimination to the City Manager or other supervisor with whom the employee is most comfortable, either in person, in writing or by telephone. If the complaint or observation involves the City Manager or someone in the City Manager's office or if for any reason the employee is uncomfortable discussing the matter with the City Manager, the employee is directed to report the matter to the Human Resource Manager.

How An Investigation Will Be Conducted.

A prompt and thorough investigation of the complaint or observation of possible unlawful harassment or discrimination will be conducted and appropriate action will be taken based

on the investigation. Since allegations of harassment or discrimination are serious matters for all concerned, employees will be expected to fully cooperate in investigations and the enforcement of this policy. For the same reasons, discretion will be utilized in investigating and, where appropriate, remedying improper conduct.

Our Commitment to an Effective Response.

The City will not tolerate any retaliation against an employee for making a good faith harassment complaint or for cooperating in a harassment investigation.

Supervisors and employees will be subject to disciplinary action, up to and including discharge, for violation of this policy including, but not limited to, harassing or retaliating conduct, failure or refusal to cooperate in an investigation, or other actions contrary to this policy.

ALCOHOL/DRUG ABUSE POLICY

The purpose of this policy is to define the Panama City Beach City Council's position regarding employees whose job performance is adversely affected by alcohol/drug abuse, or engaging in illegal drug activity.

The City participates in the Drug Free Workplace Program under Chapter 440 of the Florida Statutes in order to provide a safe place for its employees to work and to promote a drug-free community. Thus, any evidence of possession of, or being under the influence of, alcoholic beverages or drugs while on City property, or any work site at any time, is a serious violation of this policy and may subject the employee to corrective action, up to and including immediate discharge.

For the purposes of this policy, "drug" shall mean alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph; or any drug which (a) is not legally obtainable; (b) may be legally obtainable but which has not been legally obtained; or c) is being used in a manner or for purposes other than as prescribed or intended.

Illegal drug use, whether on or off the job, may adversely affect an employee's job performance, jeopardize the safety of other employees, the public and the reliability of the City's operations and/or equipment.

An employee will be required by his or her Supervisor to submit to a blood/urine or other test for alcohol or illegal drugs if reasonable suspicion exists to believe the employee is under the influence of alcohol or drugs. Other testing may be required as set forth in the City's Drug and Alcohol Policy and any separate drug testing policy or program implemented and approved by the City Council. Employees who are directed to submit to tests for alcohol or illegal drugs under these circumstances and who refuse or fail

to submit to these tests when and as directed, will be subject to immediate termination. Employees who test positive, as determined by the City and in accordance with Chapter 440 of the Florida Statutes, may be subject to immediate termination.

Employees who are convicted or sentenced for on or off the job illegal drug activity will be considered in violation of this policy and may be subject to termination of employment. Employees in safety sensitive or special risk positions shall be subject to modified rules as provided by Florida Statutes.

Employees must notify their Supervisor when under medically prescribed treatment with a controlled substance that may limit their ability to perform their job. Verification of required medication under these circumstances will be submitted by providing a prescription copy or physician's statement showing medication required and dates of use. Failure to do so will result in appropriate disciplinary action.

SMOKING POLICY

Smoking is prohibited in enclosed indoor work places and City vehicles as established by State Law in compliance with the Florida Clean Indoor Air Act. This includes the use of Electronic Cigarettes. Signs prohibiting smoking shall be conspicuously posted in every facility, vehicle and major work area where smoking is prohibited. Ashtrays will not be kept in non-smoking areas. Ashtrays will be made available in the designated smoking areas and are to remain in the designated areas at all times.

Complaints of violation of this policy should be directed to the Supervisor responsible for the particular work area or facility involved in the complaint. The responsible Supervisor shall be charged with notifying the violator of the pertinent portions of this policy.

SAFETY AND LOSS CONTROL POLICY

The City of Panama City Beach City recognizes the necessity for a safe and healthy work place, through the adherence to sound safety and health principles. With the assistance of City employees, the City will work to provide a hazard free work environment.

Safety rules are published in the Safety Manual to be provided to you at the time of hiring. The City will continually strive to improve the guidelines and the published rules; your support in this endeavor is requested through compliance with the rules and by providing suggested improvements.

WORKPLACE VIOLENCE POLICY

Violence, or the threat of violence, by or against any employee of the City of Panama City Beach is unacceptable and contrary to City Policy, and will subject the perpetrator to serious disciplinary action and possible criminal charges. The City will work with law enforcement to aid in the prosecution of anyone outside of the organization who commits violent acts against the employees.

Unauthorized possession, use, or threat of use, of weapons or firearms is not permitted while on duty, or on City property, including in a City vehicle. This policy does not prohibit any employee from possessing a legally permitted firearm that is locked inside the employee's private motor vehicle on City property. The City will not ask if any employee has a firearm or undertake a search of any private vehicle to ascertain the presence of a firearm.

Any employee disregarding this policy will be subject to immediate termination.

Employees' conduct toward co-workers, supervisors or the public must be courteous, positive and appropriate for the work situation.

The following behavior is prohibited; however, this is not intended to be an all-inclusive listing of prohibited behavior:

- Fighting or malicious behavior while on or in City property.
- Fighting or assaulting a fellow employee or citizen.
- Threatening or intimidating management, supervisors, or fellow workers.
- Engaging in any form of racial, sexual, ethnic, or religious harassment.
- Engaging in horseplay, fighting, violence or any other action interfering with the work of other employees or service to the public.
- Using threats or profane or abusive language in dealing with the public, co-workers, supervisors or other persons contacted in business relationships, or otherwise provoking or abusing others in any way.
- The unauthorized use or threatened use of weapons or firearms while on duty.
- Harassing, terrorizing, threatening with physical violence or punishment, or otherwise forcing an employee to suffer embarrassing or degrading experiences.

Employees engaging in prohibited behavior are subject to disciplinary action up to and including termination from employment.

No employee acting in good faith, who reports actual or threatened violent behavior, shall be subjected to retaliation or harassment because of their report.

The Department Head is the Workplace Critical Incident Coordinator.

CONFLICT OF INTEREST POLICY

No employee shall accept gifts, gratuities or loans from organizations, business concerns, or individuals with whom he or she has official relationships on City business. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions.

No employee shall solicit contributions from another employee for a gift to an employee in a superior official position nor shall such superior accept a gift presented as a contribution from employees receiving less salary than himself/herself. This does not, however, prohibit a voluntary gift of nominal value when made on a special occasion.

No person seeking appointment to or promotion within the City shall either directly or indirectly give, render or pay any money or other thing of value to any person in connection with an appointment, promotion or proposed appointment or promotion. This prohibition is not intended to prevent payment to a legitimate employment agency.

Employees shall not use or attempt to use their position to secure special privileges or exemptions for themselves or others, except as may be provided by written policy or law.

Employees shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit. Employees are expected to remain mindful of the confidential nature of many aspects of the work of some departments of the City. City Manager permission is required for release of sensitive or privileged information.

Employees shall not transact any business in their official capacity with any business entity of which they own a substantial interest.

Employees shall not have personal investments in any enterprise which will create a substantial conflict between their private interest and the public interest.

If an employee of the City is an officer, director, agent or member of, or owns controlling interest in any firm, corporation, partnership or other business entity which is subject to current proceeding of the City, they shall file a sworn statement to this effect with the City Manager.

EMPLOYEES POLITICAL ACTIVITY POLICY

Political action by employees of the City of Panama City Beach shall be governed by Chapter 104.31 of Florida Statutes. Nothing herein shall be construed to limit or restrict the right or ability of an employee to be involved in political campaigns or other community or political issues during the time an employee is not at work. Refer to Civil Service Charter Section 6-13.

CELLULAR PHONE POLICY

The City provides cellular telephones to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, their clients, associates, and others with whom they may conduct business. Cell phone use is primarily intended for business-related calls. However, occasional, brief personal use is permitted within a reasonable limit. Cell phone invoices may be regularly monitored.

City provided cell phones are subject to Florida's Public Records Law. All texts, voicemails, photos, emails, or other such recordings whether sent or received must be maintained on the cellphone or saved to the City's server. Do not use cell phones to record confidential information.

