

Agenda Section	Regular Agenda
Section Number	V.E
Subject	Consider, discuss and act upon JW Spain baseball contract.
To	Mayor and Council Members
From	Ben White, City Manager
Date	July 11, 2017
Attachment(s)	Contract
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Provide staff direction for future action • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

**ATHLETIC COMPLEX JOINT USE AGREEMENT BETWEEN
THE CITY OF FARMERSVILLE,
AND
THE FARMERSVILLE LITTLE LEAGUE BASEBALL ASSOCIATION**

WHEREAS the City of Farmersville owns Spain Athletic Complex located at the intersection of Murchison Street and Merit Street known as the J. W. Spain Athletic Complex; and,

WHEREAS the City of Farmersville wishes to maximize the use of the Complex for the benefit of Farmersville and area citizens by entering into an agreement with the Farmersville Little League Baseball Association by defining and enumerating the duties and responsibilities of each entity;

NOW THEREFORE, the City of Farmersville (City) and the Farmersville Little League Baseball Association (Little League) agree to the following user regulations concerning the J. W. Spain Athletic Complex (Complex):

Section 1. Designation of Fields and Field Use

For purposes of clarity in this agreement, the south field in the Complex will be designated field 1. The middle field of the Complex will be designated as field 2. The north field will be designated as field 3. The baseball fields on the eastern most side of the Complex will be known as field 4 and field 5 respectively. Any further fields to be constructed will be numerically designated at the time of construction.

The Little League Baseball season begins in February and runs through June. The Little League will have priority access to the fields 1 thru 5 during all scheduled league games and team practices. A game schedule must be provided to the City Manager, or his designee, as soon as it becomes available. At all other times the Complex is open for use on a first-come first-use basis. A practice schedule must also be provided to the City Manager, or his designee, prior to practices beginning. Any conflicts in scheduling should be brought to the attention of the City Manager.

The Little League may begin preparation of the playing fields for the playing season at any time before the beginning of the playing season after notifying the City Manager, or his designee, of its intent to begin such work. The City Manager, or his designee, has the final authority for scheduling of all Complex events.

Section 2. Grounds Maintenance

The Little League shall prepare and maintain all playing fields for Little League events. Fields must meet high-quality and presentable playing condition from the beginning to the end of the playing season.

Trash and litter will be picked up and removed from the playing fields and bleacher areas at the end of each playing day **by the Little League**. Periodic cleaning shall be performed by the Little League at intervals between games days, if necessary, to prevent a buildup of trash and litter. If Little League does not comply and allows trash and litter to be left on the field after any use, the City will impose a charge not to exceed \$200 per incident. Little League will be responsible to pay said trash and litter removal fees. If the City charges the Little League a third time for the same offense, the City may at its discretion, terminate the contract and not allow the Little League to use the facilities at the Spain Athletic Complex.

The City will provide adequate trash receptacles and trash removal for the purpose of keeping the complex clean. Little League shall be responsible to have a designated area for trash pickup. Little League will be billed for labor and material for any needed follow-up cleaning provided by the City

The City is responsible to provide for mowing, weed control, edging, and watering of the entire Complex including playing fields and common areas.

The Little League shall be responsible to pay for one-fourth of the cost of mowing during the Little League Baseball Season. The City will prepare invoices for the Little League for one-fourth of the annual cost. Payment is due within 15 days. Non-payment will result in a 10% surcharge and possible termination of this contract.

The Little League shall provide the City Manager a list of organization members with contact information that will be granted keyed lock and combination lock access to the facilities. This access list will be posted on the City's website to facilitate access to the facility. Little League activities shall not be conducted without the presence of a member that is on the access list.

Section 3. Concession Stand Operation and Proceeds

The Little League is responsible to provide concession services during all scheduled Little League events at the Complex. All expenses associated with the Concession Stand for scheduled Little League events will be the responsibility of the Little League. The Little League shall retain all proceeds, after expenses, from concession stand sales for all scheduled Little League events. Concession stand must be cleaned after each use, including the grill/stove. The grease must be removed by the Little League and disposed of in a proper manner. The grease drip tray must be totally cleaned and free from any remnants of grease. All trash must be removed from the concession stand and placed in the trash receptacles provided. The floors must be mopped and cleaned.

Section 4. Restroom and Concession Maintenance

Restrooms are under the control of the Little League during their respective playing seasons. The restrooms are to be open for games and practice times, but must be locked at all other times. The Little League is responsible to the City for safeguarding, supplying, and thorough cleaning of the facilities.

Winterizing of restrooms and concession building will be the responsibility of the City as well as normal maintenance, repairs, and replacements.

The concession building will be kept clean and sanitary **at all times** by the Little League when it is under its use and control and all equipment used will meet applicable regulatory standards of the City. If conditions exist in the Restroom or Concession Stand that require work by the City or if the City is required to hire a third-party to repair, maintain or replace any equipment or facilities the associated cost of such repair, maintenance, or replacement will be the responsibility of the Little League. If Little League does not compensate the City with the costs of repair, maintenance or replacement due to work by the City or where the City is required to hire the repair, the City will impose a charge not to exceed \$200 per incident in addition to the costs incurred for said incident. Little League will be responsible to pay said fees. If the City charges the Little League a third time for the same offense, the City may at its discretion, terminate the contract and not allow the Little League to use the facilities at the Spain Athletic Complex.

Section 5. Equipment, Supplies, and Storage Facilities

In recognition of the Little League's need to protect and maintain its equipment and supplies, the City grants use of the detached storage facility located next to the south gate and one storage room inside the Concession Building. The City will share the use of the storage room located on the south side of the Concession Building. The City will have exclusive use of one storage room inside the Concession Building.

Section 6. Modifications or Improvements to Complex

Any suggested modification or improvements to the Complex must be presented to the City Manager, or his designee, for consideration with the Parks and Recreation Board. Following the Board's review, recommendations will be forwarded to the City Council for final approval. Little League will share the costs of such modifications or improvements as agreed upon prior to construction. The City will prepare invoices for Little League's portion of the costs of such modifications or improvements. Payment is due within 15 days. Non-payment will result in a 10% surcharge and possible termination of this contract.

Section 7. City Utilities

Until further notice, the City will continue its practice of providing water, sewer, electricity, and information technology service to the Complex with no charge to Little League. The City retains the right to assess future charges for these services after giving notice at the end of the playing season and prior to the next playing season for which charges will begin. However, discovery that field lights have been left on after Little League use will result in an immediate \$200 charge for each such incident. Similarly, discovery that the water has been left running after Little League use will result in an immediate \$200 charge for each such incident. If the City charges the Little League a third time for the same offense, the City may at its discretion, terminate the contract and not allow the Little League to use the facilities at the Spain Athletic Complex.

Section 8. Ancillary Financial Matters

The Little League shall provide copies of a year-end financial statement, ending December 31st, for the year prior to the renewal of this agreement. All financial obligations contracted by the Little League in relation to its use of the Complex must be paid in return for the satisfactory delivery of goods and services, and failure to do so without just cause will be considered reason for the City to cancel the agreement with the Little League. In no case will the City be responsible for expenses or obligations contracted by the Little League for any reason unless by prior and specific agreement.

The City will not provide content insurance of the concession building.

Section 9. Insurance Required

- A. Without limiting any of the other obligations or liabilities of the Little League, the Little League shall, at its own expense, procure, pay for and maintain during the term of this agreement the hereinafter stipulated minimum insurance with companies duly licensed to write business in the State of Texas and approved by the City.
 - 1. Commercial General Liability insurance, including, but not limited to Premises/Operations, Personal & Advertising Injury, Products/Completed Operations, Independent Contractors and Contractual Liability, with minimum

combined single limits of \$1,000,000 per-occurrence, \$1,000,000 Products/Completed Operations Aggregate and \$1,000,000 general aggregate. Such insurance shall cover, but not be limited to, the liability assumed under the indemnification provisions of this agreement, fully insuring the Little League's liability for injury to or death of owners, employees and third parties, extended to include personal injury liability coverage, and for damage to property of third parties including damage to the Complex. Coverage must be written on an occurrence form.

2. When applicable by law, Workers' Compensation insurance with statutory limits; and Employers' Liability coverage with minimum limits for bodily injury: a) by accident, \$100,000 each accident, b) by disease, \$100,000 per employee with a per policy aggregate of \$500,000.
3. Umbrella or Excess Liability insurance with minimum limits of \$1 million each occurrence and annual aggregate for bodily injury and property damage, that follows form and applies in excess of the above indicated primary coverage (1, 2 and 3). The total limits required may be satisfied by any combination of primary, excess or umbrella liability insurance provided all policies comply with all requirements. The Little League may maintain reasonable deductibles, subject to approval by the City of Farmersville.

The Little League shall furnish to the City Manager certificates of insurance on an "ACCORD" form executed by the insurer or its authorized agent stating the coverages, limits, expiration dates and compliance with all applicable required provisions prior to any use of the Complex by the Little League. Certificates shall reference this agreement and be addressed as follows:

City of Farmersville, Texas
c/o City Manager
205 S. Main Street
Farmersville, TX 75442.

- B. With reference to the foregoing required insurance, the Little League shall endorse applicable insurance policies as follows:
1. In the event the Little League is required by law to obtain, or has otherwise obtained, Workers' Compensation insurance and Employers' Liability coverage the Little League and its insurer(s) shall provide a waiver of subrogation regarding such coverage in favor of the City of Farmersville and its officials, employees, and officers for losses arising from the activities under this contract.
 2. The City of Farmersville and its officials, employees and officers shall be named as additional insureds on the Commercial General Liability policy and all other required insurance policies, by using endorsement CG2026 or broader.
 3. All insurance policies shall be endorsed to the effect that City of Farmersville will receive at least thirty (30) days notice prior to cancellation, non-renewal, termination, or material change of the policies.

- C. All insurance shall be purchased from an insurance company that meets a financial rating of B+VI or better as assigned by the A.M. BEST Company or equivalent.
- D. Payment of any and all deductibles on each insurance policy shall be the responsibility of the Little League.

Section 10. Non-League Events

City approval is required for all Non-League Events. Deposits and user fees generated from all non-Little League events will be in accordance with the Fee Schedule as set out in Appendix A and shall be made payable to the City of Farmersville.

Deposits will be returned to the users, provided the Complex has been cleaned to the satisfaction of the City Manager. If the condition of the Complex requires work by City personnel, a charge of \$200 per hour will be deducted from the deposit until the deposit is exhausted. The non-league entity (team or private party) renting the Complex, will be billed for any additional costs that may occur due to misuse of the Complex and termination of future use of the Complex will be enforced.

Section 11. Personal Conduct at Athletic Events

The City recognizes that crowd noise is a part of any athletic activity and accepts this. However, the City requests that the Little League make a good faith effort to discourage any undue harassment of neighbors by participants or spectators at any activity for which Little League is responsible.

The Little League will be responsible for the proper conduct of team members, coaches, fans, and other spectators during any activity sponsored or sanctioned by the Little League at the Complex and, if necessary, will ask the City for assistance in maintaining order.

The sale or consumption of alcohol, illegal drugs, or illegal chemical substances at the Complex is a violation of city ordinances, **will not be permitted**, and will be punishable according to applicable law. The Athletic Complex is a non-smoking facility and **smoking shall not be allowed in, on and about the Complex**. Violators will be punished in accordance with the City's ordinances prohibiting smoking at the Complex.

The City retains the right to restrict the times of use and conduct of all activities in the Complex. Such right may be exercised without notice in case of substantial violation of these users' regulations but must be authorized by official City Council action after thorough investigation and verification of said violation. A list of Little League Board Members must be made available along with contact numbers to the Parks Board by the end of February. The Little League will be provided with the City Manager's contact information should any issue arise with the Spain Complex.

Section 12. Hold Harmless and Indemnification

The Little League does hereby agree to waive all claims, release, indemnify, defend and hold harmless City and all of its officials, officers, agents and employees, in both their public and private capacities, from any and all liability, claims, suits, demands or causes of action which may arise by reason of injury to property or persons occasioned by willful misconduct, error, omission, or negligent act of the Little League, its officers, agents, employees, invitees or other persons, arising out of or in connection with this agreement or any and all activity or use pursuant to this

agreement, or on or about the Complex and the Little League will, at its own cost and expense, defend and protect City from any and all such claims and demands. Also, the Little League agrees to and shall indemnify, defend and hold harmless City and all of its officials, officers, agents and employees, in both their public and private capacities, from and against any and all claims, losses, damages, causes of action, suits and liability of every kind, including all expenses of litigation, court costs and attorney fees for injury to or death of any person or for damage to any property arising out of or in connection with this agreement or any and all activity or use pursuant to this agreement, or on or about the Complex. Such indemnity shall apply whether the claims, losses, damages, causes of action, suits or liability arise from the negligence of the City, its officers, officials, agents or employees and whether said negligence is contractual, comparative negligence, concurrent negligence, gross negligence or any other form of negligence. City is responsible only for City's sole negligence.


Section 13. Term

This agreement will be in force for one year from April 1, 2014 through March 31, 2015. Any party may cancel participation in this contract with a thirty day written notice. However, a bona fide effort must be made to resolve any misunderstandings or disagreements leading to the cancellation.

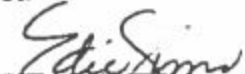
Two (2) months prior to the expiration of this Agreement, and provided no proposal has been offered by the Little League, it shall be the responsibility of the administrative staff of the City of Farmersville to initiate action to review the Agreement, taking into consideration any proposals from the Little League, and forward proposals to alter or cancel the Agreement to the Parks and Recreation Board for consideration. Following consideration, the Parks and Recreation Board shall make recommendation to the City Council regarding any proposed modification or cancellation of the Agreement. Cancellation or modification to the Agreement must be in writing and approved by the City Council.


This joint use agreement has been approved by the governing bodies of each entity.

City of Farmersville:


Joseph E. Helmberger, P.E., Mayor
Date: April 8, 2014

Attest:


Edie Sims, City Secretary
Date: April 8, 2014


Parks Board President
Date: February 25, 2014

Farmersville Little League Baseball Association:





Little League Baseball President

Date: 3-26-14

This use of the Spain Athletic Complex is supported by the City of Farmersville Parks and Recreation Board.

APPENDIX A

SCHEDULE OF USER FEES

Applicable to all Non-Little League events

Activity Description	Resident	Non Resident
Deposit, any Combination of Fields	\$250	\$350
Use of Field 1, 2, or 3	\$50	\$250
Use of Field 4 or 5	\$100	\$200
Use of Field 6	\$150	\$200
Lights, Hourly Rate (per field)	\$20	\$40

All fees must be paid at the time the reservation is made or at least two weeks prior to the reserved date.

Deposit is refundable if the fields, restrooms and concession area is clean and in working order.

Agenda Section	Regular Agenda
Section Number	V.F
Subject	Consider, discuss and act upon Resolution #R-2017-0711-001 regarding approving and authorizing publication of notice of intention to issue certificates of obligation for the Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF) new wastewater improvements.
To	Mayor and Council Members
From	Ben White, City Manager
Date	July 11, 2017
Attachment(s)	R-2017-0711-001
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Provide staff direction for future action • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action

**CITY OF FARMERSVILLE
RESOLUTION # R-2017-0711-001**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION FOR THE TEXAS WATER DEVELOPMENT BOARD (TWDB) CLEAN WATER STATE REVOLVING FUND (CWSRF) NEW WASTEWATER IMPROVEMENTS.

WHEREAS, the City Council of the City of Farmersville, Texas, has determined that certificates of obligation should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271 (the "Act"), for the purpose of paying contractual obligations to be incurred for (i) constructing, acquiring, purchasing, renovating, enlarging, equipping, and improving wastewater system properties and facilities and (ii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in accordance with the provisions of the Act;

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

Section 1. The City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation in a principal amount not to exceed \$5,845,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, acquiring, purchasing, renovating, enlarging, equipping, and improving wastewater system properties and facilities and (ii) professional services rendered in relation to such projects and the financing thereof, and payable from ad valorem taxes and a pledge of the net revenues of the City's combined Electric Light and Power, Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

Section 2. The City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

Section 3. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

Section 4. This Resolution shall be in force and effect from and after its passage on the date shown below.

[Remainder of page intentionally left blank.]

PASSED AND APPROVED, by the City Council of the City of Farmersville, Texas on this 11th day of July, 2017.

APPROVED:

Diane C. Piwko, Mayor

ATTEST:

Sandra Green, City Secretary

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF FARMERSVILLE, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Farmersville, Texas, shall convene at 6:00 o'clock P.M. on the 22nd day of August, 2017, at the City Hall, 205 S. Main Street, Farmersville, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation in an amount not to exceed \$5,845,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, acquiring, purchasing, renovating, enlarging, equipping, and improving wastewater system properties and facilities and (ii) professional services rendered in relation to such projects and the financing thereof; such certificates to be payable from ad valorem taxes and a pledge of the net revenues of the City's combined Electric Light and Power, Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271.

Sandra Green
City Secretary
City of Farmersville, Texas

Agenda Section	Regular Agenda
Section Number	V.G
Subject	Consider, discuss and act upon changes to Personnel Manual regarding addition of Sick Leave Bank.
To	Mayor and Council Members
From	Ben White, City Manager
Date	July 11, 2017
Attachment(s)	Personnel Manual with changes in blue
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to another agenda. _____ • No motion, no action



Farmersville
DISCOVER A TEXAS TREASURE

City of Farmersville Personnel Manual

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CHAPTER 1

INTRODUCTION

1-01. OBJECTIVES OF POLICIES

The purpose of these policies is to bring into the service of the City a high degree of understanding, cooperation, efficiency, and unity which comes through systematic application of good procedures in personnel administration, and to provide a uniform policy for all employees with all the benefits such a program insures. The basic objectives of these policies are:

- (a) To promote and increase efficiency and economy in the service of the City.
- (b) To provide fair and equal opportunity to all qualified applicants to enter City employment on the basis of demonstrated qualifications, merit and fitness as ascertained through fair and practical methods of recruitment and selection.
- (c) To develop a program of recruitment, advancement, and tenure which will make employment with the City attractive as a career and encourage each employee to render his/her best services to the City.
- (d) To establish and promote high morale among City employees by providing a good working environment, uniform personnel policies, opportunity for advancement, and consideration for employee needs and desires.

1-02. EQUAL OPPORTUNITY POLICY

Discrimination against any person in recruitment, examination, appointment, training, promotion, discipline, or any other aspect of personnel administration because of political or religious opinions or affiliations; because of membership in employee organizations; because that person reports a violation of law; or because of race, color, ancestry, origin, marital status, or other non-merit factors is prohibited. Discrimination on the basis of age, sex, physical handicap or disability is prohibited except where specific age or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration.

1-03. APPLICABILITY AND SCOPE

These policies apply to all City employees unless specified otherwise by state law, departmental policy approved by the City Council or other official City Council action. A person on retainer or under contract is not considered to be a City employee in the absence of a specific agreement to that effect. These policies are not applicable to volunteer firefighters or reserve police officers.

Nothing in this manual shall be considered to create a property right in employment. It should be understood that employment is for an indefinite period and is at-will for both employer and employee. These policies are not intended to constitute an employment contract and the employer reserves the right to amend these policies unilaterally and without notice.

1-04. DISSEMINATION AND FAMILIARITY OF POLICIES

Personnel Policy Manuals outlining the general personnel policies of the City will be furnished to all employees for their personal use and reference. The Personnel Department shall require that all employees sign a statement that they have been furnished a copy of a Personnel Policy Manual outlining these policies. It shall be the employee's responsibility to become thoroughly familiar with such policies.