Excessive personal calls (including text messages) during the work day can interfere with employee productivity and be distracting to others. During paid work time, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of any City phones. Do not use the company cell phone for personal communications that cause extra fees (i.e. international calls or apps that impose fees). The City encourages you to limit personal calls during work time to no more than three calls of short-duration per day as needed. Employees are expected to make personal calls on non-work time when possible. Avoid using work cell phones for personal tasks during work hours. Flexibility will be provided in circumstances demanding immediate personal phone use, but this immediate need should be communicated to the employee's supervisor. The City will not be liable for the loss or damage of personal cellular phones brought to the workplace. The City discourages employees utilizing their personal cell phones for conducting City business, as such use may subject such phone and any records related to such use to public inspection under Florida's Public Records Law, Section 286.011, Florida Statutes.

City-issued cellular phones shall remain the sole property of the City, and such phones and related records shall be subject to inspection or monitoring at any time. Employees in possession of City-issued cellular phones or accessories are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Except for good cause shown, employees unable to present the phone in good working condition within the time period requested shall bear the costs of replacement.

Use of Cellular Phones in Vehicles

Employees are prohibited from reading or writing text messages or emails while driving. Employees are encouraged to refrain from placing or accepting phone calls while driving. Employees are strongly encouraged to pull off to a reasonably safe location and safely stop the vehicle before accepting or placing a call, even in slow or stopped traffic. Never use a cell phone while operating equipment.

Employees who have been issued a City cell phone and whose job responsibilities routinely include driving and accepting of business calls in the field, will be provided hands-free equipment to facilitate the provisions of this policy.

Under no circumstances shall employees place themselves at risk in order to accept or place a phone call associated with City business.

Employees who are charged with traffic violations resulting from the use of a cellular phone while driving on City business may be subject to disciplinary action and personal liability

resulting from such traffic violations.

As a representative of the City, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

SOCIAL SECURITY NUMBER COLLECTION POLICY

The City of Panama City Beach acknowledges that the Social Security number was not initially intended to be used for business purposes, but for the administration of the federal Social Security system. As a practical matter, Social Security numbers are now used extensively for identity verification purposes and other related purposes. Recognizing that Social Security numbers can be used as a tool to perpetuate fraud, the City will take the following precautions with Social Security numbers:

- We will periodically review our Social Security number collection policy to ensure it is in compliance with Section 119.071(5), Florida Statutes; and
- We will not use an individual's Social Security number for any purpose other than the purpose provided in the written statement;
- We will provide a copy of the written statement to any individual whose Social Security number is collected;
- We will not collect an individual's Social Security number unless we have stated in writing the purpose for its collection;
- We will not release an individual's Social Security number to anyone unless authorized by law.

Any City Department that obtains Social Security numbers for any purpose shall provide a copy of the following written statement to the individual whose Social Security number is collected. The written statement may be inserted into the condition of admission, a form, an invoice, or any other notice to the individual that would be appropriate.

The City of Panama City Beach collects your Social Security number for the following purposes: eligibility for employment; classification of accounts; customer identification and verification; credit worthiness; customer billing and payments; benefit processing; tax reporting, and any other lawful purpose necessary to conduct City business.

Social Security numbers are NOT public records, but may be released to other governmental or commercial entities as required by law in Section 119.071(5), Florida Statutes.

STATEMENT ON GENERAL LAW

Any State, Federal or local issues which become law will be enforced and/or administered according to provisions of the act. Copies of said policy will be provided to all employees.

NEPOTISM POLICY

To ensure fairness and the best interests of the City of Panama City Beach, an employee's

immediate relatives may be ineligible for employment with the City. No application for employment, promotion, or transfer for persons who are related to another person in the same department will be considered by the City. The term "related" as used in this rule means persons with the following familial relationships: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister. No Civil Service Board Member shall participate in any review of a personnel action or the recommendation for hiring, promotion, or transfer concerning an applicant or employee to whom the Board Member is related.

SOCIAL MEDIA USE POLICY
PURPOSE

The City of Panama City Beach recognizes that the use of the Internet and social media can be valuable and rewarding in one's personal life. However, the use of social media also presents certain risks and carries with it certain responsibilities. To assist City employees in making responsible decisions about the use of social media, the City has established these guidelines for the appropriate use of social media.

For the purposes of this policy, "social media" is defined as media designed to be interactive, including, but not limited to, any site or platform that incorporates user-generated content, such as blogs; microblogs (e.g., Twitter); social networking (e.g., Facebook, MySpace, LinkedIn, Pinterest); audio, photo, video sharing (e.g., Instagram, YouTube, Flickr); and virtual world software (e.g., Second Life). The "use" of social media includes, but is not limited to, communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's social media web page or account.

The City expressly recognizes that the world of electronic communication is rapidly expanding, and intends that the application of this policy to be all-inclusive with regard to new platforms providing the same or similar services as those addressed herein.

While nothing in this policy should be construed as limiting either employees' First Amendment rights or any form of protected activity, the City believes that employees should separate personal and professional relationships in online communities and platforms. This policy is intended to regulate the use of social media by employees, including employees' personal use of social media, only when that use: interferes with the work of the City; harasses coworkers, clients, vendors, or other persons or entities affiliated with the City; creates a hostile work environment; breaches confidentiality obligations of City employees; disrupts the City's mission; harms the goodwill and reputation of the City in the community; violates the law, City policies or other City rules and regulations; or facilitates inappropriate contact with clients, vendors,

or other persons or entities affiliated with the City.

EXPECTATIONS

Employees will be expected to follow the same professional conduct guidelines online as they would in the workplace, and may be personally liable for anything they post to social media sites and platforms. As such, employees must adhere to the following Code of Conduct when using all social media, including for personal activity:

Protect Confidential, Proprietary, and Sensitive Information.

Employees should not disclose or post information that is protected by law or that is confidential or proprietary to the City or its employees. Employees should not speak to the media on the City's behalf without authorization from the President/CEO or Vice-President of Marketing. All media inquiries should be directed to the Marketing Department.

Do not create a link from your blog, website or other social media platform to a City website without identifying yourself as a City associate. Express only your personal opinions. Never represent yourself as a spokesperson for the City. If the City is a subject of the content you are creating, be clear and open about the fact that you are an associate and make it clear that your views do not represent those of the City, fellow associates, members, customers, suppliers or people working on behalf of the City. If you do publish a blog or post online related to the work you do or subjects associated with the City, make it clear that you are not speaking on behalf of the City. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the City."

Follow City Policies and Avoid Discrimination.

Even when employees are engaged in personal social media activity, the content they post can easily become public and impact the City and its employees. Employees may not, whether online or on the job, violate City policies involving employee conduct, violate state or federal law, or disrupt the work environment. As always, the City's policies against workplace harassment, discrimination and retaliation must be observed. Employees are responsible for knowing and carefully reading all existing policies and behavior guidelines, and ensuring that their postings are consistent with these policies. Employees should be aware that all existing policies and behavior guidelines extend to work-related activities in the online environment as well as in the workplace. This includes, but is not limited to, the City's policies relating to employee misconduct and insubordination.

Do Not Use City Insignia or Logos.

Employees must not use City insignia or logos or any other images or iconography on personal social media platforms. Employees must not use the City's name to promote or endorse any product, cause, political party, or candidate.

Respect Professional Time and Property.

City computers and time at work are to be used for professionally-related purposes. Employees should not use City hardware or software, nor should employees use personal electronic devices (e.g., iPads, cellular phones, etc.), to access social media sites during the work day for reasons unrelated to work. Furthermore, employees must not use their City email accounts to access or identify them when engaging in any social media activity that is unrelated to their work, and are encouraged to obtain a personal email account and use personal time for such activity.

Ethical Responsibilities.

Employees are to be mindful of the requirements outlined in the *The Code of*

Ethics for Public Officers and Employees. See Florida Statutes, Chapter 112, which is available online at http://www.ethics.state.fl.us/ethics/Chapter_112.html. All City employees' online behavior should reflect the same standards of honesty, respect, and consideration that are used face-to-face, and be in accordance with the highest professional standards. Comments related to the CITY should always meet the highest standards of professional discretion.

Be Respectful.

Always be fair and courteous to fellow associates, customers, members, suppliers or people who work on behalf of the City. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or the appropriate supervisor than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

Be Honest and Accurate.

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the City, fellow associates, members, customers, suppliers, and people working on behalf of the City or competitors.

Be Cautious.

Employees must remember that they are responsible for any content they post online, and that such content may remain accessible to other users even if it appears to have been deleted from the site where the content was first posted. Employees

should closely monitor their privacy settings, remembering that such settings are subject to change and may not fully protect their content, and that even anonymously posted content may be traced back to them. When posting, even under the strictest privacy settings, employees should act on the assumption that all postings are in the public domain.

Retaliation is Prohibited.

The City prohibits taking negative action against any associate for reporting a possible deviation from this or any other policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Penalties

Employees who violate any provisions of this Employee Code of Conduct for Social Media do so at the risk of disciplinary actions, which may include, but are not limited to, termination of employment, legal action, and/or referral to law enforcement as appropriate.

**SECTION II
AUTHORITY AND ADMINISTRATION**

DEFINITIONS

WORK WEEK

Work Week refers to the number of hours regularly scheduled to be worked during any seven (7) consecutive days.

WORK DAY/SHIFT

Word Day/Shift refers to the number of hours regularly scheduled to be worked in one 24 - hour period.

HOURS OF WORK

Hours of Work refers to the number of hours an employee is scheduled to work in any 24 - hour period.

WORKING DAYS

The term "Working Days" generally refers to a 5-day period, Monday through Friday, except where 7-day or around-the-clock coverage is required.

OVERTIME PAY

Overtime Pay means the compensation paid for the work performed in excess of the

standard specified for the work week or work period.

For full time employees other than police and fire, overtime pay is compensation paid for work performed in excess of 40 hours in a work week.

For Fire, overtime pay is compensation paid for work performed in excess of 106 hours in a pay period.

For Police, overtime pay is compensation paid for work performed in excess of 86 hours in a pay period.

PAY PERIOD

Pay period refers to the frequency in which City employees are paid resulting in 26 paychecks in a normal year.

REGULAR EMPLOYEE STATUS

This status applies to an employee who is assigned to a permanent full time budgeted position (that is usually consisting of 128 or more work hours per month), has satisfactorily completed his or her period of probation, and is eligible for all benefits and pay increases in accordance with policies and procedures of the City of Panama City Beach.

PROBATIONARY EMPLOYEE STATUS

This status applies to an employee who does not have regular status, has less than twelve (12) months continuous service with the City of Panama City Beach, or has been promoted and is serving a twelve (12) month probationary period in the new position.

PERMANENT POSITION

A permanent position is a budgeted position created and authorized for an indefinite period of time, which is expected to be filled for more than twelve consecutive months. Employees in permanent positions may be referred to throughout this manual as Permanent Employees.

SEASONAL POSITION

A seasonal position is a temporary position to supplement the workforce or to assist in the completion of a specific project and is scheduled for a limited duration not to exceed six months or 1040 hours. Employment beyond any initially stated period does not in any way imply a change in employment status.

EXEMPT

Exempt positions are paid on a salaried basis and are not eligible to receive overtime pay.

NONEXEMPT

Nonexempt positions are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

IMMEDIATE FAMILY

Immediate family means husband, wife, son, daughter, father, mother, father-in-law, mother-in-law, brother, sister, daughter-in-law, son-in-law, grandfather, grandmother, grandchildren, step-mother, step-father, step-brothers, step-sisters and step-children of both the employee and his or her spouse.

MAY

The word "may" shall be interpreted as permissive.

SHALL

The word "shall" shall be interpreted as mandatory.

CONTINUOUS SERVICE

This is service credit which determines eligibility for employee benefits such as vacations, sick leave, etc.

TERMINATION OR LEAVE OF ABSENCE DATES

When completing the Payroll/Change Request Form, the effective date of a termination (voluntary, involuntary, compulsory, or failure to return from an approved leave of absence) shall be the last day worked or the last day for which pay was received (e.g., time off with pay for personal illness). The start date of a leave of absence shall be the date following the last day worked or the last day for which pay was received, as in the preceding example. The leave ending date shall be the last day of the authorized leave period. Refer to Section V, for types of leaves of absence.

EMPLOYMENT RELATIONSHIP AND CLASSIFICATION

In order to determine eligibility for benefits and overtime status, as well as to ensure compliance with federal and state laws and regulations, The City of Panama City Beach classifies its employees as shown below. The City may review or change employee classifications at any time.

PERMANENT, FULL-TIME EMPLOYEE

Employees who are not in a temporary status, work a minimum of 30 hours weekly in a budgeted position and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package, are subject to the terms, conditions, and limitations of each benefits program, and may be classified as either exempt or non-exempt as applicable under Fair Labor Standards Act

PERMANENT, PART-TIME EMPLOYEE

Employees who are not in a temporary status, who work fewer than 30 hours a week in a budgeted position, and maintain continuous employment status. Part-time employees are not eligible for benefits offered by the City except as granted on occasion, or to the extent required by provision of state and federal laws.

SEASONAL EMPLOYEE

Employees who are hired to temporarily supplement the workforce or to assist in the completion of a specific project and are scheduled to work a full or part-time schedule for a limited duration not to exceed six (6) months or 1040 hours. Employment beyond any initially stated period does not in any way imply a change in employment status. Seasonal employees are not eligible for City benefits or pay increases.

EXECUTIVE EMPLOYEE

An executive employee is one elected or appointed to the position of Mayor or Councilor, and who performs duties prescribed by the Charter for such position, and whose time commitments vary from month to month. Executive Employees shall be eligible for salary and insurance benefits as more particularly set forth in the Charter or in accordance with City policies and to the extent required by provision of state laws.

SCOPE

These policies shall apply to and govern all employees of the City of Panama City Beach.

AUTHORITY FOR ESTABLISHMENT OF POSITIONS

All positions or offices in the City organization, together with rates of pay, are established by the City Manager and require final approval by the Panama City Beach City Council.

REQUEST FOR PERSONNEL

The requesting Department shall submit a personnel requisition to the City Manager (and forward to the Civil Service Board) when a vacancy exists. Requests for personnel shall be made as far in advance of actual need as circumstances permit. Requests for personnel shall be accomplished on the Payroll/Change Request Form.

REQUEST FOR NEW POSITIONS

The requesting Department shall provide the following recommendations and supporting data to the City Manager:

A. Recommendations

1. Position title
2. Position description
3. Reporting relationship

B. Supporting Data

1. Physical location of work-space for the position;
2. Support furniture/equipment requested or available;
3. Justification statement to reflect increased efficiency, productivity, cost savings, or more

effective and responsive service; and
4. Source of funds for salary and benefits.

ADMINISTRATIVE AND APPOINTIVE AUTHORITY

With the exception of appointments reserved to the Panama City Beach City Council, general authority and responsibility for personnel administration is vested in the City Manager. Final authority in personnel matters is reserved for the City Manager with regard to all matters and subjects covered by these policies. However, if a conflict arises in opposition to the authority granted to the City Manager as provided in the City Charter, the Charter shall take precedence. The City Manager may delegate his/her authority to the Department Heads.

ADMINISTRATION OF PERSONNEL POLICIES

Administration of these rules and policies shall be the staff responsibility of the Department Heads. Supervisory personnel shall be responsible for the effective administration of these rules and policies within their respective operations.

AUTHORITY FOR VARIANCE FROM POLICY

Department Heads and other responsible Supervisors shall have the right to request, in writing, a variance from these policies when individual circumstances so justify. This request shall be submitted to the City Manager. All variances require the approval of the Panama City Beach City Council.

CHANGES/AMENDMENTS TO PERSONNEL POLICIES

Specific paragraphs or portions of Personnel Policies will be changed by the Panama City Beach City Council as amendments or additions are needed. The changes are distributed to all Department Heads, responsible Supervisors and others who have need for copies of the policies.

The entire Personnel Policy booklet shall be up-dated periodically to incorporate all changes which have been made in the interim, normally every three to five years.

ACCOUNTING RESPONSIBILITIES

Department Heads and other Supervisory personnel are responsible for maintaining complete and accurate attendance records for employees within their respective operations. Such records constitute the basis for preparation of Departmental payrolls, and will be preserved for future auditing purposes as needed or required.

The Human Resource Manager is responsible for monitoring the compliance of Departments with the requirements and policies established by the official job classification and pay plan, as well as Departmental conformity with the established policies and rules governing wages, hours of work, and working conditions.

PERSONNEL RECORDS

The Human Resource Department maintains a permanent record of your employment with

the City. Your personnel file contains your complete employment history. Employees should be aware of keeping their personnel file current. The Civil Service Administrator, the Human Resource Manager, or the Payroll Specialist should be notified promptly of any changes of address, phone numbers or the person(s) to notify in case of emergency. This is the employee's responsibility and failure to do so may result in loss of benefits. These offices should also be advised of any special education classes or training courses completed. Copies of diplomas or certificates should be forwarded to become part of the permanent file. Such information is valuable when seeking a promotion in the service of the City.