1-05. AMENDMENTS TO POLICIES

These policies may be amended, supplemented, or superseded at any time by the City Council. The City reserves the right to change, alter, or amend this manual and policies unilaterally and without notice to the employee. Upon any change, the City will provide each employee a copy of the revised policy changes in writing as soon as possible thereafter.

1-06. ADMINISTRATIVE AUTHORITY

The City Council shall be responsible for establishing the policies under which personnel matters are to be administered. With the exception of matters reserved to the City Council by statute or these policies, the general and final authority for personnel management rests with the City Manager, who shall develop, administer policies and procedures as they apply to all departments and employees.

Each department head is responsible within the scope of his or her authority for enforcing the provisions of these policies and related rules and procedures in regard to matters involving his or her department.

1-07. STATEMENT OF AT-WILL EMPLOYMENT

Employment with the City of Farmersville is on an "at-will" basis. The employee may quit and the City may terminate the employee at any time, for any non-discriminatory reason or for no reason. **The provisions of this Personnel Policies Manual are not intended to create a contract of employment, and no agreement or promise regarding an employee's terms or conditions of employment is binding on the City.** The City has the right to change its policies at any time without prior notice. No contrary verbal representation or statement of an employee's terms and conditions of employment is binding upon the City.

CHAPTER 2

EMPLOYEE HIRING & APPOINTMENT

2-01. VACANCIES

Department heads shall notify the City Manager immediately when job vacancies occur in their department. Only those vacancies allocated in the annual budget or new positions authorized by the City Council shall be filled. Vacancies may be filled through public announcement, promotions, transfers, demotions or reinstatement.

2-02. ANNOUNCEMENT OF VACANCIES

The personnel department shall publicly announce by appropriate means all job vacancies. Each job announcement insofar as practicable shall specify the title, and nature of the job; the required qualifications; and the application deadline. Each announcement shall also contain a statement affirming the City's commitment to a policy of equal employment opportunity. An adequate period of time shall be allowed in the selection process to insure fair and open competition for the vacant position.

2-03. APPLICATIONS

Applications for employment or reinstatement shall be submitted on forms as prescribed by the personnel department. Only applications officially received in the prescribed manner shall be considered. All information submitted in connection with applying for City positions is subject to verification. All applications received shall be kept on active file for a period of one (1) year.

2-04. EVALUATION

The primary goal of the City is to fill vacancies with the most qualified applicants available. The City Manager or the department head shall determine the most appropriate means of evaluating applicants against job requirements to identify the best qualified applicants. Reference checks, interviews, medical and psychological examinations, criminal history checks, verification of citizenship or employment eligibility, skills test, written tests, driver's license checks, and/or other screening procedures may be used as deemed appropriate, and shall, in all cases, be consistent with applicable employment laws and regulations and will be kept confidential. Applicants may be required to provide work experience and qualifications information necessary to demonstrate compliance with prescribed qualification or proficiency requirements.

2-05. DISQUALIFICATION

An applicant shall be disqualified from consideration if he or she:

- (a) Does not meet the qualifications necessary for performance of the duties of the position involved;
- (b) Has made any false statement of fact on the application, depending upon the seriousness, willfulness and applicability of the false information to the position;
- (c) Is an alien not lawfully authorized to work in the United States; or
- (d) Would be in violation of the nepotism policy or laws.

An applicant may also be disqualified from consideration upon other reasonable grounds relating to job requirements.

2-06. AUTHORITY FOR APPOINTMENT

Except as otherwise provided by these policies, state law, or City ordinance; the appointing authority for all City positions shall rest with the City Manager. The City Manager may delegate such authority to department heads for those positions to be under their supervision.

Appointments shall be made based on the qualifications of applicants as ascertained through fair and practical selection methods. It shall be the policy of the City to appoint the most qualified applicant for the position.

2-07. TYPES OF APPOINTMENTS

An appointment is ordinarily of indefinite duration and may be made to a full time or part time position. A full time position is one where an employee works forty (40) hours in a regular work week schedule. A part time position is one where an employee works less than forty (40) hours in a regular work week schedule. An appointment may be made for a limited term in unusual circumstances. Temporary appointments are ordinarily limited to special projects and may be made to full time or part time positions requiring continuous, seasonal or intermittent performance.

2-08. NEPOTISM

No person related within the second degree of affinity (marriage) or within the third degree of consanguinity (blood) to the mayor or any member of the City Council shall be appointed to any office, position, or other services of the City, but this prohibition shall not apply to officers or employees who have been employed by the City continuously for more than six (6) months prior to the election of such member of the council or mayor.

NEPOTISM CHARTS

Consanguinity Kinship Chart (Blood)

1st Degree:	2nd Degree:	3 rd Degree:
Father	grandfather	Great grandfather
Mother	grandmother	Great grandmother
Brother	uncle	Great uncle
Sister	aunt	Great aunt
Son	nephew	Great nephew
Daughter	niece	Great niece
	grandson	Great grandson
	granddaughter	Great granddaughter
	1st cousin	2 nd cousin

Affinity Kinship Chart (Marriage)

1st Degree:	2nd Degree:
Spouse's father	spouse's grandfather
Spouse's mother	spouse's grandmother
Spouse's brother	spouse's uncle
spouse's sister	spouse's aunt
spouse's son	spouse's nephew
spouse's daughter	spouse's niece
	spouse's grandson
	spouse's grand-daughter
	spouse's 1st cousin

2-09 RESIDENCY REQUIREMENTS

There shall be no absolute residence requirements for City employment except the City Manager and those employees likely to be called to work in cases of emergency. The City Manager shall be required to reside within the City limits and employees likely to be called to work in cases of emergency may be required to reside within reasonable commuting ranges of their places of work. For these purposes, a reasonable commuting distance shall be within a fifteen (15) minutes commute of the City. Employees permitted to operate City vehicles between their places of residence and work may be required to reside within the City or within reasonable commuting ranges.

2-10. MEDICAL EXAMINATIONS

A person who has been offered employment may be required to take a medical and physical examination at City expense given by a doctor designated by the City. The offer of employment will be conditioned upon the results of the physical examination, if required. Furthermore, these results will not be used to discriminate on the basis of a qualified disability and the information obtained regarding medical condition or history will be collected and maintained in separate forms and in separate medical files and shall be treated as confidential medical information. The City Manager, acting upon information provided by medical personnel, shall be the final authority in determining medical suitability for employment. The City Manager may waive or modify the medical examination requirement for any or all part time positions, temporary employees, or emergency appointments.

With the approval of the City Manager, a department head may require that a current employee successfully undergo a medical examination at City expense, to determine fitness for continued employment or for promotion or other personnel action. In cases of department heads, the City Manager may require a department head to successfully undergo a medical examination at City expense.

2-11. EMERGENCY TEMPORARY APPOINTMENTS

The department head, with approval of the City Manager, reserves the right to hire temporary or part-time employees in cases of emergencies or unusual or extraordinary circumstances which places demands which exceed the manpower capabilities of the City. Emergency temporary appointments shall not be used to circumvent the normal appointment procedures. The employees involved shall not acquire any status or rights in the position to which they are temporarily appointed.

2-12. PROMOTION POLICY

A promotion is the assignment of an employee from one position to another higher level job requiring more responsibility, experience, education, technical or professional expertise and which is usually at a higher salary. It shall be City policy to provide promotional opportunities whenever possible and practical. The selection process may be limited to qualified City employees. Opportunities for promotion across organizational lines shall be maximized, with approval from the City Manager being necessary prior to such promotion.

2-13. TEMPORARY PROMOTION

The City Manager may authorize a temporary promotion to insure the proper performance of City functions if a position is vacant or its regular incumbent is absent. Employees so promoted may be additionally compensated for the duration of their temporary assignments in amounts to be determined by the City Manager. However, temporary promotions shall not be used to circumvent normal selection procedures, and those employees involved shall not acquire any status or rights in the position to which temporarily promoted.

Nothing herein shall be construed to prevent the assignment of additional or a higher level of duties to an employee without additional compensation.

2-14. TRANSFERS

A transfer is the reassignment of an employee from one position to another. A transfer not involving promotion or demotion may be affected at any time for administrative convenience or necessity, or upon request of the employee to the department head, provided that the employee is qualified to perform the duties of the position to which the transfer is contemplated. Transfers may be made administratively or in conjunction with an announced selection process. Transfers between classes or between departments shall become effective following approval of the City Manager.

2-15. DEMOTIONS

A demotion is the assignment of an employee from one position to another position having less responsibility or requiring less experience, education, technical, or professional expertise, and which is usually at a lower salary. A demotion may be effected for either a disciplinary or a non-disciplinary action.

An employee may be administratively demoted at his or her own request, or as an alternative to layoff, with the approval of the City Manager providing the employee is qualified to perform the duties of the lower level position. Such demotions shall not be considered as disciplinary actions or to disqualify the employee involved from consideration

for later advancement. Demotions, when used as an alternative to layoff, may be fully or partially rescinded at any time.

2-16. RE-EMPLOYMENT

Former employees who have not been terminated for cause shall be eligible for reemployment and may be given preference over other job applicants provided they meet the minimum requirements and qualifications of the position and it is in the best interest of the City.

2-17. EMPLOYEE ORIENTATION

All new employees shall be given a thorough orientation about the nature of the job, the benefits, obligations and responsibilities of the position, and the general policies and procedures of both the City and the department he or she is to be employed in. In addition, the City will obtain information needed for insurance programs, determining citizenship status, etc., such as date of birth, that were not provided for in the application for employment.

2-18. REASONABLE ACCOMMODATION FOR DISABILITIES

When an otherwise qualified employee is determined by medical authority to possess a physical or mental limitation, the City will review the case and decide what reasonable accommodation is appropriate, as described by law. Applicants with known physical or mental limitations will be provided with reasonable accommodations to City facilities. Any employee or applicant with known physical or mental limitations who believes reasonable accommodation is not being provided may appeal the decision to the City Council. The City Council will review the facts of each particular case and act in accordance with the provisions of applicable laws.

CHAPTER 3

PROBATION

3-01. PROBATIONARY PERIOD

Every newly employed person or promoted employee shall be required to successfully complete a probationary period of six (6) months. Whenever a license or certification is required for a position, the probationary period shall be extended for a period of time permitted by state or federal law to obtain such license or certification. However, an employee's probationary period may be extended up to three (3) more months if, in the opinion of the department head or City Manager, such additional time is necessary or warranted in order to adequately evaluate the employee or to secure any license or certification required for the position.

During or at the end of the probationary period, the department head may discharge or discipline any employee at will and such disciplinary action or discharge shall not be subject to any grievance or arbitration.

3-02. PURPOSE OF PROBATIONARY PERIOD

The department heads shall use the probationary period to closely observe and evaluate the work and fitness of employees and to encourage adjustment to their jobs. Only those employees who meet acceptable standards during their probationary periods shall be retained. Department heads shall submit an evaluation report on each probationary employee to the City Manager prior to the completion of the probation.

3-03. FAILURE OF PROBATION

The probationary period for a newly promoted employee shall be three (3) months. An employee shall fail probation when, in the judgment of the department head, the employee's fitness and/or quality of work are not such as to merit continuation in the job. Failure of probation may occur at any time within the probationary period and shall not be considered part of the disciplinary process. Any employee who fails probation will be terminated.

A newly-promoted employee who fails probation may be returned to his or her former job if a vacancy exists and will be eligible for consideration for later advancement. Department heads shall insure the thorough documentation of all cases of failure of probation and report the same to the Personnel Department for record keeping purposes.

3-04. APPEAL OF FAILURE OF PROBATION

An employee failing probation shall have no right to appeal except on the grounds of discrimination which is prohibited by law and these policies, in which case the employee may appeal in writing to the City Manager within five (5) working days following notice of failure of probation

CHAPTER 4

PERFORMANCE EVALUATIONS & COMPENSATION

4-01. EMPLOYEE PAY SCHEDULE

All employees will be paid bi-weekly on Friday. Pay dates falling on a recognized holiday will be scheduled for the preceding regular workday. When an employee is on authorized leave, the employee must report to the payroll office to pick up his or her paycheck unless previous arrangements are made.

4-02. EMERGENCY DUTY PAY

Employees called back to work in emergencies shall be compensated in accordance with established overtime and recall policies.

4-03. OVERTIME AND COMPENSATORY TIME

- (a) The City Manager will determine, according to the Fair Labor Standards Act ("*FLSA*"), *whether a position is exempt or non-exempt. The City Manager, or his* designee, will endeavor to establish job descriptions for each position within the City and designate whether that position is classified as an exempt or non-exempt position under the FLSA.
- (b) Non-exempt employees may be required to work hours in excess of their official established hours when necessary as determined by their department head or the City Manager. Employees are expected to respond to a reasonable request to work extra hours, and may be subject to disciplinary action for failing to stay or report for such hours.
- (c) The City must compensate all "non-exempt" employees if they physically work more than 40 hours during their regular scheduled workweek or work period. However, some employees are "exempt" employees and do not have to be compensated for work in excess of 40 hours during their regular scheduled workweek or work period.
- (d) Non-exempt employees performing work at any time other than their regular scheduled working hours, including taking work home is strictly forbidden unless authorized in writing by the employee's supervisor. Prior to working on such occasions, non-exempt employees must verify such hours with their supervisors to make certain that overtime is, or will be authorized. Employees shall not perform work for the City outside their regular scheduled work hours on a voluntary basis.
- (e) The City Manager or Department Manager has the authority to designate whether non-exempt employees will receive overtime pay, compensatory time, or a combination of both, for overtime worked.
- (f) Overtime pay for non-exempt employees shall be at one and one-half (1.5) times the

employee's regular rate of pay.

- (g) City non-exempt employees can be paid in compensatory time instead of overtime pay. Compensatory time is paid time off, and a non-exempt employee earns one-and-one-half hour of compensatory time for each hour of work over 40 hours (43 hours for Law Enforcement Employees) during the employee's regular scheduled workweek or work period. All compensatory time shall be reported on time sheets.
- (h) Non-exempt employees may accrue up to a maximum of eighty (80) hours of compensatory time. After the non-exempt employee has accrued the maximum compensatory time and not used it as leave, all overtime above the maximum must be paid.
- (i) Non-exempt employee may take compensatory time off within a reasonable time after the employee requests it provided that the employee's department manager or the City Manager has approved it and the use of the compensatory time off does not "unduly disrupt" the City's work. In order to reduce the financial impact of compensatory time accruals, the City Manager or department manager may require employees to use accrued compensatory time.
- (j) The City shall pay non-exempt employees for accumulated, unused compensatory time when the employee leaves employment with the City, regardless of whether the employee is terminated, resigns or retires.
- (k) Executive, administrative, and professional employees who are exempt from the overtime provisions of the FLSA are expected to render necessary and reasonable overtime services with no additional compensation. Exempt employees are not eligible to accrue overtime or receive compensatory pay. Due to the obligations of exempt employees to attend after-hour meetings and work on projects outside of regular work hours, the City Manager has the discretion to approve an exempt employee to use exempt time-off for up to one work day in a workweek without deducting any vacation leave.
- (l) Temporary employees and salaried non-exempt employees are subject to the overtime provisions of FLSA, and must be compensated for all work over forty hours during the employee's regular scheduled workweek or work period.
- (m) Employees working unauthorized overtime may be subject to disciplinary action.

4.04. ON-CALL TIME

Public Works employees who are on call status will receive one hour of pay for each day they are assigned to be on-call. This one-hour pay does not count towards the allowable number of hours in a workweek or work period and is therefore not calculated as overtime. This pay does not apply to Police or Fire personnel on-call.

4.05 DETERMINATION OF ON-CALL

In departments where on-call status is utilized, all employees are required to participate in the on-call rotation as a condition of employment.

4.06 SUBSTITUTES

With the approval of the Foreman or City Manager, employees designated on-call may make arrangements for another employee to substitute/cover their on-call assignment. However, the employee originally scheduled on-call is responsible for obtaining a substitute and approval for a substitute. If no substitute is available, the on-call employee must cover the on-call assignment. Substitutes will be eligible for on-call pay only if they substitute for a 24-hour period.

4-07 READINESS AND RESPONSE OF ON-CALL PERSONNEL

On-call personnel must be prepared to respond to call-backs at any time. For this reason, on-call is not allowed to consume alcohol at any time while on-call. Additionally, if an employee is taking medication that can affect their preparedness, they must inform their foreman or City Manager and remove themselves from on-call status. Employees will not receive on-call pay if they are not prepared to or able to respond to call-backs.

On-call personnel will be provided a City vehicle to drive while on-call. If your personal vehicle is used mileage will be compensated the Federal mileage rate. If stand-by personnel are called-back, they should first report to their department to obtain a City vehicle, and then report to the work site. All City vehicles must remain within 20 miles of the City of Farmersville ETJ. On-call and stand-by personnel must respond to call-backs within 20 minutes.

On-call and stand-by personnel must carry phones while on-call.

4-08. EMPLOYEE PERFORMANCE EVALUATIONS

An employee shall be evaluated at least annually. Special evaluations may be made if requested by the department head and approved by the City Manager. Performance evaluation reports shall be on forms provided through the personnel office. All performance evaluation reports shall be permanently placed in the employee's personnel file. Employees shall be provided copies of their performance evaluation reports if requested.

Evaluators shall individually discuss the evaluation results with the employees and shall counsel them regarding their careers and any improvements in performance which appear desirable or necessary. Employees dissatisfied with their performance evaluation may seek reconsideration by using the established grievance procedures.

4-09. MERIT INCREASES

Pay increases may be granted by the City Manager or City Council as a reward for those employees demonstrating exceptional or above-average job performance. These merit increases are intended to reward outstanding personnel and as an inducement to motivate employees in their performance and productivity.

4-10. TERMINATION PAY

Employees who leave the service of the City shall receive all pay which may be due to them in accordance as follows:

- (a) An employee will be paid for any hours worked and for any overtime compensation due him or her;
- (b) Only employees who have successfully completed their probationary period shall be paid for unused vacation time earned;
- (c) Employees may request that any retirement benefits paid by him or her, through payroll deductions, be refunded in accordance with the applicable program; and
- (d) Any indebtedness to the City which the employee might have incurred shall be deducted from his or her final paycheck.
- (e) If any employee dies while employed by the City, the City shall pay his or her designated beneficiary any unpaid wages, unused vacation time, and accumulated benefits.

4-11. SEVEN-DAY WORK PERIOD FOR LAW ENFORCEMENT EMPLOYEES

Employees who work in Law Enforcement have an established seven-day work week of forty-three (43) hours. All time worked over the 43 hour work week will constitute compensatory time in lieu of cash payment.

CHAPTER 5

ABSENCES & LEAVES

5-01. HOLIDAYS

New Years Day, Martin Luther King Day, Presidents Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day and the Friday following, December 24th and 25th, and any other days as may be declared by the City Council shall be observed as official holidays for City employees in accordance with the following rules:

- (a) All full- time employees shall be entitled to all authorized paid holidays while employed by the City of Farmersville. Part-time, temporary and seasonal employees are not entitled to holiday pay.
- (b) As many employees as possible shall be granted each holiday off, consistent with the maintenance and continuation of essential City functions. Department heads shall ensure that employees working non-standard schedules or on scheduled shifts shall receive benefit of official holidays.
- (c) Employees required to work on a scheduled holiday shall be granted another day of paid leave for the scheduled holiday. In the event another day of paid leave is selected, the time must be taken within thirty (30) days of the holiday or holiday will be forfeited.
- (d) Holidays may not be accumulated or carried over to the next calendar year, with the exception for those employees required to work December 24 or December 25. Employees working those two days may carry them over through January of the next calendar year. If those holidays are not taken in January, they are considered forfeited.
- (e) Police and Fire shift employees may schedule holidays to be used on days other than officially observed day within the thirty (30) days of the holiday. If separating employees have scheduled and used holidays prior to the officially observed days that holiday pay will be deducted from any final pay.
- (f) If the official holiday falls on a Saturday, the preceding Friday shall be observed as the holiday. If a holiday falls on Sunday, the following Monday shall be observed.
- (g) Employees desiring to observe religious holidays not coinciding with official holidays may be authorized time off without pay, or may be authorized to utilize accrued vacation or personal time.
- (h) Holidays shall not be credited towards or used as termination pay.