Chapter 119 of the Florida Statutes requires public agencies (this includes the City of Panama City Beach) to permit public access to the personnel records of their employees. However, all medical records, if any, will be kept in a separate confidential file. The City maintains this information in the strictest confidence and may not use or disclose medical information about an employee without the employee first having signed an authorization form permitting such use or disclosure.

SECTION III

EMPLOYMENT INFORMATION AND REQUIREMENTS

PERSONAL APPEARANCE

It shall be the responsibility of all employees to represent the City of Panama City Beach to the public in a manner which shall be courteous, efficient, and helpful. City employees should always be well-groomed and dressed in a manner suitable for the public service environment and to reflect favorably the City's image. The employee's Supervisor will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the City of Panama City Beach.

EMPLOYEE ORIENTATION

The Department Heads shall review this manual with each new employee for use as a general guide to policies, procedures, benefits, and organizational structure of the City. Upon employment, the new employee will be furnished a copy of the manual and, after reviewing, will sign a statement that he/she understands the rules, regulations and benefits.

WORK SHIFT ASSIGNMENTS

When employed, each employee is assigned a work shift in accordance with the particular operational requirements of his/her Department. Any changes to those shifts, except where specially noted otherwise, shall be at the sole discretion of management. A minimum 24-hour notice will normally be given in order to allow the employee to make the necessary

personal arrangements.

AUTHORITY FOR ABSENCE

No employee shall be absent from his/her regularly scheduled duties except by authority of his/her immediate Supervisor. Employees absent due to reasons beyond their control will be responsible for explaining their absence to their immediate Supervisor prior to the beginning of their shift, if at all possible; but no later than one hour into their shift. In cases where an extended absence or illness is expected, the immediate Supervisor shall have the authority to modify the above daily reporting requirements. Except in cases of leave incident to vacation, occupational disability, illness, jury duty, military training, maternity or academic leave, all absences in excess of thirty days must be approved by the City Manager.

DRIVING RECORDS

Driving records of employees required to drive in performance of duties are subject to periodic review. Should this review identify an unfavorable record, it may result in the employee being transferred to a non-driving position or possibly terminated. All Supervisors are required to keep a copy of each employee's driver's license on file.

VEHICLE USE

If you are authorized to operate a City vehicle in the course of your assigned work, or if you operate your own vehicle in performing your job, you must adhere to the following rules:

- You must maintain a valid Florida license. Your license will be checked throughout the year for validity.
- You must maintain weekly mileage reports.
- You are responsible for following all the manufacturer's recommended maintenance schedules to maintain valid warranties, and for following the manufacturer's recommended oil change schedule.
- The City provides insurance on City vehicles, and will cover any damages or related costs, including towing charges, arising from an accident occurring within the scope of employment. However, you will be considered completely responsible for any fines, moving or parking violations at any time while the vehicle is under your use or control, and from accidents or damages arising outside the scope of employment or from the misuse or careless operation of your vehicle.
- You must keep the vehicle clean at all times. You must also wash and vacuum the vehicle as often as necessary. You will be reimbursed for your reasonable expense of keeping the vehicle clean. Please retain any receipts for reimbursement.
- Persons not authorized or employed by the City cannot operate or ride in a City vehicle.
- Prior to operation of any City vehicle, your supervisor will train you on the appropriate steps to take if you are involved in an accident. These procedures shall be in accordance with the City's Incident and Accident Policy.
- All employees who operate or ride in City vehicles shall wear properly fastened and

25

adjusted seat belts, shoulder harnesses and other such similar equipment when provided in the vehicle they are operating or riding in. Employees shall report any malfunction of seat belts so that it may be repaired or replaced as soon as possible after its discovery.

Employees of the City of Panama City Beach who are on immediate call, and are required to respond to crisis situations, are eligible to request the use of their assigned vehicle to and from work while on call. Employees will submit to their Supervisors a written request stating the purpose for which their vehicle will be used for and the approximate mileage to and from work. All requests will be submitted to the City Manager for final approval.

OFF DUTY EMPLOYMENT

Refer to Ordinance No. 498 codifying the rules governing secondary or off-duty employment. A copy of this ordinance can be obtained upon employee's request, and employees can review the ordinance at the Civil Service Office.

EXIT INTERVIEWS

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the organization.
- Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

The City will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the City, or return of the City-owned property. Suggestions, complaints, and questions can also be voiced.

Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

SECTION IV

COMPENSATION PLAN

SALARY AND WAGE SCHEDULE

The salaries of employees of the City of Panama City Beach shall be on the basis of grade schedules prescribed in the Job Classification and Pay Plan adopted by the City Council. A copy of the pay plan program is available in the Human Resource Office.

ANNUAL EVALUATION

Employees may be evaluated on his/her overall performance annually or as set forth in the evaluation policy. Salary increases will be computed on the basis of a percentage determined annually and in accordance with the pay plan adopted by the City of Panama City Beach. However, upon reaching the maximum of his/her pay range, employees are eligible only for cost of living increases.

ENTRANCE PAY RATE

The pay rate at time of appointment to any position shall be the minimum for the position grade. Compensation at higher rates may be considered when experience, skill, training or conditions of the labor market justify such action. The City Manager, upon recommendation of the responsible Supervisor and Department Head, is authorized to make salary offers up to the midpoint of the position grade. Salary offers above the midpoint of the position grade shall be approved by the City Council.

PAY RATES AFTER LEAVE OF ABSENCE, RECALL OR REINSTATEMENT

When an employee returns to duty in the same or comparable position after a leave of absence or recall, he/she shall receive the rate in the grade schedule corresponding to the rate received at the time of departure, or a higher rate if the range for the position has been upgraded due to a cost-of-living increase, general increase or position re-evaluation. Pay rates for reinstated employees shall be treated in the same manner as a new hire. Consideration for a higher grade or rate shall be given if the qualifications of the employee have been increased.

RATE OF PAY ON PROMOTION

When an employee is promoted to a position with a higher grade schedule, the employee shall receive a salary increase at the discretion of the City Manager however, will be at least to the minimum rate of the new pay grade or 5% whichever is higher.

RATE OF PAY ON DEMOTION

When an employee is demoted to a position with a lower pay grade schedule, the employee's new salary rate shall not exceed the maximum rate established for the lower pay grade.

RATE OF PAY ON TRANSFER

Employees transferred to another position in the same job classification or to a different position with the same pay grade shall not be eligible for a pay increase. Employees transferred to another position in a lower job classification or pay grade shall be handled in

accordance with the policy established above for Demotions.

RATE OF PAY ON RECLASSIFICATION

When a position is reclassified to a higher class or grade, adjustments to salary shall be handled in the same manner as Promotions. When a reclassification results in assignment to a lower class or grade, adjustment shall be made in accordance with the rules for Demotions.

OTHER INCREASES

Cost-of-living or general increases may be recommended by the City Manager for the City Council's approval when appropriate. Such increases may result in the pay grade range (minimum/maximum) being adjusted.

OVERTIME WORK AND PAY

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must be authorized the responsible Supervisor and Department Head prior to performance of overtime work. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

The responsible Supervisor shall maintain accurate records of all overtime approved and justification for same. Each responsible Supervisor shall submit a statement to the Department Head reflecting all overtime conducted on a bi-weekly basis to include overtime justification. The Department Head shall have the responsibility to monitor the overtime reported and to investigate any unusually large amounts. Employees may be required to work overtime, or work on days off, in order to meet special situations, emergencies or demands. Employees may be asked to volunteer for overtime to accomplish non-emergency requirements.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, holiday, or any leave of absence will not be considered hours worked for purposes of calculating overtime.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

Employees are eligible for overtime pay in accordance with the Fair Labor Standards Act (FLSA). This provides for eligible employees to be paid overtime at a rate of not less than one and one-half times regular pay for all hours worked in excess of the standard (40 hours) specified for the work week (Excluding Police and Fire employees on authorized special shifts).

For purposes of computing overtime of less than one hour, increments in one fourth of an

hour will be used. Fifteen minutes is established as the minimal amount of work performed to be eligible for overtime.

If an employee is called into work on a normally scheduled off holiday, that employee will receive pay in accordance with the holiday pay as set forth in section V.

ON-CALL PAY

Employees who are required to remain on-call before or after their regular work hours will be provided with a cell-phone or beeper so they will be free to move about while on-call. If called in to service, employees will receive a minimum two (2) hours pay and will be compensated on an hour to hour basis with such pay subject to the provisions of overtime compensation. If an employee is on call and is not issued a vehicle to use he/she will receive a minimum four (4) hours pay.

AUTHORIZED EMERGENCY PAY

All city employees are essential to the organization and are the most important part of the City's service delivery system. During times of emergency, critical services provided by the City must continue to be provided during emergencies to insure to the best of our ability that the public is protected. City employees who are designated by their respective department heads to perform their assigned duties to ensure that critical services are continuously offered during and immediately after disasters are issued a city employee identification card with an essential worker designation printed on the back side.

During a "Declared Local State of Emergency" the City Manager shall have the authority to excuse certain personnel from responding to work and shall have the authority to authorize non-exempt personnel to work their regularly scheduled work hours and in excess of their regularly scheduled work hours. "Declared Local State of Emergency" means any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property existing within the City, which has been declared by executive order of the Mayor.

State of Emergency Compensation:

During a Declared Local State of Emergency, the City Manager shall designate which departments and employees are tasked with performance of emergency-related work eligible for compensation under this section.

-Exempt employees that are not eligible for overtime and are required to perform emergency-related will be entitled to paid time off equal to time worked above 40 hours in a given week. This time should be taken within a reasonable period after accrued as long as the request to use the accrued time will not unduly disrupt the operations of the division in providing levels of service of an acceptable quality and quantity. To be eligible, exempt employees must utilize a time card/time clock during a Declared Local State of Emergency.

-Non-exempt employees who are eligible for overtime and are required to perform emergency-related work will receive time and one-half for actual hours worked during the

“declared state of emergency” irrespective of whether or not the employee's overtime threshold has been met. Once an employee's overtime threshold has been met during a “declared state of local emergency”, compensation will be paid for actual hours worked at time and one-half the employee's rate of pay (equivalent to 1.50 times the normal non-overtime wage).

-Exempt or non-exempt employees excused by the City Manager from responding to work will receive their normal pay.

-Employees on leave will remain on leave until their return and they will be charged leave time accordingly.

During a Declared Local State of Emergency, overtime reports must state how many overtime hours are associated with the declared emergency. Additionally, information should be included in the overtime reports that identify whether it was pre-emergency or post-emergency work. You may have additional hours that will be reported that are not associated with the Declared Local State of Emergency. Each department should retain copies of payroll records and overtime reports generated during a declared emergency until such time as you will be requested to provide these records to the appropriate office.

SECTION V

EMPLOYEE

BENEFITS

The City of Panama City Beach seeks to provide for its employees the protection and security of continuing salary or wage payments during periods when illness, vacation, emergency, or certain civic responsibilities may require time away from the job. Such periods, termed "leaves of absence", are to be considered a privilege--not a right. They are to be administered with the understanding that the City seeks to provide time off with pay in situations where such is reasonable and does not interfere with the City's ability to perform its normal municipal functions.

SICK LEAVE

One work day of sick leave allowance shall be granted for each month of service completed. Regular full time employees earn 3.69 hours (4.89 hours for line firefighters) of sick leave per pay period worked. Sick leave may not be used until three (3) months service is completed. Sick leave does not accumulate while on leave without pay unless otherwise provided by state or federal law. Part time or seasonal employees are not eligible for this benefit.

The City has no maximum for sick leave accumulation.

Regular full-time employees who were employed on or before January 1, 1998, will be paid for not more than 2080 (2756 for line firefighters) accumulated sick leave hours upon separation. After **June 1, 2017**, a line firefighter changing to a 2080 annual hour

employee, will not be paid for more than 2080 hours under this rule.

Regular full-time employees hired after January 1, 1998 but before August 1, 2001, are eligible for not more than 500 hours of accrued sick leave upon separation.

Regular full-time employees hired after August 1, 2001 but before **June 1, 2017** are eligible to be paid for accrued sick leave upon separation based on the following schedule not to exceed the cap of 500 hours pay out:

YEARS OF SERVICE COMPLETED	ACCRUED SICK LEAVE PAID UPON SEPARATION
1-9	0%
10-14	50%
15-19	75%
20+	100%

Regular full time employees hired after **June 1, 2017** are not eligible to be paid for accumulated sick leave upon separation.

All other employees will be eligible to be paid for accumulated sick leave upon separation, though the amount of pay-out leave shall be frozen at the employee's current sick leave balance existing on **June 1, 2017** for pay-out purposes. Any new sick leave accrued above the frozen balance will not be credited to the employee upon separation, and conversely, use of frozen (banked) leave shall be forfeited by employee as it is used.

Sick leave is to be used for employee's illness or illness of employee's spouse, children or a parent in which the employee is needed to provide care. **SUBMISSION OF PROOF MAY BE REQUIRED.**

- A. Employees who are absent more than three (3) consecutive scheduled working days due to illness may be required to submit a physician's statement, at the request of the employee's supervisor.
- B. Supervisors are authorized to make any investigation of benefits, claimed by their employees under this rule, which they deem necessary and to deny any claims not properly substantiated.
- C. For purposes of reporting sick leave, increments in one fourth of an hour will be used. Fifteen (15) minutes is established as a minimal amount of sick leave to be reported.
- D. The unscheduled use of sick leave on six (6) or more occasions within a twelve month rolling period will be documented to the employee's personnel file by the employee's supervisor and may reflect negatively on the employee's annual evaluation. All consecutive work day absences for the same reason will be considered as one occasion for the purpose of this policy. The unscheduled use of sick leave on six (6) or

more occasions, or as otherwise found to be excessive by the supervisor and Department Head, may be subject to discipline.

E. Sick leave earned and not used during any pay period will be credited to the employee on the last day of that pay period.

F. All Department Heads and supervisors will ensure sick leave is accurately recorded and meet all the guidelines in this section.

ANNUAL LEAVE

All regular full-time employees accrue annual leave on a bi-weekly basis for 26 pay periods each year according to the following schedule:

YEARS OF SERVICE	40 HOUR STATUS				53 HOUR STATUS			
	HRS PER PAY PERIOD	ANNUAL HRS	DAYS	MAX CARRY	HRS PER PAY PERIOD	ANNUAL HRS	DAYS	MAX CARRY
DAY 1 - YEAR 5	3.69	96	12	240	4.89	127	12	240
YEARS 6 - 10	4.62	120	15	240	6.12	159	15	240
YEARS 11 - 15	5.54	144	18	240	7.34	191	18	240
YEARS 16 - 20	6.46	168	21	240	8.56	223	21	240
YEARS 21 AND UP	7.38	192	24	240	9.78	254	24	240

Annual leave may not be taken until six (6) months service is completed. In extenuating circumstances, this may be waived at the request of the employee's supervisor with concurrence of the Department Head, and approval of the City Manager. Annual leave does not accumulate while on leave without pay unless otherwise provided by state or federal law. Part-time or Seasonal employees are not eligible for this benefit.

The maximum annual leave for regular full-time employees hired prior to January 1, 2007 who have presently accumulated annual leave in excess of the maximum caps established herein applicable for their years of continuous service will be capped at their present accumulation of leave until they qualify for the next "years of service" category.

The maximum annual leave for those regular full-time employees hired prior to January 1, 2007, who have accumulated in excess of 24 days shall be capped at their present accumulation of leave, and such employees shall not accumulate any leave in excess of such cap.

A maximum of 240 hours may be accumulated into a vacation bank. Amounts in excess of 240 hours shall be lost if not used by December 31. Leave shall normally be granted in accordance with the preference of the employee if and when, in the opinion of the employee's supervisor, it will not be detrimental to departmental operations.

- A. Upon completion of 6 months of service, employees in regular positions will be eligible for payment of accumulated vacation leave not to exceed 240 hours and any unused annual leave in cases of separation from employment with the City. An employee with less than six months service is NOT eligible for annual leave pay upon separation. If an employee has not completed one year of service, they are only eligible for 50% of accumulated vacation leave in cases of separation from employment with the City.
- B. Annual leave pay may be used to supplement absence on account of sickness or injury in the event accumulated sick leave is not sufficient to cover the length of sickness or injury.
- C. In the event of an employee's death, his/her beneficiary shall be paid for any accumulated annual leave for which the employee was eligible.
- D. Employees must exhaust all annual leave prior to requesting leave without pay except as waived by the City Manager or as provided by law.
- E. Holidays which occur during the period selected by the employee for his/her annual leave shall not be charged against such annual leave. However, the holiday will be charged against holiday leave regularly due the employee.
- F. An employee shall submit his/her request for his/her annual leave to his/her supervisor for approval at least forty-eight (48) hours prior to the first day of the leave period requested by the employee.
- G. All supervisory personnel shall make every effort to provide their respective employee with the opportunity to take their accumulated annual leave at least once a year to remove themselves from the work atmosphere for relaxation and rest in order to return to their jobs refreshed and ready to perform at their maximum efficiency.
- H. Any annual leave requests over 2 weeks must be submitted to City Manager for final approval.
- I. All Department Heads will submit annual leave request to City Manager, and meet all of the guidelines of this section.