5-02. VACATION LEAVE

All full-time employees, except temporary or seasonal employees, shall earn vacation leave at the following rates:

0-1 yrs. service	3.34 hrs. per mo. or 40 hrs. per year
2-7 yrs. service	6.67 hrs. per mo. or 80 hrs. per year
8-14 yrs. service	10.00 hrs. per mo. or 120 hrs. per year
15-99 yrs. service	13.33 hrs. per mo. or 160 hrs. per year

City Manager may at his or her discretion negotiate differently than the allowable leave rates.

Regular part-time employees who work on a regular basis shall earn vacation leave on a basis of 50% of the rate for full-time employees.

Vacation leave shall be administered according to the following rules:

- a) No employee may carryover more than 120 hours of vacation. Employees shall receive pay for earned, unused vacation time within 30 days of the end of the calendar year.
- b) Vacation leave shall be charged only for time during which the employee would ordinarily have worked.
- c) Employees being laterally transferred, promoted, or demoted shall retain any accrued vacation leave.
- d) Vacation leave shall not be advanced to employees except in emergencies with the approval of the City Manager.
- e) Vacation leave credits are not transferable between employees except in emergencies and with the approval of the City Manager.
- f) Employees may be allowed to sell vacation with the approval of the City Manager. Employee will not be allowed to sell below the 80 hour carryover, except in emergencies and with the approval of the City Manager.
- g) Vacation leave may be allowed only with the approval of the department head or City Manager.

5-03. SICK LEAVE

Sick leave is granted to full-time employees by the City for the purpose of permitting an employee to be relieved of his or her duties during his or her actual illness or injury or when an employee is required to attend to his or her spouse or children who are ill or incapacitated provided they reside in the same household as the employee, as provided for in the Family Leave Act. Sick leave may not be used for any other purpose. Employees who use their sick leave without just cause may be dismissed. Part time, temporary and

seasonal employees are not eligible for sick leave.

- a) If an employee becomes ill and cannot report for work, his or her absence must be reported to his or her immediate supervisor prior to or within one (1) hour after his or her regular reporting time so that such absence will be charged to sick leave. Failure to report in will cause an employee's absence to be charged to leave without pay.
- b) An employee will accumulate sick leave at the rate of eight (8) hours per month beginning after the six (6) month probationary period has been successfully completed. Accumulated sick leave shall not exceed 520 hours.
- c) *Once an employee has reached the max of 520 hours, the employee's un-accumulated sick leave will be transferred to Personal Leave at the rate of 25% of the un-accumulated sick time. This will take place on the employee's anniversary date and will follow the same stipulations as section 5-12 PERSONAL LEAVE*
- d) The City Manager may investigate any benefits claimed under this policy, and disapprove any claims not properly substantiated.
- e) Abuse of sick leave benefits may result in disciplinary action or dismissal.
- f) Official holidays and regular days off shall not count against sick leave.
- g) After a sickness of three (3) days, a doctor's report shall be required. After the third day of illness a doctor's report shall be required each 7 days thereafter while the employee is absent due to illness.
- h) An employee who becomes ill or injured during a vacation shall request that the vacation be terminated and the time of illness be charged to sick leave. Such request must be made immediately to the department head or no later than the first regularly scheduled work day following vacation. A doctor's statement shall be required in such instances.

5-04. SICK LEAVE BANK

I.POLICY

City of Farmersville, consistent with Chapter 157.071 of the Texas Local Government Code, provides for a sick Leave Bank, which will enable City employees to contribute accumulated sick leave and also will allow City employees to use time from the Sick Leave Bank for their own or their dependent's serious illness.

II.DEFINITIONS

A.“Administrator” means the City of Farmersville Human Resources Director. This position has no voting rights.

B.“Eligible employee” means an employee paid from the fund of the City or from special grants paid through the city with twelve (12) or more months of continuous service with the City.

C.“Dependent” means an employee’s parent, spouse or child.

D.“Serious illness or injury” is a severe condition or combination of conditions which is non-job-related and which has a prolonged negative effect on an individual’s health. Such conditions require in-patient hospital care, hospice care, prolonged out-patient care or home health care as determined to be medically necessary by a licensed physician.

E.“Sick Leave Bank Board of Directors” means employees who have been elected by voting members of the Sick Leave Bank

F.“Executive Officer” means the City Manager. This position has no voting rights.

G.“Immediate Family Member” includes the following relationship:

Husband

Wife

Grandparents

Grandchildren

Son, Son-in law, Stepson

Daughter, Daughter-in-law, Stepdaughter

Father, Father-in-law, Stepfather

Mother, Mother-in-law, Stepmother

Brother, Brother-in-law, Stepbrother

Sister, Sister-in-law, Stepsister

III.PROCEDURES

A.Sick Leave Bank Board of Directors

1.To be a member of the Sick Leave Bank Board of Directors, individual must have

been employed by the City for at least four (4) consecutive years and have a minimum balance of 200 hours of sick leave at time of application.

2.Member of the Board of Directors shall consist of:

One Department Head

Four representative employees

Total of five (5) members

3.Term of Office

The term of office will be four (4) years. A member of the board may serve a maximum of three (3) consecutive terms.

4.Election Procedures

Elections will be held in May for term to begin in June. Only current members in the bank are eligible to vote.

Members of each group named above may file as candidates from their group. Candidates must file for office with the administrator in May of each year. A form will be provided.

Voting will be by secret paper ballot. Ballots will be distributed and collected by the Administrator or his/her appointee. The Administrator shall call a meeting of the Board of Directors to tabulate the ballots no later than one week following the election. The candidate with the plurality of the vote will be elected.

The Administrator shall rule on the eligibility all other personnel not covered above.

In the event no one files as a candidate for one of the positions on the Board of Directors, the Board shall fill such position by appointment at the first Board Meeting following the filing deadline. The selection will be made from the group, which would be represented by the vacant position.

If a member of the board is representing on group on the Board and accepts or is transferred to a new classification, then he/she must resign his/her position.

5.Duties and Responsibilities of the Board of Directors

a. At the first meeting of the year for the newly elected Board members, the Board shall select from its group a chairperson, vice chairperson and a secretary.

b. The Sick Leave Bank Board of Directors will approve or deny written requests for the use of time from the pool. Upon request, the Sick Leave Board of Directors will review each request for Sick Leave on an individual basis and the physician certification whether or not the condition is serious.

c. The Sick Leave Bank Board shall send written notice to the employee and the payroll services section of the City of the denial or approval. Where leave has been approved, such notice shall include the amount of leave.

d. All eligible employees (See Section II) may be granted up to forty five (45) days a year. The Sick Leave Bank Board will not grant more days than its members have contributed.

e. The Administrator or designee shall maintain records of leave contributions, request, denials and approvals made under this policy.

f. Board of Directors unable to attend the committee meeting pertaining to a Sick Bank request may vote absentee. Conditions: The member must review the information pertaining to that request and vote by 5 pm the day prior to the meeting, by email or written form.

g. A member may appeal the decision of the Board of Directors by writing a letter to the Executive Officer (See Section II) requesting to appear in person before the Board of Directors. The Board of Director's decision is final.

B. Contributions

An employee shall contribute twenty four (24) hours of accrued sick leave when they first join and eight (8) hours each year after. The days donated become the property of the City of Farmersville Sick Leave Bank. All donations will remain in force and cannot be returned ever upon cancellation of membership.

Sick leave time will be deducted from the contributing employee's sick leave balance.

Employees who terminate their employment with the City of Farmersville, forfeit membership in the bank at the effective date of termination. If the employee wishes to regain membership in the bank upon his/her return to the City, twenty four (24) hours must again be donated.

Employees who terminate or who resign or retire (that are members of the sick bank) may donate not more than 10 days (80 hours) of accrued sick leave time earned by the employee to take effect immediately before the effective date of termination, resignation or retirement.

C. Requesting Sick Leave Bank

1. An employee requesting Sick Leave Bank time must have exhausted all accrued paid leave and compensatory time to which the employee is otherwise entitled and must have been absent from work due to a serious illness or injury. An employee receiving workers' compensation benefits will not be covered by sick leave bank. Sick leave bank grants will not be authorized for illness or disability resulting from self-inflicted injury or act of war.

2. An eligible employee electing to apply for use of time from the Sick Leave Bank must complete a Request for Sick Leave Bank Form. The eligible employee must also ensure that the Attending Physician's Statement is completed by a physician or other licensed medical practitioner. Both forms should be submitted together to the HR Department who will present it to the Sick Leave Bank Board of Directors.

3. If a request to draw upon the bank is for other than consecutive days of illness, a separate request, including a new physician's statement, must be submitted for each period of illness. Each separate application must meet the initial criteria of just cause.

4. Employees returning to work after being off of Sick Leave Bank time must provide the HR Department and their Department Head a written release from a physician documenting the employee's ability to return to work.

D. Use of Sick Leave Bank for Immediate Family

To provide additional sick leave days for members whose immediate family has suffered catastrophic illness or injury. To make the Sick Bank a more significant benefit for employees, immediate family has been included. This requires stricter guidelines to protect the bank and the City from the excessive use of sick leave days.

To apply for sick leave days, the member must follow the procedures set out in Section III, C.

All regulations pertaining to the use and issuing of sick leave days will also be applied to the illness or injury of the family member.

The maximum number of days that may be granted to an employee for use with the sickness or injury of a family member is fifteen (15) days per occurrence with a maximum of thirty (30) days per year.

Upon a unanimous vote of the Board of Directors, the Board may provide a member

thirty (30) additional days or fifteen (15) days for the illness of an immediate family member in extreme hardship cases.

E. Payroll Services

1. Upon receipt of notification of approval of Sick Leave Bank for an employee, the payroll department will credit the approved amount of time, taken from the bank to the sick leave recipient. Payroll will track the Sick Leave Bank time used by the employee. If the employee returns to work prior to exhausting the paid leave, Payroll will credit the unused time back to the Sick Leave Bank.

2. Payroll will ensure that the employee continues to accrue vacation leave and sick leave while on Sick Leave Bank (unless the employee does not return to work). However, vacation and sick leave which accrue for any month in which the employee is not physically at work cannot be used until after the employee returns to work. A holiday within the leave period is not counted as sick leave.

3. The estate of a deceased employee is not entitled to payments for unused sick leave acquired by the employee from the Sick Leave Bank.

5-05. MATERNITY LEAVE

Leave of absence for maternity reasons shall be without pay and shall be recorded and treated as any other medical leave of absence, as provided for in the Family Leave Act. Pregnant employees may continue to work as long as their doctor says they are capable of performing their job duties safely and shall be expected to return to work following delivery at whatever time their doctor determines they are again capable of performing their job duties without endangering their health or safety. In maternity cases, as in other cases of illness or injury, the City reserves the right to require a letter of approval from the employee's doctor at any time certifying the employee's capability or incapability of performing job duties safely.

Any earned, unused vacation time may be used for a portion of maternity leave.

All regular full and part-time female employees shall be eligible for maternity leave. Temporary and seasonal employees will not be eligible.

5-06. BEREAVEMENT LEAVE

All full-time employees may be granted leave with pay for a period not to exceed three (3) work days to attend a funeral and handle the necessary family details in case of death in their immediate family or other relative living in the same household. This leave shall not be charged against sick leave or vacation. Part time, seasonal, and temporary employees may be granted up to three (3) days leave of absence without pay in such cases.

(Immediate family, for this purpose, shall be defined as husband, wife, son, daughter, mother, father, mother-in-law, father-in-law, employee's or spouses grandparents, brother, sister.)

5-07. MILITARY LEAVE

Full-time employees of the City who are members of the State Military Forces or members of any of the Reserve Components of the Armed Forces of the United States are entitled to leave of absence from their duties for up to fifteen (15) days in any one calendar year, without loss of vacation time or salary. Said leave may be used for all days during which they are engaged in authorized training or duty. Requests for approval of military leave must be accompanied by copies of the relevant military orders. Military leave in excess of fifteen (15) days will be charged to vacation leave or leave without pay. Upon return from the training, the employee must furnish a statement from the commanding officer showing the military earnings while at camp.

Full-time employees of the City who enter active duty with the State Military Forces or with the Armed Forces of the United States are entitled to be restored to employment subject to the provisions of the law upon honorable release from active duty, provided an appropriate position is available. Reemployment of such individual is subject to the approval of the City Manager.

5-08. JURY DUTY LEAVE

Employees shall be granted sufficient leave with pay when called for jury service or court duty. The employee shall provide his or her supervisor a copy of the jury or court summons. Employees excused or released from jury service or court duty shall immediately report to their work station for the remainder of their shift.

5-09. AUTHORIZED LEAVE WITHOUT PAY

In circumstances not falling within other provision of these rules, the City Manager may authorize an employee to take leave without pay under mutually agreeable terms and conditions. Employees taking leave without pay shall not lose or gain seniority. All employee benefits will remain in effect during periods of authorized leave without pay.

5-10. ABSENCE WITHOUT LEAVE

An employee failing to report to work or remain at work as scheduled without proper notification to his or her immediate supervisor and obtaining authorization or excuse has committed a serious offense and shall not be paid for the time involved. Absence without leave constitutes abandonment of duties and may result in severe discipline, up to and including discharge. In cases where the employee is discharged for absence without leave, it shall not be considered to be in "good standing".

5-11. FAMILY AND MEDICAL LEAVE

An employee is eligible for family leave up to twelve (12) work weeks during any twelve (12) month period if the employee has been employed by the City for at least twelve (12) months and has worked at least 1,250 hours during the twelve (12) months immediately preceding the date that the desired leave would begin. Eligible employees may take reasonable leaves of absences for maternity purposes; the birth, adoption, or placement of

a foster child; or for the care of a spouse, son, daughter, or parent who has a serious health condition. For these purposes, "serious health condition" shall mean an illness, injury, impairment, or physical or mental condition involving inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider. "Spouse" shall mean the husband or wife of the employee, but shall not include unmarried domestic partners. If both an employee and his/her spouse are employed by the City, their combined time off may not exceed twelve (12) work weeks during any twelve (12) month period. An employee will be required to first use any of his or her accrued and unused vacation.

An employee requesting family leave is required to give thirty (30) days' notice before the date the leave is to begin; except for confirmed emergencies, which notice shall then be given as soon as practicable. In cases of medical emergencies, notice may be given in person or by phone, and may be given by the employee's spouse or another family member. An employee on family leave shall provide a statement of the employee's intentions concerning returning to work.

A medical clearance is required for all employees desiring to return to work from taking leave as a result of a serious health condition. The City may also require certification of a serious health condition when family leave is taken for the care of a spouse, son, daughter, or parent.

Taking family leave will not result in the loss of any benefit accrued prior to the date on which the leave begins. However, vacation and sick leave benefits shall not accrue during the period of the leave of absence. An employee on family leave will remain covered under all employee benefit plans (medical, retirement, etc.) throughout the duration of the leave as if actively employed.

An employee returning to work following a leave of absence under these family leave provisions, shall be returned to his or her position or an equivalent position.

5-12. INJURY LEAVE

An employee injured in the line of duty may receive worker's compensation and injury wage continuation benefits under the terms and conditions prescribed in the applicable programs.

5-13. PERSONAL LEAVE

Full-time employees shall be granted upon hire date a maximum of two (2) days of personal leave per year with pay. Personal leave shall accrue on the employee's employment anniversary date. Any personal leave not taken during the twelve (12) month period following an anniversary date may not be carried over to the next year and will be lost. Prior approval of personal leave must be given by the Department Head or Supervisor. Part-time, seasonal or temporary employees are not eligible for personal leave.

CHAPTER 6

EMPLOYEE CONDUCT

6-01. ATTENDANCE

All employees are expected to report to work as scheduled and to work their scheduled hours and overtime, if necessary. Employees shall be at their place of work in accordance with City and departmental policies and regulations. Department heads shall establish work schedules and maintain daily employee attendance records. The personnel office will maintain annual employee attendance records.

6-02. WORK STANDARDS

It shall be the duty of each employee to maintain high standards of cooperation, proficiency, and economy in his or her work for the City. Department heads shall organize and direct the work of their departments to achieve these objectives. If work habits, attitude, production, and/or personal conduct of an employee become a problem, supervisors should point out the deficiencies at the time they are observed and take appropriate action. Counseling and warning the employee in sufficient time for improvement should ordinarily precede formal disciplinary action, but nothing herein shall prevent immediate formal action as provided elsewhere in these policies whenever the interest of the City requires it.

6-03. POLITICAL ACTIVITIES

Except as may be otherwise provided by law, the following restrictions on political activity shall apply to City employees:

- (a) Employees shall refrain from publicly using their positions for or against any candidate for public office in any jurisdiction.
- (b) No employee while on duty shall take an active part in any political campaign of another person for an elective position of the City. The term "active part" means making political speeches, passing out cards or other political literature, writing letters, signing petitions, actively and openly soliciting votes, and making public derogatory remarks about the candidates.
- (c) Employees may not be required to contribute money, labor, time, or other valuable thing to any person for City election purposes.
- (d) No employee may hold an appointive or elective City office of public trust, partisan office in any jurisdiction, or any other office where service would constitute a direct conflict of interest with City employment, with or without remuneration.

6-04. SOLICITATION

Solicitation of contributions or anything of value for any purpose whatsoever shall not be permitted by City employees on the job only with the express approval of the department head. No employee may be required to make any contribution or shall be penalized or

rewarded in any way in connection with his or her employment according to his or her response to the solicitation.

6-05. OUTSIDE EMPLOYMENT

Although outside employment is not expressly prohibited by the City, employees who work other jobs on their own time must remember that their first responsibility is to the City. If a second job leads to excessive absenteeism, tardiness, or poor performance, the employee may be asked to choose between the two jobs. The department head may establish certain conditions before granting this permission, e.g., work must be located within the City or within a reasonable commuting distance, outside employer may be required to excuse employee to answer emergency calls, employment would not create any conflict or embarrassment to the City, etc.

6-06. PHYSICAL FITNESS

It shall be the responsibility of each employee to maintain the standards of physical fitness required for performing his or her job.

6-07. PERSONAL APPEARANCE

All employees, regardless of work location and degree of public contact, are expected to maintain a good personal appearance and an acceptable standard of cleanliness and personal hygiene at all times to present an image, which appropriately and properly reflects the character of the City of Farmersville. Generally, employees should wear appropriate, clean attire during working hours, and appropriate attire to complete their daily duties in a safe manner.

6-08. FINANCIAL OBLIGATIONS

All employees are expected to keep their personal financial affairs in good order. Failure to pay just debts, including taxes, may constitute grounds for disciplinary action if job performance is impeded.

6-09. CONFLICT OF INTEREST

No officer or employee of the City shall accept, directly or indirectly, any gift, favor, privilege, or employment having a monetary value in excess of twenty-five dollars (\$25.00) from any person, firm, or corporation doing business with, or seeking to do business with the City during the term of office of such officer or during the employment of such employee of the City and in connection with such office or employment, except as may be authorized by ordinance or on behalf of the City and for its benefit. Under no circumstance shall cash or any instrument of cash having monetary value be accepted. No officer or employee of the City who is employed, directly or indirectly, by any person, firm, or corporation doing business with, or seeking to do business with the City shall in any manner participate in any discussion or decision of any agency, board, commission, or instrumentality of the City having to do with the business done or sought to be done with the City by such person, firm, or corporation without first declaring publicly such employment.