LEAVE WITHOUT PAY

A leave without pay is time off without pay for a period of time appropriate to the circumstances as hereinafter defined, unless otherwise specified. Any renewal must be

by mutual written agreement.

Health and life insurance benefits may be continued on the employee for the term of the authorized leave if the employee so desires. One hundred percent of the cost of the coverage shall be paid in advance by the employee.

Employees on unpaid leave are not entitled to continue accruing paid leave benefits. This includes employees who are receiving income replacement benefits such as short-term disability, long-term disability or workers' compensation. However, employees on eligible military leave or family medical leave may use earned vacation time while on the approved leave of absence.

When an employee is out on leave without pay that is protected by the Family and Medical Leave Act (FMLA) or Uniformed Services Employment and Reemployment Rights Act (USERRA), that employee will continue accruing paid leave as long as the employee is using earned annual leave. If an employee on FMLA or military leave uses all paid annual leave in accordance with the City's Leave Policy and remains unable to return to work, then the remainder of the FMLA or military leave will be unpaid. During the period of unpaid FMLA or military leave, the employee will not continue to accrue paid leave, consistent with the City's policy for all types of unpaid leave.

Please see the human resource department for questions about FMLA leave and USERRA leave.

A leave without pay of less than 30 days will not constitute a break in service with the exception of employees on approved military leave as protected under USERRA.

A. Eligibility for Leave Without Pay

Regular full-time employees are eligible to be considered for leave without pay unless otherwise specified. Part-time or seasonal employees are not eligible for this benefit.

B. Application for Leave Without Pay

No application for leave without pay will be considered unless it is applied for in writing, on forms provided for that purpose. In all cases, the forms shall be completed at least two weeks prior to leave; shall specify the type of leave; and, will be signed by the employee to signify his/her understanding and acceptance. No leave without pay request is considered granted unless recommended by the employee's supervisor and Department Head with the City Manager's approval. Exceptions may be granted when circumstances of FMLA and military leave do not allow for such notifications.

C. Employees returning from a leave without pay must:

1. No later than two weeks prior to their scheduled date of return, confirm to their supervisor their date of intended return to active employment. Any request to change their scheduled date of return or intention to resign should be reported as soon as known.

2. Those employees returning from a medical leave of absence shall furnish a signed letter from their personal or treating physician, indicating the employee can resume his/her employment. Arrangements may be made with the Civil Service Office, through their Department Head, to have them examined by a designated City chosen physician before returning to work.

D. Employees on leave without pay will be terminated if they have:

1. Failed to furnish a true statement of the reason for leave or required official documentation.
2. Accepted other employment while on leave, unless a specific request has been applied for and approved in writing.
3. Failed to return to work at the expiration of leave or by falsifying actual date of return.

TYPES OF LEAVE WITHOUT PAY

A. Military Leave

Time off for military duty (Armed Forces and National Guard training) will comply with all Federal and State Statutes.

B. Maternity Leave

Maternity leave will comply with all Federal and State Statutes.

C. Family and Medical Leave

Leave will comply with the Family and Medical Leave Act of 1993.

D. Bereavement Leave

Three (3) days of Bereavement Leave will be granted to individuals with a verifiable death to an immediate family member for individual employees without time off available through the use of remaining sick leave or vacation time. Regular full-time employees may also use a maximum of three (3) hours of accrued sick leave to attend a funeral with pre-approval of the Department Head and with department needs taken into consideration.

HOLIDAYS

The following twelve (12) days are scheduled holidays for all employees of the City of Panama City Beach that are not on a twenty four hour shift and when schedules permit as amended by Resolution 13-41:

1. The first of January - New Year's Day
2. The third Monday in February - President's Day

3. The last Monday of May - Memorial Day
4. The Fourth of July - Independence Day
5. The first Monday of September - Labor Day
6. November 11th - Veterans Day
7. The fourth Thursday of November - Thanksgiving
8. The Friday after Thanksgiving - Thanksgiving Friday
9. The twenty-fourth of December - Christmas Eve
10. The twenty-fifth of December - Christmas Day
11. The thirty-first of December - New Year's Eve
12. Employee's Birthday (may be taken as a floating holiday)

Holidays may vary according to department policies due to shift constraints. Employees in each department are instructed to see their Department Head for specific instructions.

All departments must submit a written plan to the City Manager.

Holidays must be taken as they occur except as approved by the City Manager.

Applicable rules for Holiday Leave are as follows:

- In situations where a recognized Holiday falls on a Saturday, City Offices will be closed the preceding Friday. In situations where a recognized Holiday falls on a Sunday, City Offices will be closed the following Monday. This rule may be changed at the discretion of the City Manager.
- Permanent full-time employees not scheduled to work on the recognized Holidays will be given time off and paid for eight (8) hours of regular pay for the Holiday. If the employee is called into work on a normally scheduled off Holiday, the employee will receive their normal holiday hours in addition to receiving time and one-half the rate of normal pay for the **hours required to work**. Supervisors should make every effort to release the employee as soon as possible.
- Permanent full-time employees scheduled to work on the recognized Holiday will be paid for eight (8) hours of regular pay in addition to regular pay for the **time actually worked**. Alternately, the employee may take the Holiday as scheduling permits with Supervisor and Department Head approval. If an employee takes a Holiday before it is earned and subsequently terminates employment with the City, the employee agrees to repay the City for the unearned Holiday time. Alternate holidays must be taken prior to December 31st of the current year or be paid for prior to the start of the next year. The Employee Birthday Holiday is earned on the employee's actual birthday.

- To be eligible for Holiday Pay, an employee must have worked his/her last scheduled day before and after the holiday except with the employee is on a pre-approved leave status. Sick leave will be considered an approved status when an original physician's note is attached.
- Employees on approved leave during periods when recognized Holidays occur will not have the Holiday charged against their leave account; the time will be paid as Holiday hours except as authorized by the City Manager.

OCCUPATIONAL DISABILITY

All injuries arising out of or in the course and scope of employment shall be governed by the provisions of Florida's Workers Compensation Law.

An employee who is totally or partially disabled because of a compensable work injury may choose to utilize 1/3 day of accrued sick leave or may, in absence of sick leave, use 1/3 day of annual leave for each day he/she is disabled. This option shall include the seven days following the date of injury, as well as the remaining period of disability for the work-related injury. Neither sick leave nor annual leave will accrue during the period of disability.

JURY DUTY

An employee who is legally summoned to serve on a jury during a court trial or subpoenaed to be a witness in a legal proceeding may be permitted absence with pay for the time required for such duty. When excused or relieved from such service, the employee shall report for his/her regular employment, provided, however, that at least three hours remain during his/her regular work day. Any fees paid for such service may be retained by the employee.

Failure to return to work or report end of court service time may result in disciplinary measures.

OTHER BENEFITS

GROUP HEALTH AND LIFE INSURANCE

Probationary and regular employees are eligible for the group health and life insurance program on the first day of the month following 60 days of continuous employment. Each employee will receive a booklet with pertinent information. The program provides health coverage for the employee only at 100% employer's contribution and dependent coverage can be added at the employee's expense. A basic life coverage policy of \$15,000.00 is provided for the employee only. Group health insurance coverage may be continued while an employee is on approved no-pay leave of absence; however, the employee will pay 100% of the expense for health and life insurance premiums. The City's group health and life insurance program is continued until the last day of the month in which the employee terminates. However, coverage may be converted to individual policies upon termination in accordance with Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) regulations. A retired employee may elect to stay

under the group coverage by paying 100% of the insurance premium.

It is the policy of The City of Panama City Beach to properly reimburse employees upon termination of employment for voluntary payments for Life and Long-Term Disability (LTD) insurance deducted through the payroll process.

The City of Panama City Beach (The City) will run a terminated employee list monthly and from that list, identify all terminated employees who voluntarily elected life and LTD coverage in an amount greater than the coverage provided as a benefit by the City.

The City will collect the entire monthly amount due from the employee from the final pay check issued which covers the month of termination.

The City will review the monthly billing statement from the Carrier(s) and determine if a refund is due back to the former employee and if so, determine the amount of such refund.

Any refund due in an amount greater than or equal to \$5.00 will be reimbursed to the former employee. Refunds less than \$5.00 represent administrative handling fees and will not be reimbursed.

If a reimbursement of \$5.00 or more is calculated, payment will be deposited to the former employee's bank account within 60 days of termination.

Reimbursement will be made via direct deposit (ACH through accounts payable) to the account that was set up for payroll disbursement. The payroll coordinator will provide the accounts payable clerk with the appropriate ACH information as well as all other pertinent information – former employee name, amount of refund, coding of refund, etc. necessary to process the reimbursement.

Any amount retained by the City (i.e. those refunds < \$5.00) will be reclassified to miscellaneous income from the respective insurance liability accounts.

Other insurance programs may be offered to employees from time to time with the employee paying 100% of the expense.

UNIFORMS

Employees in certain jobs where uniforms are required may be furnished uniforms at no cost to the employee. Employees must return all uniforms when they terminate employment before the final paycheck will be processed. Uniforms not returned will be paid for by the employees.

RETIREMENT

Regular full-time employees are provided with a retirement plan through a City sponsored plan with contributions being paid by the employee and City. See the Human

Resource Manager for a copy of the Summary of Plan Provisions for the respective retirement plan. This document is given with the New Hire Orientation packet.

INCENTIVE PROGRAMS

A. ANNUAL INCENTIVE. Regular Full-time employees in permanent positions receive once a year an annual incentive in the middle of November based on length of service. Employees with one year or less receive \$100.00, Employees of two to five years receive \$250.00, Employees of five to ten years receive \$350.00, Employees of ten years or more receive \$500.00. Part-time employees in permanent positions who work at least 500 hours by the middle of November receive once a year an annual incentive in the middle of November in the amount of \$100.

B. Other Incentive Programs may be provided as deemed beneficial by the City Manager and approved by the Council.

TRAVEL

Policy: It is the policy of The City of Panama City Beach to encourage continuing education of employees and to encourage employees to be active in professional associations and programs. Further, it is the policy to pay for expenses incurred in educational and professional trips if such travel has been budgeted and approved.

The City of Panama City Beach expects employees to act responsibly and professionally when incurring and submitting costs. The City will reimburse City officers and employees for reasonable expenses on pre-approved business. **In general, the City will pay for attendance at meetings, trainings and conferences within the State of Florida. City Manager approval will be required for business travel out of state.** In no event shall reimbursement be made in excess of expenses actually incurred and receipt or proof of payment must be furnished for reimbursement. The City does not pay for local travel to and from the employee's home and daily point of work.

Procedure:

1. **Out-of-Town Travel Outside Bay County:**
 - a. The City of Panama City Beach will pay for registration, materials, travel, meals, and lodging for employees to attend budgeted and approved professional functions, meetings, and training. Requests to travel will be individually reviewed **by the Department Head, or by the City Manager if the request is for travel by a Department Head,** based upon the merit of the particular conference and budget restraints. A conference/training agenda (detailing course outline, meals included, and any other specifics related to the trip) must be included in **the** travel request in order to be considered.
 - b. Each employee **who travels outside Bay County** requesting to travel must complete a TRAVEL RELATED EXPENSES **Request** Form in detail.

39

Travel arrangements shall be made by the appropriate department assistant and paid via the department P-Card or reimbursed on the expense report.

- c. ~~When two~~ **Two** or more employees **traveling to** have the same destination on the same date, ~~arrangements will be made for them to~~ **shall** Ride Share, except when **other arrangements** circumstances are **requested** determined and approved in advance.

2. **Travel Advances:**

- a. The employee may request a travel advance. The amount of the advance shall not, however, exceed total estimated out-of-pocket expenses for lodging and travel estimated on the Travel **Request** Form. The travel advance must be requested at least two weeks prior to travel.
- b. ~~Per Diem rates~~ **Advances** for meals will be provided; no receipt are required. ~~Per Diem rates will not be paid where other meal arrangements are provided. For example, a breakfast and/or luncheon included with the conference/training will not be included in the per diem allowance for the trip.~~
- c. **Per Diem rates for meals will be provided based on the GSA Per Diem Rates published at www.gsa.gov/travel/plan-book/per-diem-rates, minus \$5. If the City and County of the traveler's destination are not listed, the default rate will apply. On the first and last travel day, employees are only eligible for 75% of the total rate for their travel day.**
The following list includes the Per Diem rates:
 - ~~Breakfast \$6.00 (includes tips & gratuities)~~
 - ~~Lunch \$10.00 (includes tips & gratuities)~~
 - ~~Dinner \$20.00 (includes tips & gratuities)~~
- d. The following list includes examples of non-reimbursable expenses:
 - Personal travel insurance
 - Personal reading materials
 - Childcare
 - Toiletries, cosmetics, or grooming products
 - Expenses occurred by spouses, children, or relatives
 - In-room movies or video games
 - Sporting activities, shows, etc.
 - Traffic or Parking violations
- e. A traveler shall not have more than one advance at a time.

3. **Expense Reporting:**

- a. Within ten (10) working days after returning from an out-of-town trip, the employee must complete an **Expense Report** ~~new Travel Related Expenses form~~ in order to have incidentals reimbursed. Original receipts must accompany the request for additional reimbursement. Incidentals include: Taxi Fares, Parking Fees, Car Rental, Communication expenses, Tolls, and Conference Fees.

Mileage is reimbursed at the IRS rate at the time the expense was incurred. A detailed driving map (MapQuest.com) is proof of mileage driven.

- b. If the **Expense Report** ~~new Travel Related Expenses form~~ is not settled within 30 workdays **following the travel for which an employee received a travel advance**, the City will garnish ~~the~~ a traveler's wages through Payroll. If the travel advance results in a payroll garnishment, then the traveler will not qualify for future travel advances.
- c. The **Department Head** Manager and City Manager will review and approve the **Expense Report** and route it to Accounts Payable for reimbursement. The City will reimburse the employee for any authorized expenses in excess of the travel advance. In the event that the advance exceeds reimbursable expenses, the employee will reimburse the unused advance to Accounts Payable.
- d. In summary, reimbursable travel expenses are as follows:
1. Travel:
 - Round-trip air fare (coach or cabin class)
 - Taxi fares
 - Highway tolls paid by the employee
 - Rental car and gas (if approved in advance)
(note: no personal mileage reimbursement for rental cars)
 - Personal Auto mileage to and from employee's primary place of employment (for example – From Police Station, Fire Station, City Hall, Public Works Building, Waste Water Treatment plant, or Frank Brown Park, etc to conference location and back)
 2. Lodging: Single room accommodations
 - Requests for reimbursement at rates that exceed \$150 per night must include justification for the additional expense.
 3. Meals: Paid based on per diem rates (see above)
 4. Seminar Registration fees
 5. Miscellaneous: Tips (excluding meals) and business-related expenses approved by the Manager or designee. Miscellaneous items must be itemized and explained on the Expense **Report** ~~form~~.

4. **Local Travel:**

- a. The City will reimburse employees for the use of personal autos at the approved mileage rate for in-town or local area travel to attend various

functions, meetings or to run errands on City business, when a City vehicle is not available. The Expense Report form must be completed and submitted for approval to the Department Head or City Manager.

- b. The cost of lodging within 50 miles of the traveler's headquarters will not be reimbursed without justification. ~~There is no meal allowance for travel of a duration of twelve hours or less.~~
- c. Transportation shall be by automobile wherever practicable and by City vehicle whenever possible.

5. **City Council Actions:**

- a. Whenever the actual expenses incurred or to be incurred may exceed the maximum amounts specified herein, the City Council may specifically approve the payment of such expense.
- b. Any travel by the City Manager must be authorized by the City Council.