6-10. GENERAL DEPORTMENT

The attitude and deportment of a City employee, whether in public or private, should at all times be such as to promote the good will and favorable attitude of the public toward the City administration and its programs and policies.

6-11. SEXUAL HARASSMENT

No employee, male or female, shall harass another employee by making unwelcome sexual advances or favors or other verbal or physical conduct of a sexual nature a condition of any employee's employment, using an employee's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual; or otherwise creating an intimidating, hostile, or offensive working environment by such conduct. The City does not condone any sexual harassment of its employees. All employees, including supervisors and department heads, will be subject to severe discipline, up to and including discharge, for any act of sexual harassment they commit. The creation of an intimidating, hostile, or offensive working environment may include such actions as persistent comments on an employee's sexual preferences or the display of obscene or sexually oriented photographs or drawings. However, conduct or actions that arise out of a personal or social relationship and that are not intended to have a discriminatory employment effect may not be viewed as sexual harassment. Any employee who feels victimized by sexual harassment should report the harassment to the department head immediately. No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint.

6-12. INDICTMENTS AGAINST EMPLOYEE

An employee may be suspended, with or without pay, if accused or indicted for a crime or official misconduct pending a decision on the indictment such as dismissal, acquittal or conviction. If the indictment is dismissed or if the employee is acquitted, the suspended employee shall be reinstated to his or her former position, or a similar one if not available, without loss of any benefits and such suspension shall not be considered as a disciplinary action.

6-13. SMOKING AND SMOKELESS TOBACCO POLICY

It is the City's intent to protect the health of the non-smoker by providing a healthy environment in which to work and conduct business. Therefore, smoking and/or smokeless tobacco is not permitted in any municipal facility, building, structure and/or office space that is owned and/or leased by the City of Farmersville. In addition, at no time shall smoking or the use of smokeless tobacco be permitted in any City vehicle or while operating motor equipment.

This policy shall apply to all employees, visitors and tenants. Employees violating this policy will be subject to discipline as outline in the discipline policy.

CHAPTER 7

DISCIPLINE, APPEALS AND GRIEVANCES

7-01. WORK ETHIC AND DISCIPLINARY POLICY

The City expects its employees to accept reasonable and appropriate work assignments willingly and to perform them in a satisfactory manner. Employees are also expected to comply with all rules, regulations, and policies pertaining to job performance standards and personal conduct on the job. If an employee fails to perform satisfactorily or if his or her personal conduct is unacceptable, disciplinary action may be taken.

All reasonable efforts will be made to insure due process to the employee. The City will attempt to review and resolve all employee problems as promptly and equitably as possible and at the lowest possible organizational/supervisory level. All employees will be provided with a fair, expedient, objective and consistent means of resolving work related problems.

7-02. GROUNDS FOR DISCIPLINARY ACTION

The City Manager or department head may take disciplinary action against an employee for the following:

- (a) Illegal, unethical, abusive or unsafe acts.
- (b) Violation of City rules, regulations, policies or procedures.
- (c) Insubordination.
- (d) Leave under false pretenses.
- (e) Incompetence.
- (f) Neglect of duties.
- (g) Theft.
- (h) Participation in prohibited political activities.
- (i) Unauthorized soliciting while on duty.
- (j) Excessive or unauthorized absenteeism and tardiness.
- (k) Failure to conduct himself or herself in a courteous and proper manner while on duty.
- (l) Falsification of official documents or records.
- (m) Unauthorized use or disclosure of official information.
- (n) Unauthorized or improper use of official authority.
- (o) Possession, use or being under the influence of drugs or alcoholic beverages not prescribed by a physician while on duty.
- (p) Damaging City equipment, tools, machines, and/or property.
- (q) Wasting materials and supplies.

- (r) Carelessness, recklessness, and/or engaging in horseplay.
- (s) Immoral conduct or indecency.
- (t) Abuse of illness, injury, disability, or other benefits.
- (u) Any threat or physical attack on any supervisor or co-worker.
- (v) Failure to properly document time and attendance records.
- (w) Sexual harassment.

This list is to illustrate the more common causes and is not intended to be all conclusive.

7-03. TYPES OF DISCIPLINARY ACTION

Formal disciplinary action taken shall be consistent with the nature of the deficiency or infraction involved and the record of the employee. Formal disciplinary action shall include verbal warnings, written reprimands, and suspension without pay, pay reduction, demotion, or dismissal. Any of the foregoing types of formal disciplinary action may be invoked for a particular deficiency or infraction, depending upon the extent of circumstances. An employee may be formally warned at any time that he or she may be dismissed or otherwise disciplined for further unsatisfactory performance and/or conduct. Nothing here shall prohibit the administration of informal disciplinary action, such as oral reprimands. Informal disciplinary action may be documented in the employee's official personnel file at the discretion of the department head.

Supervisory personnel are encouraged to consider the following as normal disciplinary transitional steps in situations requiring disciplinary action:

Verbal Warnings with records of each warning being noted in the employee's personnel file.

Written Reprimands which the department head must transmit through the City Manager before placement in the employee's personnel file;

Suspension without Pay or Reduction in Pay or Demotion or Dismissal

Nothing herein is intended to negate the authority or responsibility of a superior to take disciplinary action believed appropriate, based upon the relevant circumstances; or prohibit the superior from immediately discharging an employee for the first instance of gross misconduct.

7-04. WRITTEN REPRIMAND

In the interest of good discipline, an employee may be formally reprimanded in writing. The reprimand shall describe the deficiency or infraction involved and shall state the likely consequence of further unsatisfactory performance and/or conduct. The employee will be informed of the written reprimand and a copy of the reprimand shall be kept in the employee's official personnel file.

7-05. SUSPENSION

In the interest of good discipline, an employee may be suspended without pay for up to thirty (30) calendar days in any one (1) calendar year. A notice of suspension must be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The suspension shall be permanently noted in the employee's official personnel file. When an employee is under investigation for a crime or official misconduct or is awaiting hearing or trial in a criminal matter, he or she may be suspended with or without pay for the duration of the proceedings when such suspension would be in the best interests of the City and the public. If the investigation or proceedings clear the employee, he or she shall be eligible for reinstatement with full pay and benefits restored.

7-06. REDUCTION IN PAY

In the interest of good discipline, an employee's pay may be reduced provided it is done within reason. A written notice of reduction must be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The reduction shall be permanently noted in the employee's official personnel file, but the employee shall not be disqualified from consideration for later pay increases.

7-07. DISCIPLINARY DEMOTION AND DISMISSAL

In the interest of good discipline, an employee may be demoted. A written notice of demotion must be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The demotion shall be permanently noted in the employee's official personnel file, but the employee shall not be disqualified from consideration for later advancement.

An employee may also be dismissed from the City employment in the interest of good discipline. A written notice of dismissal may be provided to the employee describing the deficiency or infraction involved.

An employee may appeal his or her demotion or dismissal in accordance with Section 7-08, entitled "Appeals of Disciplinary Action".

7-08. APPEALS OF DISCIPLINARY ACTION

An employee may appeal any disciplinary action taken against him or her if he or she feels that he or she has been disciplined unfairly, too harshly, or inappropriately. The employee must file notice of appeal in writing to the City Manager within five (5) working days following such action. The City Manager, after notice to the employee and a hearing of the appeal facts, shall have broad authority to approve, disapprove, modify, or rescind any disciplinary actions taken or proposed by the supervisor of the employee. The City Manager shall render a decision in writing on the appeal within ten (10) calendar days after the hearing. The City Manager's decision may be appealed in writing to the City Council; provided, notice of intention to appeal is made in writing within five (5) working days following the City Manager's decision.

As promptly as practicable after the appeal has been filed, the employee should be given written notice of the hearing date and time, which shall be not less than three (3)

days after the date the notice is given to the employee. The hearing shall be conducted fairly and in private by the City Council unless the employee requests it to be public. Should the reasons for the disciplinary action not have previously been given, the employee may request that such reasons be given and reduced to writing, and that the hearing be recessed for one (1) day or longer in order to allow the employee to consider the reasons given. At the hearing, the supervisor or the department head initiating such disciplinary action may respond to questions from the employee, but should keep such responses brief and objective. At the hearing, the employee may challenge any evidence presented against him or her and may call witnesses and present evidence in his or her own behalf. Formal rules of evidence need not be followed during such hearings. After the hearing, the City Council, after careful investigation of the facts, shall have broad authority to approve, disapprove, modify, or rescind any disciplinary actions taken or proposed by the City Manager. Should it be found that the employee has been unjustly disciplined, discharged, or suspended, he or she shall be reinstated and compensated for all time lost at his or her regular rate of pay. The decision of the City Council shall be final.

Nothing in this manual shall abridge any right of public access under the state statutes providing for open meetings and access to public records. To the extent possible, for the protection of all concerned, the City Council's rulings will be reduced to writing.

7-09 GRIEVANCE AND APPEAL PROCEDURES

Employees may take any job related complaints, problems or grievances to their immediate supervisors in order to resolve it. Following discussion of the grievance with his or her supervisor, if an employee still remains dissatisfied with a working condition or some other aspect of employment, other than for a disciplinary action, he or she may submit a written grievance to his or her department head within five (5) working days after the cause of the grievance arises or becomes known to the employee.

It shall be the responsibility of the department head to study the grievance and attempt to resolve it within ten (10) working days. Further discussions with the grievant shall be encouraged. If the grievance cannot satisfactorily be resolved within ten (10) working days, the department head shall refer the grievance with comments and/or recommendations to the City Manager, if necessary. If the grievance cannot be resolved by the City Manager, employees may request that the grievance be submitted to the City Council for resolution. Supervisors and employees should make every effort to resolve grievances at the lowest level possible. Employees shall be kept informed of the status of their grievances. If a person in the supervisory chain fails to resolve or refer a grievance within ten (10) calendar days, the employee may present the grievance directly to the next higher level of supervision. Punitive action shall not be taken against an employee for submitting a grievance in accordance with these guidelines.

The employee should always keep in mind the responsibility of the City to its citizens and to the public. It is the responsibility of the employee to assist in discharging this responsibility by contributing to a good working relationship among employees in the City government. In order to minimize disruption of the operation of City government and damage to the reputation of the City among its citizens, the employee shall use this grievance procedure.

7-10. RETALIATION AGAINST EMPLOYEE FOR REPORTING VIOLATIONS OF LAW

The City nor any employee of the City may not suspend or terminate the employment, or otherwise discriminate against, a public employee who reports a violation of law to an appropriate law enforcement authority if the report is made in good faith.

CHAPTER 8

NON-DISCIPLINARY TERMINATIONS

8-01. RESIGNATION

An employee may leave the employment with the City in "good standing" by giving two (2) weeks' notice. The City Manager may waive any portion of the notice period. The personnel records of any employee who resigned by giving proper notice shall show that the employee resigned of his or her own accord.

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization, or excuse shall be considered as absent without leave which constitutes abandonment of duties, except when the failure to notify is due to circumstances beyond the control of the employee. Absence without leave may be considered as an employee's resignation without notice. In such cases, the employee's separation shall not be considered to be in "good standing."

8-02. LAYOFF

An employee may be laid off because of changes in duties, organizational changes, lack of work, or budget cutbacks. Whenever possible, an employee laid off from one City department may be transferred to a suitable position elsewhere provided said employee has the appropriate qualifications and job skills. Whenever possible, at least two (2) weeks' notice shall be given an employee prior to layoff. Layoffs shall be carried out on the basis of demonstrated job performance and efficiency, with the most proficient employees being retained the longest. Temporary employees shall be laid off before regular employees performing similar duties. A layoff shall not be considered a disciplinary action.

Employees laid off may be recalled back to their job or another similar job in which they meet the minimum job requirements and qualifications in the reverse order of the layoff. Employees being recalled shall have precedence over other job applicants. Employees recalled back to work shall report to work as instructed. An employee failing to report back to work shall be considered as having forfeited his or her right to reemployment.

8-03. INCAPACITY

An employee may be terminated for medical reasons when the employee as an individual no longer meets the standards of fitness required for the position, unless a reasonable accommodation can be made. A finding of incapacity shall be based on an individual medical determination by a competent physician. Terminations for incapacity shall not be considered disciplinary action and shall not operate to deny any employee the use of any accrued illness, injury, disability or other benefits.

8-04. RETIREMENT

Eligible employees may elect to retire from the City service in accordance with applicable retirement programs.

8-05. UNSATISFACTORY SERVICE

An employee may be terminated for unsatisfactory service when his or her ability to handle the duties of the position fall below the desirable standards for continued employment, as

supported by performance evaluation records and supporting documentation.

CHAPTER 9

PERSONNEL RECORDS

9-01. PERSONNEL FILES AND RECORDS

The payroll clerk shall maintain the official personnel files and records for all City employees. Unless otherwise provided by law, personnel files shall be confidential and may not be used or divulged for purposes unconnected with the City personnel management, except with the permission of the employees involved. Nothing herein shall prevent the dissemination of impersonal statistical information. An employee shall have a right of reasonable inspection of his or her official personnel files and records under appropriate supervision.

9-02. STATUS CHANGES OR NEW HIRINGS

Department heads shall submit recommended changes in the personnel status of their employees or requests to hire new employees prior to making any commitments to either existing employees or prospective new hires.

9-03. PERSONNEL REPORTS

Department heads shall be responsible for providing the payroll clerk with all necessary employee reports and records associated with good personnel management for their department. Such records and reports shall include, but not be limited to, employee sick leave, vacation leave, attendance and overtime records, performance reports, counseling records, and all types of disciplinary action. Failure to do so may result in formal disciplinary action.

CHAPTER 10

EMPLOYEE BENEFITS

10-01. MEDICAL INSURANCE

All-full time and regular part-time employees who are on a regular weekly work schedule are provided with medical insurance. Seasonal or temporary employees are not provided insurance coverage. Coverage shall begin upon acceptance of the employee by the insurance underwriter. This insurance provides for payment of hospitalization and major medical expenses up to the limits of the policy for illness and accidental injuries off the job.

Coverage for other family members is at the option of and payable by the employee through payroll deductions at the prevailing rates.

Any employee who is laid off or terminated by the City, except in cases of gross misconduct, will be allowed to continue the insurance coverage up to a maximum of eighteen (18) months. Coverage for family members may be continued for up to three (3) years. Employees or family members that elect to continue coverage after being laid off or terminated will be required to pay the entire cost of the premium.

10-02. LIFE INSURANCE

The City provides group life insurance coverage for all full time and regular part-time employees. Seasonal and temporary employees are not provided coverage. Coverage shall begin upon acceptance of the employee by the insurance underwriter. The cost of providing this insurance to employees is paid by the City. The life insurance is payable in the event of death of an employee. It is designed to help ensure that an employee's family receives financial assistance in the event of the employee's death. Payment will be made to the beneficiary designated by the employee.

10-03. WORKER'S COMPENSATION INSURANCE

Any City employee injured as a result of duties performed in the course of his or her job shall be eligible to receive worker's compensation benefits from the City's insurance carrier at no expense to the employee. Worker's compensation benefits are intended to compensate workers with job related injuries or illnesses by reimbursing them for income losses and paying for medical and rehabilitation treatment.

10-04. INJURY WAGE CONTINUATION BENEFITS

Subject to the provisions set forth below, City employees who sustain physical injury on the job may receive wage payments as injury wage continuation payments, separate and distinct from and in addition to worker's compensation payments, during such time as a doctor, either selected by the City, or selected by the employee and approved by the City Manager, certifies that the employee is not able or should not return to regular or full time work due to the injury.

Wage continuation benefit payments shall not be charged against sick leave or vacation time until the supplemental wage continuation benefits have been exhausted. The total amount paid an injured employee, while absent from work, including any combination of

worker's compensation benefits, wage continuation benefits, sick leave, vacation leave, and wages for work performed, shall not exceed one hundred percent (100%) of full pay which he or she should have received for such period at his or her regular hours and rate of pay. In no event shall the total amount of wage continuation benefits paid to an employee as a result of a physical injury, including any later aggravation, relapse, or re-injury, exceed six (6) months at one hundred percent (100%). In no event shall injury wage continuation benefits be paid to an employee for more than six (6) months as a result of a physical injury, nor shall supplemental wage continuation benefits be paid for absence from work or inability to perform regular or full time work for an injury sustained two (2) or more years previously.

While off work and drawing injury wage continuation benefits, an injured employee shall continue to accrue vacation leave at the regular rate. Injury wage continuation benefits shall be administered under the following rules:

(a) The term "physical injury" as used herein, shall mean an injury to the physical structure of the body or a part thereof including any subsequent aggravation or re-injury that occurs while the employee is acting in the course and scope of his or her employment and shall not include any illness, disease, or infection except such illness, disease, or infection as is directly caused by and naturally results from a physical on-the-job injury. Injuries that occur while traveling to and from work, while engaged in horseplay, while attending to personal matters and partly in employment matters, shall not be deemed injuries so as to qualify for this supplemental benefit.

(b) An employee with a physical injury who is able to perform light duty, as determined by the treating doctor, may be required to do so for his or her original department or another department.

(c) An employee who does not qualify for injury wage continuation benefits, or whose benefits are used up before being released to duty by the treating doctor may take his or her accrued sick and/or vacation leave, to equal one hundred percent (100%) of regular pay. If the employee is receiving weekly worker's compensation payments then sick and vacation leave may be taken in an amount necessary to make up the difference between such payments and full regular pay. An employee who has used all accrued sick and vacation leave, and injury wage continuation benefits before being released to duty by the treating physician may be granted a leave of absence without pay for a reasonable period upon recommendation of the department head and approval by the City Manager.

(d) An employee who is physically able and who fails to report any on-the-job injury, however minor, within twenty-four (24) hours after it occurs, to his or her supervisor and take such first aid treatment as may be necessary shall not receive or be eligible for injury wage continuation benefits. When an employee is injured on the job, he or she shall report the accident as soon as possible and submit it to the department head who shall forward a copy to the payroll clerk.

(e) Injury wage continuation benefits are purely voluntary on the part of the City and may be terminated at any time.

10-05. SOCIAL SECURITY

All employees of the City are covered under the Federal Insurance Contributions Act (FICA). This type of government insurance, known as "Federal Old Age and Survivor's Insurance," provides for benefits for retirement, disability or upon death. This insurance is financed by social security taxes which are paid through payroll deductions by the employee.

10-06. UNEMPLOYMENT INSURANCE

All employees of the City are covered under the Texas Unemployment Compensation Insurance program. This program provides payments for unemployed workers in certain circumstances as provided by law. The City pays an unemployment tax on behalf of each employee on a portion of the employee's earnings to finance this benefit.

10-07. RETIREMENT AND IN SERVICE DEATH BENEFITS

The City is a member of the Texas Municipal Retirement System. The purpose of this system is to provide a plan for the retirement and disability of employees of Texas municipalities. Participation in this system is compulsory for all employees who have not reached the age of sixty (60) years and for part time employees in accordance with the retirement system's policies. Participation in the system begins upon employment with the City. The employee will contribute five percent (5%) of his or her salary through payroll deductions into the retirement plan, with the City matching this amount on a 1 to 1 basis.

In addition to the retirement plan, the City also provides an In-Service Death Benefit for its employee's participation in the Texas Municipal Retirement System. Benefit is payable to the designated beneficiary upon death of the covered employee. The amount payable to the beneficiary is equal to the annual salary of the covered employee. This supplemental benefit is provided by the City at no cost to the employee.

CHAPTER 11

TRAVEL POLICY

11-01. APPLICABILITY OF TRAVEL POLICY

This policy is applicable to all City employees and applies to all travel on City business outside the City limits and to all travel reimbursements, subject to budget limitations and authenticated expenses.

11-02. AUTHORIZATION REQUIRED

The department head may authorize travel leave and expenses for City business outside the City. All travel requests must be approved by the department head and prior to its occurrence. Any employee traveling on official City business shall leave word with his or her supervisor as to where he or she can be reached while out of the City. All travel requests must be submitted on forms provided for that purpose.

11-03. TRANSPORTATION EXPENSES

All approved transportation expenses will be reimbursed as follows:

- (a) When employees use their personal vehicles all travel mileage will be paid ***by rates established by the Federal Government*** per mile plus any parking fees.
- (b) When City vehicles are used all expenses incidental to the use of such vehicle (parking, gasoline, oil, repairs, etc.) shall be reimbursed. Receipts will be required.
- (c) When air travel is permitted, the cost of such airfare will be reimbursed. Additionally, reimbursement will be made for the use of rental cars, taxi or bus fares, provided such expenses are necessary and reasonable.

Alternate routes which are desirable because of personal affairs of the traveler can be used, but only on the traveler's time and with the traveler bearing the additional cost of the alternate route. Mileage and expenses incurred on alternate routes must be shown on the expense account that is turned in for reimbursement or for advance in funds request.

11-04. FOOD AND LODGING

Whenever authorized by the City Manager or department head, food and lodging expenses associated with official City business travel shall be reimbursed for actual expenses incurred. Receipts will be required. Lodging will be reimbursed at single rates unless two or more employees occupy a single room, or otherwise approved by the City Manager. It shall be the policy of the City to reimburse for only lodging that is economical and practical.

Exceptions to this may be granted when cheaper hotel rooms are unavailable or where conferences are held in or nearby the hotel. Meal expenses shall be kept within reason and any excessive costs must be justified and receipted.

Reimbursement will not be made for personal telephone calls, alcoholic beverages, entertainment expenses, or other sundry items not relevant to the public purpose of the travel, except as provided in Section 11-05 hereafter.

11-05. ENTERTAINMENT

The City Council realizes that from time to time, it is necessary to entertain dignitaries and state, federal, and business representatives whenever it may be deemed in the best interest of the City. Such expenses may be reimbursed at the discretion of the City Manager. Receipts will be required before reimbursement can be made. Whenever practical, prior authorization should be obtained from the City Manager.

11-06. TRAVEL ADVANCES AND REPORTS

Minimum, but sufficient cash advances may be drawn from the City treasury by employees traveling on City business. All unused, unauthorized, or unapproved travel advances shall be returned immediately upon return from the business trip. An expenditure report must be filed with the department head within two (2) working days following the trip. Failure to submit an expense report will subject the employee to a payroll deduction for any funds advanced. All cash advances and expenditure reports shall be submitted on forms provided for that purpose.

CHAPTER 12

VEHICLE USE POLICY

12-01. CITY VEHICLES AND EQUIPMENT

To establish credibility, maintain integrity, and develop public trust, driving and overall operation of City vehicles and equipment must be above reproach. Employees are reminded that while operating City vehicles and equipment, employees are more closely scrutinized by the public and are held to higher standards of accountability in vehicle operation practices than the motoring public at large. Furthermore, there are considerable dangers associated with the operation of any vehicles or equipment. Therefore, the following regulations shall govern operations of all City vehicles or equipment that are owned, leased, or rented by the City.

12-02. TRAFFIC VIOLATIONS

City employees shall exercise due regard for the safety of others while operating City vehicles and equipment, and shall obey all traffic laws, City ordinances, these Regulations, and other applicable laws.

12-03. OPERATION OF CITY VEHICLES OR EQUIPMENT

A. Generally

1. Employees shall stay alert for other vehicles, pedestrians, and bicyclists, which might unexpectedly enter into the path of the vehicle.
2. Employees shall avoid road hazards such as debris, curbs, potholes, etc.
3. Employees shall operate City vehicles or equipment at reasonable speeds while taking into consideration such things as visibility, road and weather conditions, other traffic, etc.
4. Employees shall operate only vehicles or equipment, which are in safe mechanical condition, including lights on trailers.
5. Employees shall not litter from City vehicles or equipment, including the disposal of soft drink cans, etc.
6. Employees shall ensure that all materials loaded in the back of a pick-up are securely fastened at all times.
7. Employees shall wear a seatbelt at all times while operating or riding in a City vehicle, as required by law.
8. Except for police and fire emergency vehicles, City vehicles and equipment shall be turned off and keys removed when employee(s) leave the vehicle.
9. Employees assigned a City vehicle or equipment that is equipped with beacon lights, shall use such beacon lights as deemed necessary for safety purposes. Employees assigned a City vehicle or equipment that is not equipped with beacon lights shall exercise due caution when standing,

stopping, or parking in a public right-of-way.

10. At no time is the possession or use of alcoholic beverages, pornography and/or illegal drugs permitted in City vehicles.
11. At no time may a City employee operate a City vehicle or piece of equipment under the influence of drugs, alcohol, or any other substance, which affects the employee's ability to operate a motor vehicle.
12. At no time shall smoking or the use of smokeless tobacco be permitted in any City vehicle or while operating motor equipment.

B. Lunch Breaks

Those employees who drive personal vehicles to and from work, but use City vehicles during work hours, shall not be allowed to use City vehicles during their lunch period. The following conditions shall be allowed:

1. A City business lunch engagement,
2. Police and Fire emergency service employees,
3. Performing City business when the lunch period approaches and the distance and time of travel to use their personal vehicle hinders their lunch period, or
4. An employee who is on twenty-four (24) hour call and drives a City vehicle.

C. Breaks shall be taken within the City's corporate limits.

D. Travel Boundaries during Lunch

To enable the City to respond promptly to the needs of the community and citizens, employees driving City vehicles are not allowed to leave the City limits during meal breaks, unless approved by the City Manager.

12-04. USE OF TAKE HOME VEHICLES

- A.** Many City employees shall be driving City vehicles in the course of their duties with the City. Department Heads and certain other key personnel within the City may be permitted to drive City-owned vehicles back and forth to work, based on the position held and duties to be performed. Assignment of take-home vehicles should be limited to those employees whose job duties require them to be on twenty-four (24) hour call and conduct City business on a frequent basis before and after normal working hours (supervisors and department heads). Permission for the assignment of a take-home vehicle shall be granted and authorized by the Department or Head subject to the approval of the City Manager. Any employee assigned a take-home vehicle shall have the additional responsibility of always being available for service when they are off-duty, unless prior arrangements have been made with the employee's Department or Head.

City of Farmersville vehicles and equipment shall be used for official purposes only. **Personal and social uses of any nature, including transporting passengers who are**

not directly involved in official City business, are prohibited. Any exceptions to this rule must be approved in writing by the City Manager.

B. On Call

On occasion, employees, other than supervisors, Department or Heads, and police and fire emergency personnel may be on call after their normal working hours and on weekends. Those employees may be assigned a take-home vehicle for the purpose of responding to City emergencies/duties as required while on call. Employees using a take-home vehicle while on call shall strictly adhere to these Regulations at all times. Employees on call must respond within the time frame established by the Department Head and approved by the City Manager.

C. Care and Condition of Vehicles and Equipment

To prolong the life and properly maintain City vehicles, employees shall ensure that their assigned vehicles have sufficient gas, oil, and other fluids to prevent premature failure, and that all tires are kept properly inflated. Additionally, when an employee suspects an impending mechanical malfunction, the vehicle shall be stopped and the motor turned off. The employee shall then seek advice or assistance from his immediate supervisor for proper continued operation or towing of the vehicle. Vehicles determined to be unsafe for operation shall be taken out of service until proper repairs are made. Any employee using a City vehicle or equipment shall be responsible for the condition of that vehicle or equipment.

1. Responsibility for properly functioning safety equipment and general inspection of City vehicles rests with the individual operator. Employees should inspect their assigned vehicles prior to operation. When vehicle damage is observed or equipment is determined to be missing or unsafe, the employee shall notify his or her supervisor as soon as practical.
2. Employees should strive to keep their assigned vehicle as clean and free of trash as possible. Employees shall remove all trash and litter while fueling the vehicle and prior to turning the vehicle over to another employee.
3. Employees shall secure the spare tire in its proper place and ensure that all other equipment is properly stored and secured.
4. Careless, abusive, negligent, or reckless handling or operation of any City vehicle or equipment by any employee may result in disciplinary action up to and including termination.

12-05. DRIVING RECORD REQUIREMENTS

A. For new employees, the following is a list of UNACCEPTABLE DRIVING VIOLATIONS:

1. Three (3) or more accidents in the last three (3) years; or
2. One (1) TYPE A VIOLATION in the last three (3) years; or
3. Any combination of accidents and TYPE B VIOLATIONS which equal four (4)

or more occurrences in the last three (3) years.

- B. For current employees, the following is a list of UNACCEPTABLE DRIVING VIOLATIONS:
 - 1. Two (2) or more at-fault accidents in the last three (3) years; or
 - 2. One (1) TYPE A VIOLATION in the last three (3) years; or
 - 3. Any combination of at-fault accidents and TYPE B VIOLATIONS which equal three (3) or more occurrences in the last three (3) years.
- C. For purposes of this Regulation, three (3) years shall be determined from the date the driver's license record, as provided by the Texas Department of Public Safety.
- D. The following violations are TYPE A VIOLATIONS under this Section:
 - 1. Driving while intoxicated.
 - 2. Driving under the influence of drugs.
 - 3. Negligent homicide arising out of the use of a motor vehicle (gross negligence).
 - 4. Using a motor vehicle for commission of a felony.
 - 5. Aggravated assault with a motor vehicle.
 - 6. Operating a motor vehicle without owner's authority.
 - 7. Reckless driving.
 - 8. Hit and Run (Bodily Injury and/or Property Damage) driving.
- E. All moving violations not listed or identified as Type A Violations are TYPE B VIOLATIONS under this Section.
- F. Any violation of these Regulations is subject to disciplinary action up to and including termination of employment.

CHAPTER 13

CONTROLLED SUBSTANCE AND ALCOHOL ABUSE AND TESTING POLICY

13-01. SCOPE AND PURPOSE OF POLICIES

It is the policy of the City to provide a work environment which is free from the use, consumption, sale, distribution or possession of controlled substances or alcohol in the workplace. The specific purpose of the policy is to outline the methods for maintaining a work environment free from the effects of controlled substances and alcohol.

This policy applies to all applicants for employment in all City departments and all current employees. These policies and procedures are intended to assist with the compliance with the Omnibus Transportation Employee Testing Act of 1991, 49 CFR Part 382 and 49 CFR Part 40. However, the City reserves the right to go above and beyond the Department of Transportation's drug and alcohol testing regulations.

13-02. RESERVATION OF RIGHTS

The City reserves the right to interpret, change, rescind or depart from this policy in whole or in part without notice. Nothing contained in this policy shall be construed as creating or constituting a contract with any employee, whether expressed or implied.

13-03. DEFINITIONS

Alcohol - means alcohol, or any beverage, containing more than one-half of one percent of alcohol by volume which is capable of use for beverage purposes, either alone or when diluted.

Alcohol Abuse- means use of alcohol in any quantity during working time or reporting for work under the influence of alcohol.

Alcohol Testing - means testing for the presence of alcohol by a breathalyzer instrument device, urinalysis, or a blood sample analysis.

City Property - means all City buildings and adjacent land, parking lots, all other City-owned land and City vehicles.

Department Head - shall also include any person designated by the department head to take any action necessary under this policy in the absence of the department head.

Controlled substances or Drugs - includes, but is not limited to, marijuana, hashish, cocaine, heroin, morphine, codeine opiates, phencyclidine, amphetamines, inhalants, barbiturates and hallucinates.

Drug Testing - means the testing for the presence of controlled substances or drugs by a urine or blood sample by qualified medical personnel and laboratory analysis of that sample.

Employee - means an individual employed by the City in a full time, part time, seasonal or temporary position.

Motorized Equipment - means equipment powered by a motor, including tools.

Personal Possession – Includes on the person, in a tool box, desk, vehicle, etc.

Proper Medical Authorization - means a prescription or their written approval from a physician, for the use of a drug in the course of medical treatment.

Reasonable Suspicion - means a conclusion based on personal observation of a specific instance, or instances, of employee conduct on or off duty, which shall be confirmed in a sworn (notarized) statement. On duty observation must be corroborated and documented in writing that an employee is unable to satisfactorily perform his or her job duties due to the use of controlled substances or alcohol. Such inability to perform may include, but is not limited to, a drop in the employees' performance level or an indication of impaired judgment, reasoning, and level of attention, behavioral change, or decreased ability of the senses.

Safety Sensitive Position - means a job where an employee's use of drugs or alcohol could render the employee unfit to perform assigned duties and could create a safety hazard to the employee, other employees, citizens or damage to property. For these purposes, any employee who drives or operates a City vehicle or other motorized equipment shall be considered to be employed in a safety sensitive position.

Substance Abuse - is exemplified by, but not limited to, the following:

- (1) Ingestion, inhalation or injection of a controlled substance during work hours or when in a City vehicle or on City property.
- (2) Ingestion of alcohol during work hours or when in a City vehicle or on City property.
- (3) Ingestion, inhalation or injection of a controlled substance or alcohol during non-working hours which causes an employee to be unable to work in a safe manner during working hours.
- (4) Use of prescription or over-the-counter medication in a manner in which it was not intended.

Tampering with a urine specimen - includes, but is not limited to, diluting the specimen with water, adding any other substance to the specimen, or substituting urine. Possession of a urine sample when an employee or applicant reports to the laboratory, shall constitute tampering.

Testing - includes testing by urinalysis, hair testing, intoxilyzer or blood testing, or any other recognized testing method.

Under the influence or Impaired - is defined as abnormal behavior during working hours which results from indulging, in any degree, in alcohol or in any controlled substance or other drug including prescription or over-the-counter medication which, to any degree, may limit an employee's ability to safely and efficiently perform his or her duties or poses a threat to the safety of the employee, other employees, citizens or property.

13-04. ADMINISTRATIVE AUTHORITY

The City Manager is authorized to develop, administer and modify testing procedures for drug and alcohol testing.

(a) The City will provide a copy of this policy (as part of this manual) to each employee currently employed and subsequently hired or transferred into a position involving the driving of a City vehicle or motorized equipment. Each employee will be required to sign a statement certifying receipt of this policy.

(b) All department heads and supervisors are responsible for recognizing and documenting the reasonable suspicion of controlled substance or alcohol use by employees, which may be indicated by poor performance, and for carrying out the provisions of this policy. Failure of a department head to carry out the requirements of this policy may lead to disciplinary action, up to and including termination.

13-05. ALCOHOL AND CONTROLLED SUBSTANCE USE PROHIBITED

The use, sale, or personal possession of controlled substances or alcohol, at any time, while on duty or on City property is a dischargeable offense.

Employees taking prescription or non-prescription drugs must report this use to the department head, when the use of such drugs is likely to affect the worker's ability to perform assigned duties. It is the employee's responsibility to ascertain from his or her physician whether the prescription drug can or is likely to have adverse impact on the employee's performance of his or her duties. This policy is intended to protect the safety of each employee and his or her co-workers, property and the public. Employees failing to follow this policy may be subject to disciplinary action up to, and including, termination. Any information received from an employee under this policy will be kept confidential except to the extent it may be shared with individuals who are in a "need to know" position, such as the immediate supervisor, or as required by state or federal law.

Any use of controlled substances and alcohol abuse that has an adverse affect on the employee's performance or that could jeopardize the safety of others, City equipment or the City's relations with the public, will be a violation of this policy and the employee may be subject to disciplinary action, up to and including termination.

No employee who is required to drive any City vehicle or motorized equipment shall consume alcohol during the eight (8) hours before driving such vehicle or equipment. The employee may be subject to disciplinary action, up to and including termination, for violating this policy.

No employee shall report to work with the odor of alcohol on his or her breath. The employee may be subject to disciplinary action up to and including termination for violating this policy.

13-06. EMPLOYEE'S RESPONSIBILITIES

Employees in need of assistance, in relation to controlled substance or alcohol abuse, are encouraged to explore the use of leave time and medical benefits in obtaining assistance through public and private referral agencies specializing in chemical dependency before the problem affects their job.

Employees scheduled to be on call are expected to be fit for duty upon reporting to work. An employee scheduled to be on-call is subject to the provisions in this policy.

An employee not scheduled to be on call that is called out and is under the influence of legally prescribed drugs or who is impaired by alcohol must so advise his or her supervisor and will not be required to report to work. An employee, who is called out and who reports to work, but fails to notify his or her supervisor that he or she is under the influence or impaired may be subject to disciplinary action, up to and including termination.

An employee shall not consume any alcohol for at least eight (8) hours following any accident or until he or she undergoes post-accident testing. An employee who consumes any alcohol prior to eight (8) hours following this accident or until a post-accident test has been administered may be subject to disciplinary action, up to and including termination, if such person tests above the allowable alcohol limits.

13-07. CONDITIONS APPLICABLE TO ALL TESTING

The department head or Personnel Office will arrange for drug screenings with a certified laboratory.

A urine sample will normally be given to test for the presence of controlled substances or alcohol. However, breathe testing for alcohol may also be used. Also, other acceptable testing methods (e.g., blood samples) determined by the City Manager may be ordered.

Any person who tampers with, or attempts to tamper with, a urine/blood specimen or breathe test in any manner shall be disqualified from employment with the City and shall be barred from any future consideration for employment with the City or, if currently employed by the City, shall be subject to disciplinary action, up to and including termination.

Prescription or over-the-counter drugs taken by the person to be tested will not be considered if the drug affects the testing, unless the use of such drugs, in the judgment of a qualified medical person, would be potentially harmful to the safety of the person being tested, or others.

All positive urine samples will be confirmed by the use of the gas chromatography/mass spectrometry (GC/MS) method. The additional testing (GC/MS) will be at the City's expense. Any question relating to alcohol and drug testing will be referred to the City Manager.

13-08. PRE-EMPLOYMENT TESTING

All persons offered positions with the City may be required to submit to a drug and/or alcohol test.

Prior to the test, all applicants shall be required to sign a written consent form authorizing a urine or breath test for the presence of controlled substances and alcohol. A job applicant refusing to sign a requested consent form will not be considered for employment.

Test results shall be sent marked "Personal and Confidential" to the City Manager or his or her designee, and shall be treated in a highly confidential manner. An applicant shall not be placed on the City payroll or otherwise allowed to report for work until negative test

results have been received by the City Manager.

In the case of positive test results, disclosure of the results shall be made to the applicant by the City Manager. The applicant shall be told by the City Manager that he or she is disqualified for employment with the City for an one-year period, and to be reconsidered, must submit evidence of successful completion of a rehabilitation program.

13-09. POST ACCIDENT TESTING

Drug/alcohol testing may be required of employees following motor vehicle or motorized equipment accidents involving City owned vehicles or equipment in any of the following circumstances:

- (1) When a City vehicle or motorized equipment or other City property is involved;
- (2) when a City driver, while operating a City vehicle or motorized equipment, receives a citation under state or local law for a moving traffic violation arising from an accident;
- (3) Alcohol testing must administered within two (2) hours of the accident and in no event more than eight (8) hours after the accident. Drug tests must be administered within eight (8) hours after the accident and in no event more than thirty-two (32) hours after the accident. If this deadline for alcohol or drug tests cannot be administered, such test shall not then be conducted.
- (4) The supervisor or a designated person not involved in the accident shall take the employee off the worksite and drive him or her to the City-approved laboratory for the alcohol and drug test. Under no circumstances will the employee be allowed to drive to the testing facility. (If an employee is seriously injured or unconscious he or she will be taken to a hospital for treatment. The first consideration will be the health and welfare of the employee. In such case, a urine or blood test will be given at the hospital laboratory, if possible.)
- (5) If the employee, in the judgment of the treating physician, exhibits physical and/or emotional impairments such that his or her safety or the safety of others could be in jeopardy if the employee returned to work, the employee shall not be allowed to return to work. In that situation, after being tested, the employee will be driven home by the supervisor or other designated person. The employee shall not be allowed to drive home.
- (6) Refusal to submit to a post-accident drug or alcohol test will be grounds for disciplinary action, up to and including termination.
- (7) After a finding of reasonable suspicion, an employee tested for controlled substances or alcohol under the post-accident testing provision may be placed on leave with pay until the results of the test are received.
- (8) An investigation surrounding the circumstances of the accident leading to a drug or alcohol test will automatically be conducted by the department head and/or City Manager.

13-10. RANDOM TESTING

All current employees who drive a City vehicle or motorized equipment shall be selected for testing on an unannounced, random basis using a valid random selection generated by an approved laboratory. Also, the City may require all other current employees to be subject to random testing. At a minimum, at least 25% of the drivers must be selected annually on a random basis for alcohol testing and at least 50% for drug testing.

Employees selected for testing shall report to the lab as soon as possible but not later than eight (8) hours after the employee is notified to appear, unless extenuating circumstances exist. If such circumstances exist beyond the employee's control, and it is not possible for him or her to appear for testing within the time allowed, the City Manager shall immediately be advised and the employee's inability to appear.

If the name of an employee who is not on duty, or who is unable to report for testing the name of that employee shall be retained by the City Manager in a confidential manner until the employee can be notified immediately upon his or her return to duty to report to the lab as soon as possible, but not later than eight (8) hours after return to duty.

13-11. REASONABLE SUSPICION TESTING

All employees suspected of controlled substance use or alcohol abuse will be required to provide a urine or blood sample for testing or to submit to a breath test if only alcohol use is suspected.

The department head and/or the supervisors will document the exact reasons why he or she suspects that a certain employee has violated the controlled substances and alcohol abuse policy, including the symptoms exhibited by the employee, the actions of the employee, statements from other employees or third parties, and other evidence which tends to establish a reasonable suspicion of controlled substance use or alcohol abuse.

When it has been determined that reasonable suspicion exists and the employee should be tested, that decision must be approved by the City Manager. In the event that these individuals are inaccessible within a reasonable period of time, the City Manager is authorized to require the employee to submit to a drug or alcohol test.

Prior to such testing, the employee will be required to sign a form consenting to testing. Failure or refusal to sign the consent form or to submit to testing may result in disciplinary action, up to and including termination.

The Supervisor or a designated person will drive the employee to the testing facility and shall stay with the employee being tested and shall drive him or her back to work or home.

An employee tested for controlled substances or alcohol under the reasonable suspicion standard will be placed on leave of absence with pay until the results of the test are received.

All department heads and supervisors will prepare statements to be filed with the City Manager describing the circumstances and conditions used as a basis for the required testing. These documents shall be placed in the employee's personnel file.

13-12. CITY APPROVED LABORATORY

The City will select a certified laboratory which follows chain of custody procedures in conducting and preserving the tests required under this policy. The laboratory will report each test result to the City Manager or his or her designee of the results.

An employee who does not pass the drug or alcohol test may request that the original urine or blood sample be analyzed again. An employee requesting a retest must submit a written request within two days of the employee's notification of the test result.

An employee making a request for a retest will be required to pay the cost of the additional analysis and all costs associated with the transfer of the specimen to another certified, qualified laboratory, including shipping and handling. If the request results in the employee passing the drug or alcohol test, the City will reimburse the employee for laboratory expenses.

13-13. CONFIDENTIALITY OF INFORMATION

The following procedures will be used to assure that records relating to the drug and alcohol testing process are kept confidential.

- (a) Test results and other written materials concerning a particular drug test will be sealed and kept in the employee's official personnel file.
- (b) No test results may be released except to the City Manager, state, federal and law enforcement agencies as required by law.
- (c) Personnel staff who is authorized to have access to drug test results will maintain complete confidentiality. Breach of confidentiality relating to drug test results, or any other personnel related matter, will subject the employee to disciplinary action, up to and including termination.

13-14. REHABILITATION AND EMPLOYEE ASSISTANCE PROGRAM

Employees who test positive for controlled substances, drugs, or alcohol may be permitted an opportunity to enter a rehabilitation program at the sole discretion of the City. If the City decides to continue the employment of the employee, the City may require the employee to participate in a rehabilitation program as a condition of continued employment.

(Any employee who has completed a rehabilitation program must remain alcohol and drug free. Any relapse by an employee will be a violation of this policy and the employee may be subject to disciplinary action, up to and including termination.

Employees who are involved in rehabilitation and are able to report for work may do so under the following conditions:

- (1) An employee may resume regular duties only after the employee tests negative for a drug or alcohol test and can provide a release to return to work from an appropriate substance abuse treatment facility or confirmation of continued and on-going participation in a recognized substance abuse assistance program.
- (2) An employee will be required to submit to unannounced drug and alcohol testing up to sixty (60) months after resuming duties.

13-15. SPECIAL EXEMPTIONS

Any police officer who is required to be in possession of alcohol, controlled substances or drugs in the course and scope of their employment will be exempt from the provisions of this policy pertaining to possession of alcohol and/or drugs. Specific guidelines will be established by Police Department internal operating procedures.

13-16. EMPLOYEE DRUG CONVICTIONS

Any employee convicted of a violation of a criminal drug statute must notify the City of such conviction within five (5) days of the conviction occurring. If an employee fails to report such conviction, the employee will be subject to disciplinary action, up to and including termination.

13-17. EMPLOYEE SEARCH POLICY

The City reserves the right to search for illegal drugs and alcohol, without employee consent, all areas and property in which the City maintains full control. All City vehicles and equipment are subject to search by appropriate management personnel. Warrants will be obtained should it become necessary to search areas beyond the City's immediate control. Managers and supervisors shall not physically search employees.

Managers and supervisors shall not confiscate drugs or medications from an employee who has a current, valid prescription in the employee's name.

13-18. FORMS AND RECORD KEEPING

All forms and retention requirements for records as promulgated by the Federal Highway Administration and the Department of Transportation pursuant to the Omnibus Transportation Employee Testing Act of 1991, 49 CFR Part 382, and 49 CFR Part 40 are hereby adopted and made a part hereof as if they had been fully set out at length herein.

CHAPTER 14

MISCELLANEOUS PROVISIONS

14-01. PROPERTY CONTROL

Department heads shall insure that property under their control is properly safeguarded, accounted for, and administered. The accounting clerk shall maintain or delegate the maintenance of an up-to-date inventory of all City property. All acquisitions, disposals, or transfers of property shall be reported to the accounting clerk or the designated representative.

Postage, stationery, office supplies, tools, vehicles, and equipment purchased and owned by the City are to be used only in the conduct of City business. No City employee shall use these items in the conduct of his or her personal affairs without prior approval.

Employees shall only utilize City reproduction copiers for City business unless making restitution for said use in accordance with established guidelines and procedures.

14-02. UTILITIES

Departmental requests for new City electric, gas, and telephone utility installations or additional service must be approved in advance by the City Manager.

14-03. PURCHASES

No purchases shall be made in the name of the City by any employee except by following the procedures outlined in the City purchase order system or as approved by the City Manager.

14-04. SAFETY

Department heads shall be responsible for preparing and promulgating safety procedures applicable to all personnel and operations under their control. Each employee is required to adhere to all safety procedures set forth by the City, the state, and federal agencies. It is the obligation of all employees to report any unsafe conditions to the appropriate department heads and to inform their supervisor of any on-the-job injury or accident.

14-05. TELEPHONE USAGE

Department heads shall be responsible for maintaining logs of long distance telephone calls and for assuring that they are only made for necessary City business. Telephones should be answered promptly and courteously. Personal calls shall be limited so as not to interfere with City business.

14-06. NEWS RELEASES

All news releases will be made by the City Manager or his designated representative.

14-07. USE OF CITY EQUIPMENT AND FACILITIES FOR PRIVATE USE

The use of City equipment and facilities for private use are prohibited. Under no circumstances shall City equipment or facilities be loaned or rented.

14-08. PROFESSIONAL MEMBERSHIPS AND SUBSCRIPTIONS

The City will participate in the cost of professional memberships and subscriptions for

employees applicable to their positions; provided the necessary funds are available. Requests for memberships and subscriptions must be approved by the City Manager prior to participation.

14-09. UNAUTHORIZED OR IMPROPER USE OF OFFICIAL BADGE OR UNIFORM

No official or employee whose duties involve the use of a badge, card, uniform or clothing insignia as evidence of authority or for identification purposes shall permit such badge, card, uniform, or insignia to be used or worn by another person who is not authorized to use or wear same, nor permit same to be out of his or her possession without good cause or approval of the department head. Such badge, card, uniform or insignia shall be used only in the performance of the official duties of the position to which they relate or as may be otherwise approved by the department head.

CHAPTER 15

CREDIT CARD POLICY

15-01. PURPOSE

The City of Farmersville Credit Card program is used for purchases related to City business and City travel. The Credit Card program provides an efficient, cost effective method of purchasing and paying. The purpose of this policy is to:

- 1) Ensure the use of the Credit Card is in accordance with purchasing policies and procedures.
- 2) Ensure transactions are for authorized purposes through the establishment, utilization and auditing of appropriate internal controls.
- 3) Ensure the City bears no legal liability from inappropriate use.

15-02. GENERAL ADMINISTRATION

This policy will be applicable to those permanent full-time and permanent part-time employees authorized to use Credit Cards to purchase goods and services and to those responsible for the appropriate use and documentation of credit card transactions as approved by the City Manager. All purchasing transactions by the City of Farmersville employees shall be made in strict accordance with all internal policies and procedures and current State and Federal law.

15-03. PROGRAM ADMINISTRATION RESPONSIBILITIES

The City's Finance Department is responsible for the integrity and management of the Credit Card system and, as such, may request a full audit of any cardholder's account. The Finance Director shall pay for all goods and services within 30 days or by the terms of the agreement.

15-04. MANAGING SUPERVISORS RESPONSIBILITIES

- 1) Ensure compliance with the provisions of the policies and procedures related to use and administration of credit cards.
- 2) Administer appropriate employee disciplinary measures when policies and/or procedures are violated.
- 3) Supervisors are responsible for their employee's credit card activities and transactions.
- 4) Each member of management is responsible for initiating preventative measures and being familiar with and alert for the types of improprieties that might occur within their area of responsibility.

15-05. DEPARTMENT PURCHASING COORDINATOR

The Department Purchasing Coordinator (if applicable) is the central documentation center point for each department. Each Department Purchasing Coordinator is responsible for:

- Correct appropriation of the department's funds
- Helping cardholders follow the guidelines
- Inform cardholders that sound purchasing practices are required in the best interest of the City.
- Identifying the correct budget code for the expenditure which most appropriately reflects the type of expenditure being made. If a budget code does not exist in the budget, the Department Purchasing Coordinator shall contact the Finance Director to request the appropriate coding.

15-06. CARDHOLDER RESPONSIBILITIES

- 1) Each cardholder is expected to conduct business associated with each card purchase with integrity and accountability. Each employee is accountable for the City's property, money and good name.
- 2) Follow procurement and payment guidelines
- 3) Maintain the security of the card at all times. Use of the credit card and any associated security codes is limited to ONLY the person whose name appears on the face of the card. UNDER NO CIRCUMSTANCES SHOULD A CARD BE LENT TO ANOTHER PERSON or associated security codes be given to an unauthorized individual. This type of conduct could be considered grounds for immediate termination.
- 4) The cardholder is responsible to procure for the City the highest quality in goods and services at the least expense to the City and is obligated to question specifications and/or requirements in order that the best interests of the City are served.
- 5) Refrain from any type of fraud including forgery; alteration of a document; theft; misappropriation of funds, securities, supplies or other assets; and impropriety in the handling or reporting of financial transactions.
- 6) Each cardholder will refrain from any type of waste to include unnecessary purchases.
- 7) Each cardholder will be held liable for any type of abuse whether intentional, wrongful or improper use of resources.

15-07. INAPPROPRIATE PURCHASES AND PROHIBITED EXPENDITURES

Improper use of the card shall be considered a misappropriation of City funds and may result in 1) disciplinary action, up to and including termination; 2) legal action seeking the recovery of misappropriated funds; and 3) criminal prosecution.

Prohibited expenditure items are specifically prohibited including the following:

- a) Payments to employees of cash, money orders, gift certificates, or any other type of cash equivalent transaction.
- b) Payments to employees for time off work not specifically authorized.
- c) Any item that is of personal benefit or not related to the performance of assigned responsibilities.
- d) Any item that is not consistent with the policies and procedures of the City of Farmersville.
- e) Any item that does not benefit the City of Farmersville.

CHAPTER 16

UNIFORM POLICY

16-01. UNIFORMS FOR ELECTRIC DEPARTMENT PERSONNEL

All Farmersville Electric personnel shall wear approved uniforms while on duty for regular shifts, overtime, standby response, or callout situations as outlined below. Farmersville Electric personnel uniforms also meet the requirements listed in the Employee Safety Requirements noted below. Uniforms, except for safety boots, shall be provided by the City of Farmersville. Uniforms shall consist of:

- A. Field Personnel Clothing – City issue Arc Rated (AR) shirt and AR pants/blue jeans shall be worn. Any seasonal clothing such as cover-alls, overalls, and coats must also be AR.

Short sleeve shirts may be worn in appropriate conditions. Only the current uniform issued and approved by the Farmersville Electric will be permitted.

Clothing containing excessive conductive material such as large belt buckles and metal snaps on shirts shall not be worn around mechanical or energized equipment.

- B. Hat – An AR hat with visor (baseball cap style) may be worn by each employee as approved by Farmersville Public Works.
- C. Office Personnel Clothing – Field Personnel rated clothing shall be worn when in the field around energized equipment, otherwise clothing deemed appropriate for City of Farmersville office work may be worn.
- D. Footwear – Footwear must be hard toed safety boots with heavy-duty soles or climbing boots approved by Farmersville Electric. Climbing boots are considered personal tools but must meet Farmersville Electric requirements for footwear. Appropriate footgear must be worn during all working hours.

No tennis or other like footwear will be allowed as working shoes unless required for medical reasons. Tennis shoes or other type footwear may be worn to work but must be changed prior to beginning work each workday and shall not be worn while on duty.

The City of Farmersville will fund \$250 per calendar year per Farmersville Electric employee as a personal work boot allowance.

Footwear worn while climbing ladders, towers, etc. shall have a defined heel or slip-resistant soles. Footwear used with climbers shall be constructed in such a manner as to prevent the climber from slipping off the heel.

Tennis shoes, athletic shoes and sandals are prohibited except in offices.

Rubber boots or rubber overshoes should be worn when working in fresh concrete, water, or deep mud. The City of Farmersville will fund rubber boots for employees.

16-02 EMPLOYEE SAFETY EQUIPMENT REQUIREMENTS

City of Farmersville employees shall wear safety equipment suitable for the job being done and weather conditions. Safety equipment shall be provided by the City of Farmersville.

- A. Eye/Face Protection – Proper eye protection, meeting ANSI-Z87.1 standards and suitable for the work being performed shall be worn.

Safety goggles or a face shield is required when performing work such as braking concrete, chipping, chiseling, drilling or similar work.

Face shields shall be worn when handling acids or caustics where there is a possibility of splashing and when connecting or disconnecting wet cell batteries.

Where any of the above hazards are severe, face shields shall be worn over goggles for extra protection.

Employees should not wear contact lenses in areas where extremely dusty conditions exist or where chemicals are being used. Employees who must wear contact lenses in these areas shall also wear approved safety eyewear.

- B. Head Protection – Only Class "B" hard hats meeting ANSI (ANSI-Z87.1) and EEI specifications for dielectric strength and impact resistance shall be allowed. Hard hats shall not be altered in any manner that would affect the dielectric strength or impact resistance. Hard hats shall be worn anytime work is performed overhead or risk of injury from objects overhead exist.
- C. High Visibility Vest – Proper street safety vests or clothing, meeting ANSI-207 standards shall be worn by employees performing work in a street environment.
- D. Gloves – Suitable work gloves shall be worn where there is likelihood of hand injury.
- E. Hearing Protection – Employees shall wear approved hearing protection meeting OSHA Standard 29 CFR 1910.95 when near machinery or equipment that emits a noise level in excess of 85 DBA (Decibels "A" scale), such as chainsaws, air-hammers, wood chippers, certain trenchers, tractors, hole diggers, emergency generators or when high voltage circuit breakers are operated.
- F. Respiratory Protective Equipment – Respiratory Protective Equipment is used to protect employees from occupational air borne contaminants and oxygen deficient atmospheres. This equipment shall be used when employees must work in these atmospheres and when effective engineering control measures are not feasible or while they are being instituted or evaluated.

The purpose of this section is to provide information on the selection and maintenance of respiratory equipment and the training of personnel in the use of

proper respiratory equipment to safeguard each employee.

While there are many types of respiratory protective devices available, it is important that the selection is made with care to ensure that the proper protection is provided. Only equipment approved by the National Institute for Occupational Safety and Health (NIOSH) shall be utilized.

Employees shall not be assigned jobs requiring the use of respirators unless it has been determined that they are physically able to perform the work while using respiratory equipment.

Employees who may be required to wear a respirator shall be tested annually to determine if they are physically able to wear a respirator. These tests will be conducted by trained individuals. Employees shall also be respirator fit-tested by a qualified person on at least an annual basis.

Respiratory protective equipment does nothing to reduce the hazard in the atmosphere. If the device fails to provide protection, the employee will be exposed to the hazard.

Agenda Section	Regular Agenda
Section Number	V.H
Subject	Consdier, discuss and act upon appointment of Council liaison to the Main Street Board.
To	Mayor and Council Members
From	Ben White, City Manager
Date	July 11, 2017
Attachment(s)	Council liaison assignment sheet
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

City Council Liaisons

Current Positions (2016-2017)	
Councilmember	Board/Commission
Diane Piwko	Parks and Recreation Board / Library
Mike Hurst	FEDC (4A)
Leaca Caspari	FCDC (4B) / Senior Citizens Advisory / Main St.
John Klostermann	Planning & Zoning Commission
Michael Hesse	
Donny Mason	Building & Property Standards

New Positions (2017-2018)	
Councilmember	Board/Commission
Diane Piwko	Main Street and City Amenities
Mike Hurst	FEDC (4A)
Craig Overstreet	Planning & Zoning Commission
Todd Rolen	FCDC (4B)
Michael Hesse	School Board
Donny Mason	Building & Property Standards

Boards and Commissions:

FEDC (4A)

FCDC (4B)

Building & Property Standards

Planning & Zoning Commission

Parks and Recreation

Library/Civic Center

Senior Citizens Advisory

Main Street Board

City Amenities Board



Agenda Section	Regular Agenda
Section Number	V.I
Subject	Consider, discuss and act upon reducing/simplifying preparation of Council packets.
To	Mayor and Council Members
From	Ben White, City Manager
Date	July 11, 2017
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<ul style="list-style-type: none"> • Mayor Piwko to lead discussions. • City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

Agenda Section	Regular Agenda
Section Number	V.J
Subject	Update on Collin County Roadway Action Plan.
To	Mayor and Council Members
From	Ben White, City Manager
Date	July 11, 2017
Attachment(s)	Power Point on Roadway Action Plan
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<ul style="list-style-type: none"> • Ben White to lead discussions. • City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

LOCAL GOVERNMENT COORDINATION MEETING

June 1, 2017

Plano Municipal Center - Senator Florence Shapiro Council Chambers
Plano, Texas



North Central Texas Council of Governments

COLLIN COUNTY

STRATEGIC ROADWAY PLAN

CONSIDERATIONS FOR EXPEDITED IMPLEMENTATION

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WELCOME + INTRODUCTIONS

NCTCOG STAFF

Michael Morris, P.E. - Director of
Transportation

Dan Lamers, P.E. - Senior Program Manager

Jeff Neal - Program Manager

Chris Reed - Senior Transportation Planner

UPDATED

ROADWAY ACTION PLAN FOR COLLIN COUNTY

UPDATED

Corridor 1 (Near Term):

US 75

- Widening in Allen
- Ridgeview Drive Interchange
- PGBT Interchange Ramp Improvement
- Technology Lane

Corridor 2 (Near Term):

Collin County Outer Loop

- Staged construction of frontage roads

Corridor 3 (Near Term):

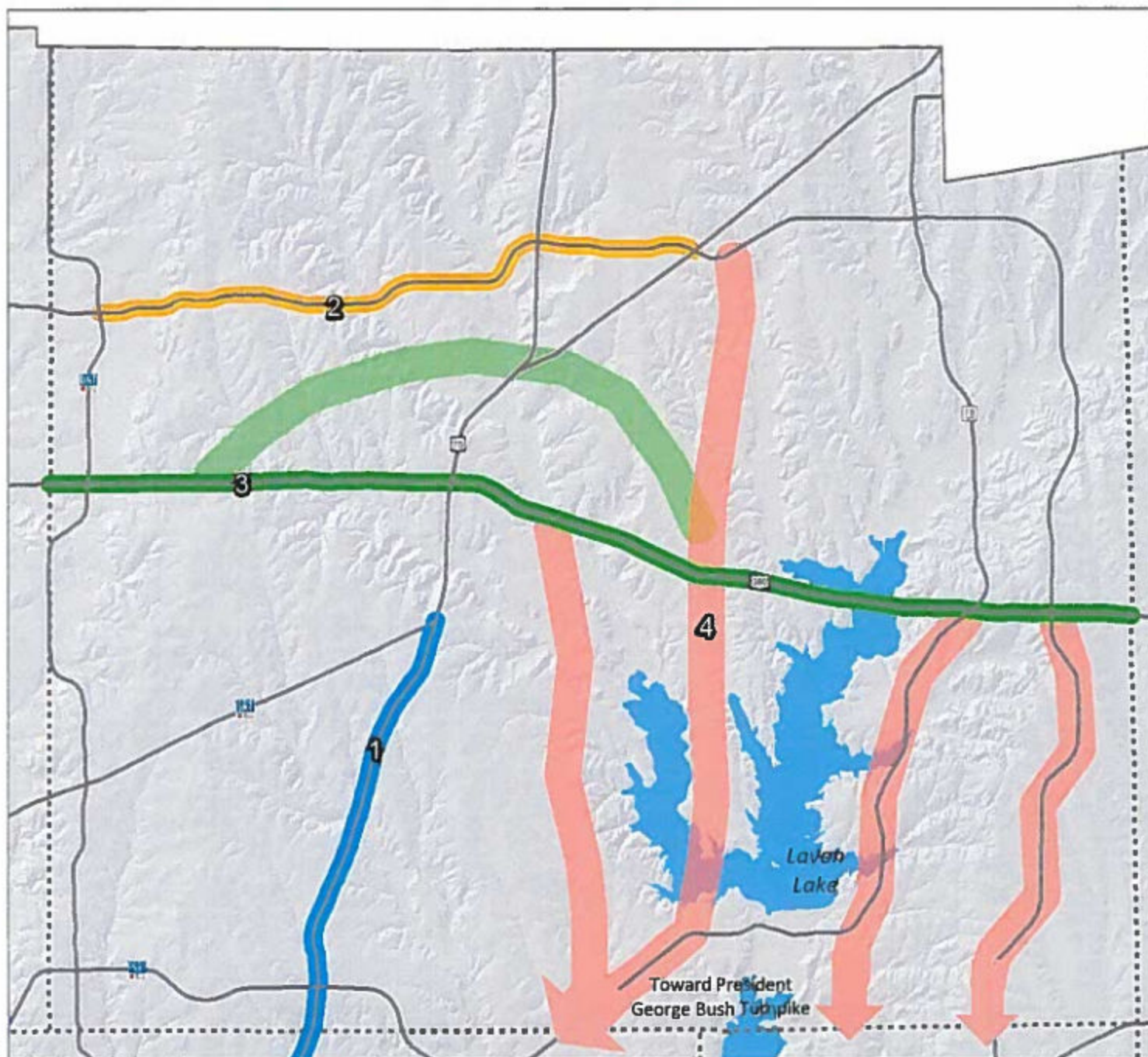
US 380

- Countywide Study
- McKinney Bypass

Corridor 4 (Longer Term):

Collin County Strategic Transportation Initiative

- Study of non-tolled north/south roadway needs and opportunities



US 75 TECHNOLOGY CORRIDOR

CSJ #0047-06-158

Completion – TBD (prior to 2020)

Cost = \$50,000,000 (estimated)

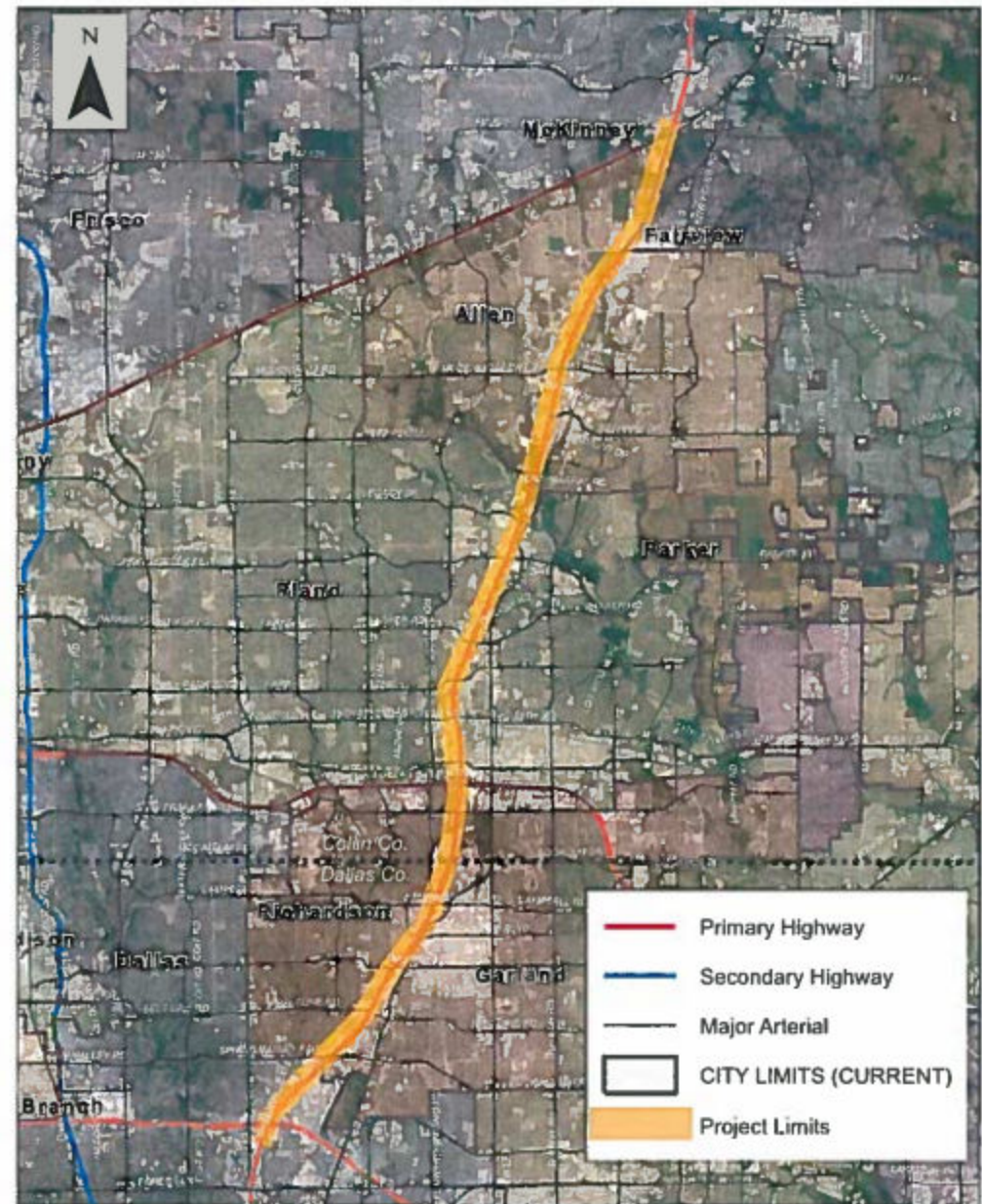
Limits – SH 121 (Sam Rayburn
Tollway) to IH 635

Remove existing one-lane
concurrent HOV facility

Enable mixed-traffic use of left
shoulders for peak-period travel
and incident management
during non-peak periods

Apply new technologies for
enhanced congestion mitigation

Restore 12-foot width to existing
eight general purpose lanes



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COMMUNICATION + FEEDBACK

CORRIDOR-SPECIFIC LOCAL GOVERNMENT FEEDBACK

Previous Meetings

February 16, 2017 – City and County Technical Staff

March 31, 2017 – Elected Officials Briefing

Communication and Feedback

Lake Corridor

St. Paul

Anna

Princeton

Farmersville

Wylie

Collin County

Collin County Outer Loop

Collin County

West Corridor

Sachse

Lucas

Collin County

Dallas County

SH 78/SH 205/John King Corridor

Rockwall County

Collin County

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SUMMARY OF NORTH/SOUTH SCENARIOS

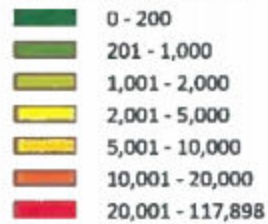
COLLIN COUNTY

NCTCOG Demographic Forecast
2040 Total Activity Density

DRAFT DOCUMENT



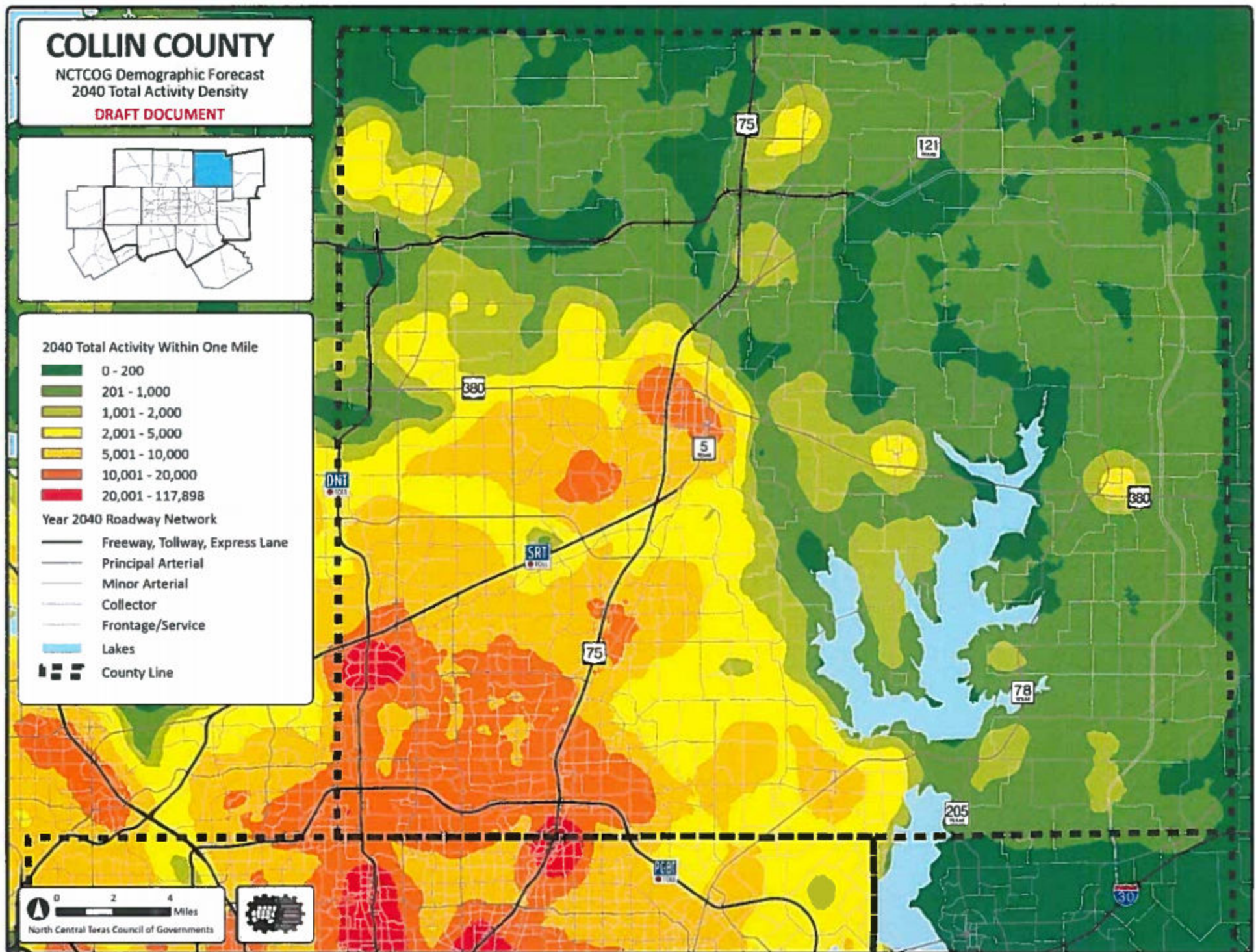
2040 Total Activity Within One Mile



Year 2040 Roadway Network



North Central Texas Council of Governments



COLLIN COUNTY

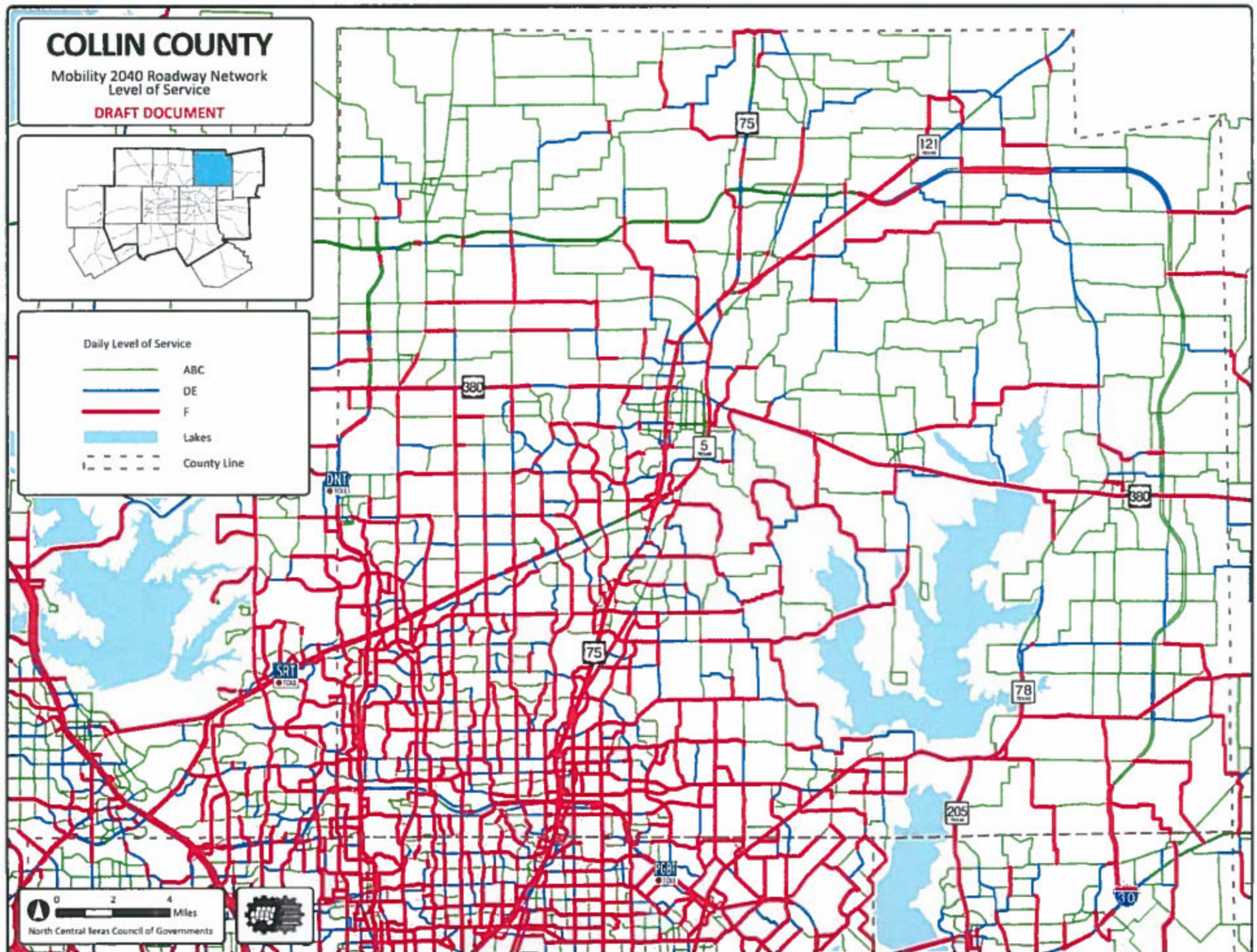
Mobility 2040 Roadway Network
Level of Service

DRAFT DOCUMENT



Daily Level of Service

- ABC
- DE
- F
- Lakes
- County Line



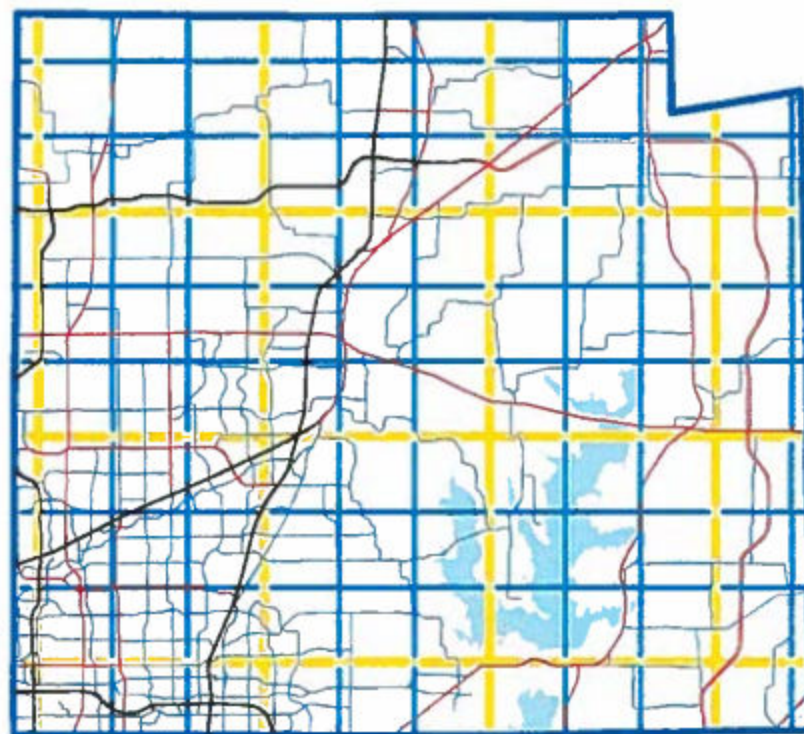
FACILITY SPACING IN COLLIN COUNTY

Theoretical Facility Spacing
(Freeways \approx 10 mi.,
Principal Arterials \approx 2-5 mi.)



Freeway Principal Arterial

Theoretical Facility Spacing overlaid
on Year 2040 Roadway Network



COLLIN COUNTY

West Corridor
Magnitude of Volume Change

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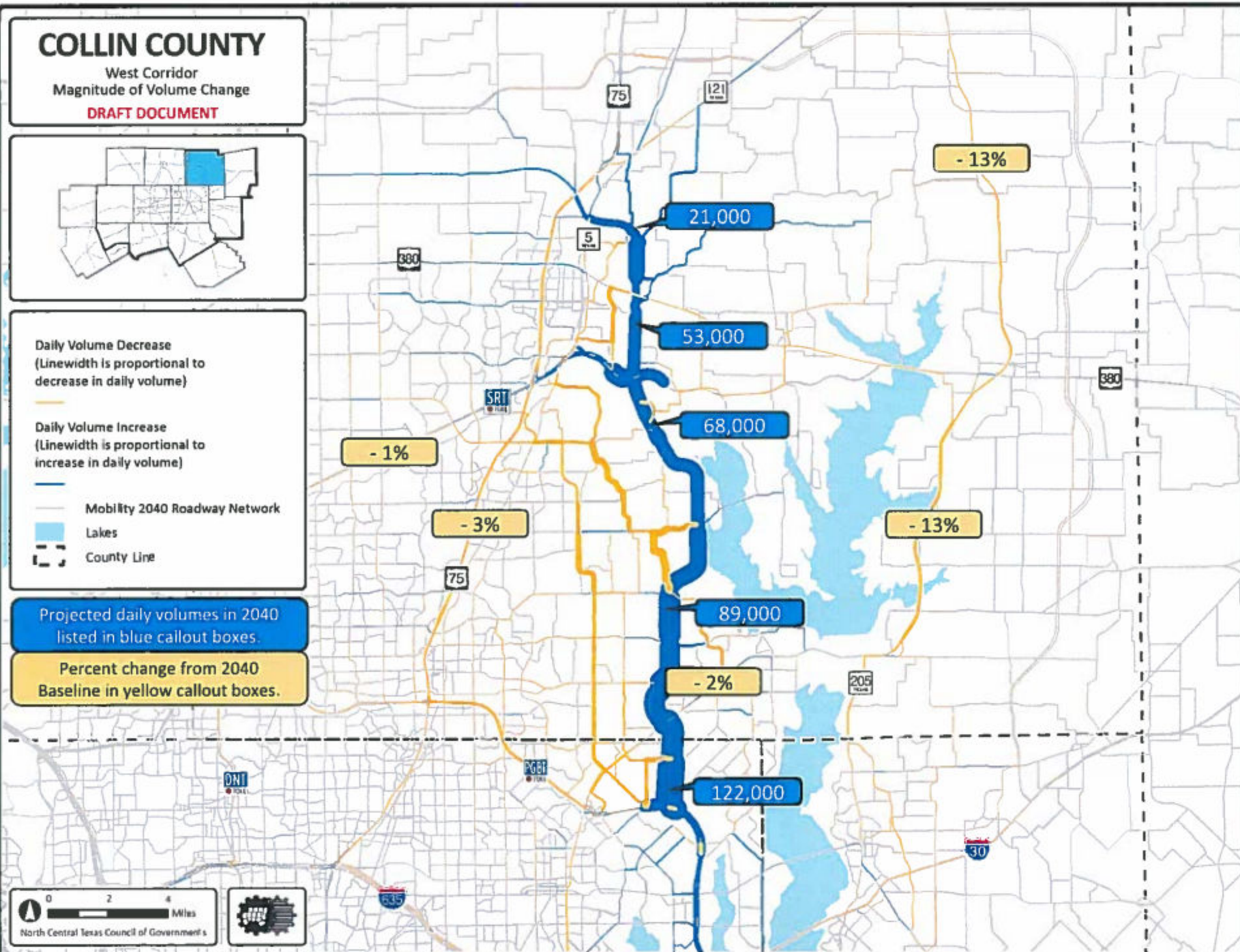
Daily Volume Decrease
(Linewidth is proportional to decrease in daily volume)

Daily Volume Increase
(Linewidth is proportional to increase in daily volume)

Mobility 2040 Roadway Network
Lakes
County Line

Projected daily volumes in 2040
listed in blue callout boxes.

Percent change from 2040
Baseline in yellow callout boxes.



COLLIN COUNTY

Lake Corridor
Magnitude of Volume Change

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Daily Volume Decrease
(Linewidth is proportional to
decrease in daily volume)

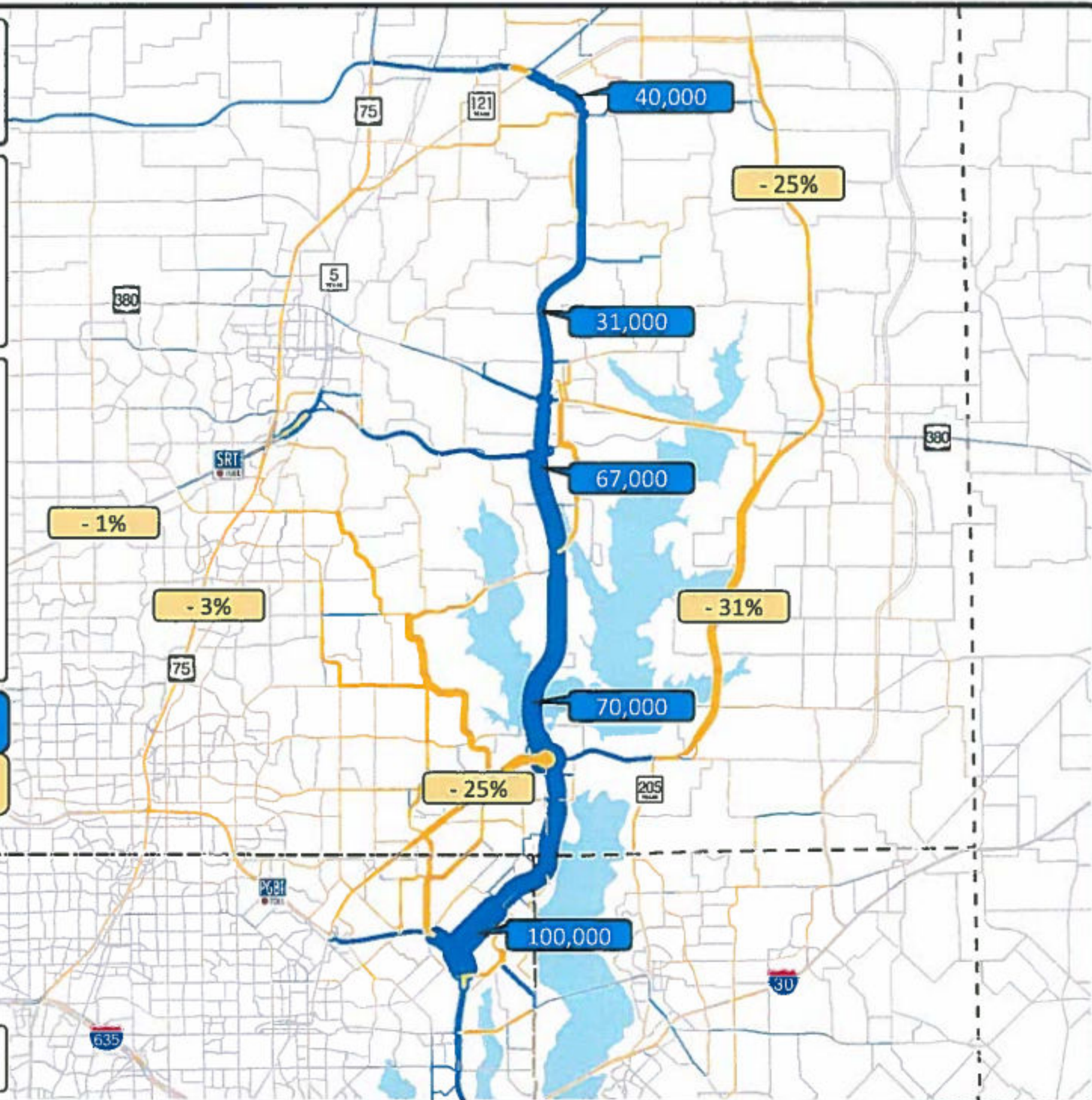
Daily Volume Increase
(Linewidth is proportional to
increase in daily volume)

Mobility 2040 Roadway Network
Lakes
County Line

Projected daily volumes in 2040
listed in blue callout boxes.

Percent change from 2040
Baseline in yellow callout boxes.

0 2 4 Miles
North Central Texas Council of Governments



COLLIN COUNTY

Outer Loop Corridor
Magnitude of Volume Change

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Daily Volume Decrease
(Linewidth is proportional to
decrease in daily volume)

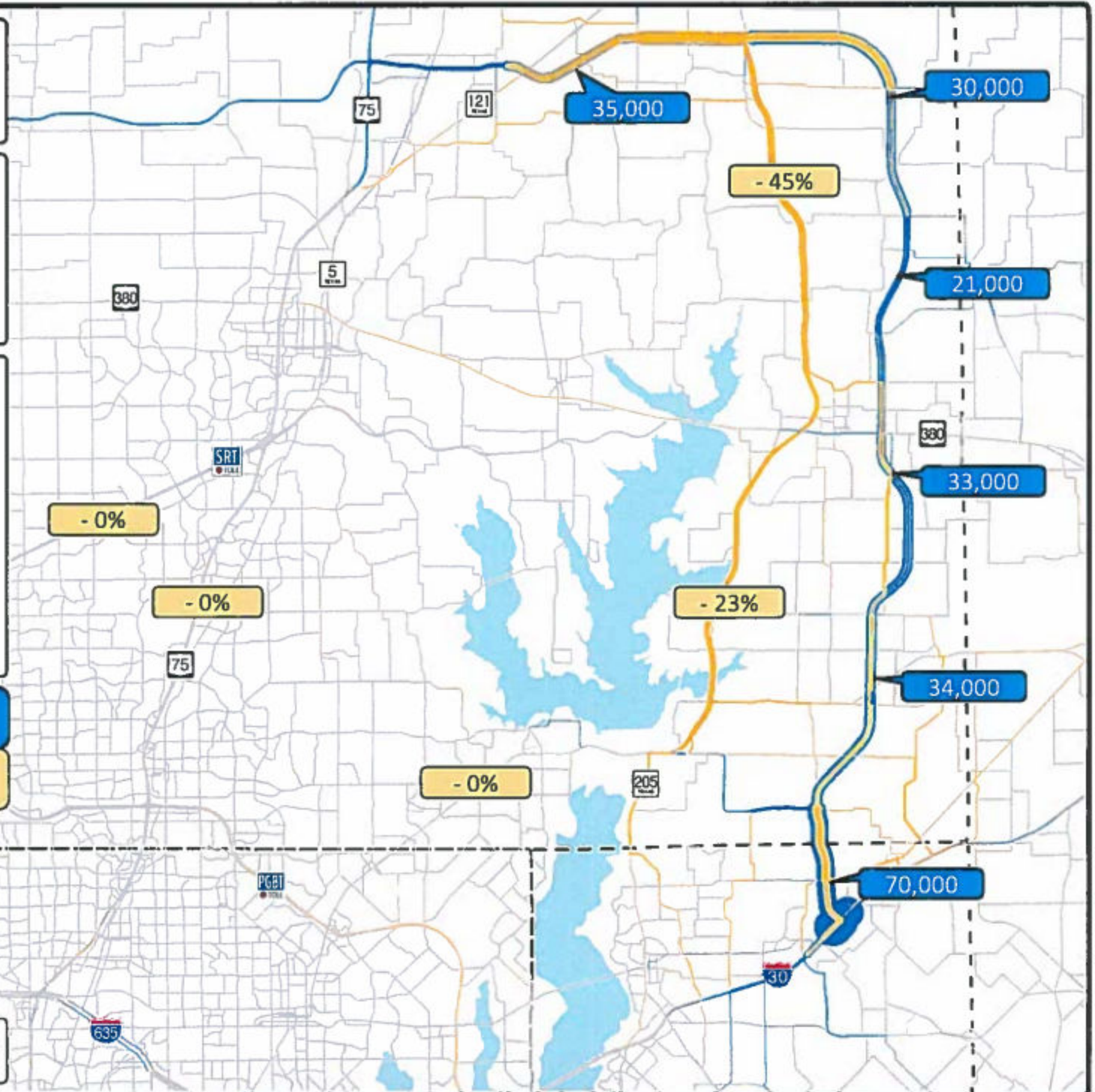
Daily Volume Increase
(Linewidth is proportional to
increase in daily volume)

Mobility 2040 Roadway Network
Lakes
County Line

Projected daily volumes in 2040
listed in blue callout boxes.

Percent change from 2040
Baseline in yellow callout boxes.

0 2 4 Miles
North Central Texas Council of Governments



SUMMARY OF FINDINGS (UPDATED FROM MARCH 31ST MEETING)

1. US 75 must be solved independently.
2. Computer simulation supports theoretical spacing of facilities.
3. Significant focus should be placed between Lake Lavon and Lake Ray Hubbard due to N/S and E/W movements.
4. Spur 399 Extension should get significant consideration. Focus on expediting engineering services for TxDOT.
5. Lake Corridor alignment should be considered as a staged freeway (with parkway design). Evaluate reversible facility.
6. SH 78/SH 205/John King should continue to be advanced as a thoroughfare (US 380 to IH 30) and proceed through environmental process.
7. Collin County Outer Loop should continue to advance as a staged freeway.
8. N/S corridor roadway system should be (west to east starting at US 75):
freeway/operational improvements/freeway/thoroughfare/freeway.
9. Are we ready to advance the Spur 399 Extension (to TxDOT), Lake Corridor, and Collin County Outer Loop (US 380 to IH 30) through environmental process?

COLLIN COUNTY

Collin County Strategic Roadway Plan
North/South Roadway Opportunities

DRAFT DOCUMENT



Proposed Roadway Corridors

- West Corridor
- Lake Corridor
- SH 78/SH 205/John King Corridor
- Collin County Outer Loop
- Spur 399 Extension
- McKinney Bypass
- Proposed Interchange

Year 2040 Roadway Network

- Freeway, Tollway, Express Lane
- Principal Arterial
- Minor Arterial
- Collector
- Frontage/Service
- Focus Area Boundary
- County Line
- Lakes

Operational
Improvements

Freeway

Arterial

Freeway

PRIMARY FOCUS AREA

0 2 4 Miles
North Central Texas Council of Governments



COLLIN COUNTY

Collin County System 1
Magnitude of Volume Change

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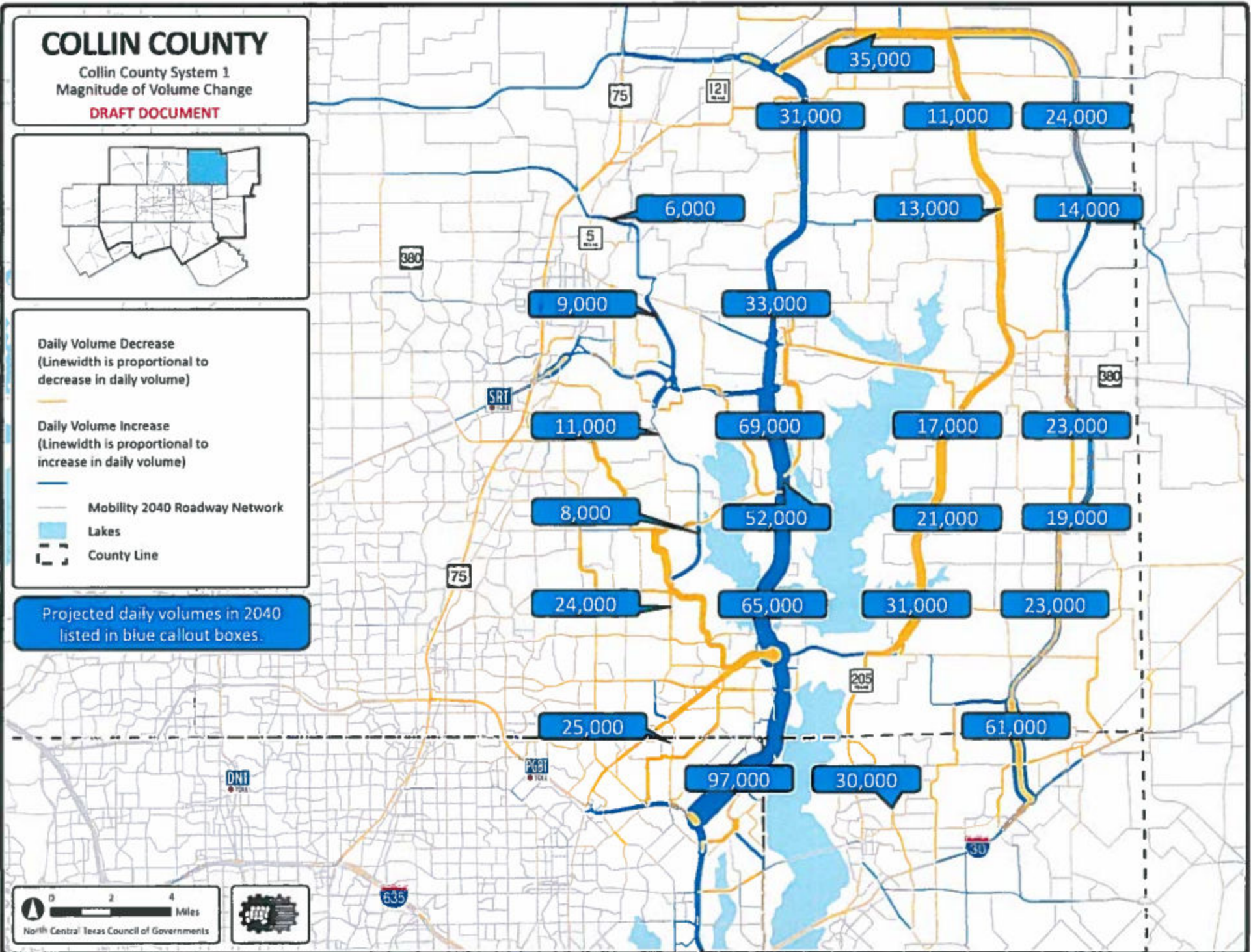


Daily Volume Decrease
(Linewidth is proportional to
decrease in daily volume)

Daily Volume Increase
(Linewidth is proportional to
increase in daily volume)

Mobility 2040 Roadway Network
Lakes
County Line

Projected daily volumes in 2040
listed in blue callout boxes.



COLLIN COUNTY

Lake Corridor with Reversible Lanes
Magnitude of Volume Change

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