**SECTION VI
POSITION CLASSIFICATION PLAN**

PROMOTIONS

- A. It is the policy of the City to provide employees the opportunity for advancement by promoting from within whenever possible. Promotions to more responsible positions shall be based on demonstrated performance, a cooperative attitude, education, experience, and special qualifications.
- B. Pay increases shall be approved in accordance with Panama City Beach Pay Grade Plan.
- C. Announcements of position vacancies shall be made as they occur. Employees who have attained regular status and desire advancement to higher level positions are encouraged to prepare a request for consideration, stating their reasons and qualifications. Promotions shall be job related and nondiscriminatory. All job openings must be posted in all Departments for five work-days prior to filling vacancies in order to allow employees the opportunity to make application for advancement. All such requests shall be reviewed by the responsible Supervisor, Department Head and the City Manager. Applicants shall be notified when selections are made.
- D. During the budget preparation cycle, from initial submission until approval, all promotions shall be frozen unless approved by the City Manager.

DEMOTIONS

Full-time employees are covered under the Civil Service Rules.

TRANSFERS

Full-time employees are covered under the Civil Service Rules.

CLASSIFICATIONS OR RECLASSIFICATION

Full-time employees are covered under the Civil Service Rules.

REDUCTION IN FORCE (RIF)

Full-time employees are covered under the Civil Service Rules.

SECTION VII

1. DISCIPLINARY ACTION/TERMINATION

It shall be the policy of the City of Panama City Beach to administer discipline with fairness and equity. The intent of the disciplinary process is to correct behavior, not to administer punishment. An employee whose work, actions or conduct falls below City standards outlined in this manual will be subject to disciplinary action, up to and including immediate termination, depending upon the distinct phases. These phases, however, do not need to proceed sequentially. Employees engaged in conduct that is dishonest, immoral, dangerous, threatening, violent, abusive, destructive, grossly insubordinate or illegal may be terminated immediately without prior written or oral warning.

All disciplinary actions involving suspensions without pay or termination require the recommendation of the Department Head and the approval of the City Manager. In any disciplinary action the employee shall be instructed of the following. (Refer to the Civil Service Charter Section 6-12 page Civil Ser. 5 & 6 for details.):

- The cause for disciplinary action
- The specific reasons supporting the cause
- The discipline to be imposed
- The effective date
- The right of appeal

2. DISCIPLINARY PROCESS

A. **Oral Warning** - The employee's Supervisor will verbally outline the particular offense (s) and suggest possible ways to correct the problem (s). Employees should be made aware that the Supervisor is issuing an oral warning, which the employee should take corrective action, and that if the problem is not corrected, further disciplinary action will ensue. An Oral Warning Notice will be placed in the employee's personnel file, and a copy of the notice will be given to the employee.

B. **Written Warning** - A written warning will be issued upon the Employee Warning Notice Form in the event that the employee does not correct their behavior or performance or if the infraction is serious enough to warrant an immediate written reprimand in the employee's personnel file. The Supervisor will present the employee with a written warning detailing the offense (s) and expectations for the employee. Should the employee fail to correct their behavior additional disciplinary action may be taken up to and including termination. A copy

of this notice will be maintained in the employee's personnel file.

C. **Suspension** - This form of discipline is administered as a result of a severe infraction of the employee **Standards of Behavior** (see Section VII, Item 3) or for failure to correct previously noted improper behavior or substandard performance. The employee will be suspended without pay for a period of no more than thirty (30) days. A record of this action

will go into the employee's personnel file. The employee will be clearly advised in writing of the reason(s) for the suspension and what action may be taken to prevent further disciplinary action. Further disciplinary action resulting from the same or similar behavior will result in the employee's immediate termination. Employees may appeal suspensions through the Board of Civil Service Commissioners (See the Civil Service Charter Section 6-12 page 6 for details).

D. **Termination** - An employee may be terminated from the job for flagrant violations of the employees' **Standards of Behavior** with or without previous notice. An employee may also be terminated for repeated failures to correct behavior or improve performance which has resulted in previous disciplinary action. The employee will receive notification of termination in writing, which clearly specifies the reasons for the termination and the right to appeal through the Board of Civil Service Commissioners. Probationary employees may be terminated at any time without cause and without right of appeal. Notification of termination shall be provided in writing to the employee and a copy placed in their personnel file.

E. **Administrative Leave** - The Department Heads or Managers may place an employee on administrative leave for 24 hours, with or without pay, while the facts surrounding a disciplinary action are gathered. The City Manager may place an employee on administrative leave for periods of time in excess of 24 hours if additional time is required to thoroughly review the circumstances pertaining to a disciplinary action. If upon investigation it is found that the employee did not commit an infraction of the employee **Standards of Behavior** the employee will be paid for the period of suspension. If it is determined that the employee did violate the employee **Standards of Behavior** the employee shall be terminated as of the effective date of the administrative leave.

3. STANDARDS OF BEHAVIOR

It is the responsibility of the employees of the City of Panama City Beach to maintain high standards of quality, efficiency and integrity in their work. If an employee's conduct falls below these standards he may be subject to disciplinary action. An employee is required to cooperate in any investigation into their employment by the City or they will be deemed insubordinate. Generally, these Standards of Behavior have been grouped into three categories: Class I, Class II and Class III. Violation of Class I standards may result in the employee's immediate dismissal. Violation of Class II and Class III standards may result in an employee's immediate termination or other disciplinary action depending upon the nature, frequency, and severity of the violation and the work record of the employee involved. The following are some of the primary reasons for disciplinary action or termination. The list is not meant to be all inclusive and there are many factors which

must be taken into consideration when deciding upon disciplinary action.

CLASS I:

- Chronic incompetence and/or chronic inefficiency in the performance of duties, such as excessive absenteeism or tardiness, insubordination or inability to perform assigned duties.
- Conviction of a felony criminal offense or the unlawful sale, use or possession of any illegal drug.
- Possessing, using or being under the influence of any drug, narcotic or alcohol while on duty or while operating any City vehicle.
- Offensive or abusive conduct or language.
- Physical violence, threatening conduct or language.
- Attempting to induce any officer or employee of the City to violate any unlawful or reasonable regulation.
- Acceptance of any inducement to violate any lawful or reasonable regulation.
- Acceptance of any unauthorized inducement in performance of duties.
- Intentionally falsifying any City records.
- Theft of materials, supplies, equipment or property of the City.
- Use of City property for personal gain.
- Divulging or misusing confidential information for personal gain.
- Conducting activities, and/or using City equipment, relating to secondary employment or otherwise in conflict with the interest of the City while on City time.
- Involvement in political campaigns or activities while on City time.
- Harassment, sexual or otherwise, of any employee, officer or citizen of the City of Panama City Beach.
- Discrimination, in any form, against any person(s) as protected by the laws of the State of Florida and the Federal Government.

CLASS II:

- Violations of any lawful and reasonable regulation, order or direction made or given by a direct Supervisor or Higher Authority.

- Carelessness, negligence or damaging any City property, equipment or materials.
- Violation of established safety measures.
- Making false accusations against co-workers or Supervisors.
- Operation of City vehicles without proper license or in violation of the laws of the State of Florida, the County and the policies of the City.

CLASS III:

- Absenteeism without proper notification or approval.
- Bypassing the established chain of command.
- Inability to work effectively with co-workers.
- Excessive use of City telephones for personal calls. Failure to reimburse the City for any personal long distance charges incurred by the employee.
- Failure to be clean and properly dressed in a manner suitable for employee's position and to reflect a favorable image for the City.

4. COMPLAINT ADJUSTMENT

The disciplinary process is intended to provide employees with due process, information, feedback, and if necessary, an avenue of appeal through the Board of Civil Service Commissioners. During the disciplinary process, the employee will receive copies of all reports and information relating to the alleged offense. All such information will become part of his/her personnel file. All information will be discussed with the employee by their Supervisor.

If an employee feels he has been judged unfairly, the employee is entitled to appeal, through the established chain of command, any disciplinary action. (Refer to the Civil Service Charter Section 6-12 page 6 for details.):

It shall be the policy of the City to attempt to resolve disputes which may arise between employees and their Supervisors, provide clarification or interpretation of the City's policies and procedures or resolve matters of perceived discrimination or harassment in an amicable, professional and systematic manner. The complaints of employees shall be addressed without fear of reprisal or retribution through the complaint adjustment process.

Personnel Policies Acknowledgment and Receipt

I have received my copy of the Employee Handbook approved on 1/1/2018.

The employee handbook describes important information about working for the City of Panama City Beach, and I understand that I should consult my manager or Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with the City of Panama City Beach voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the City can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the City of Panama City Beach. By distributing this handbook, the City expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee's Signature

Employee's Name (Print)

Date

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE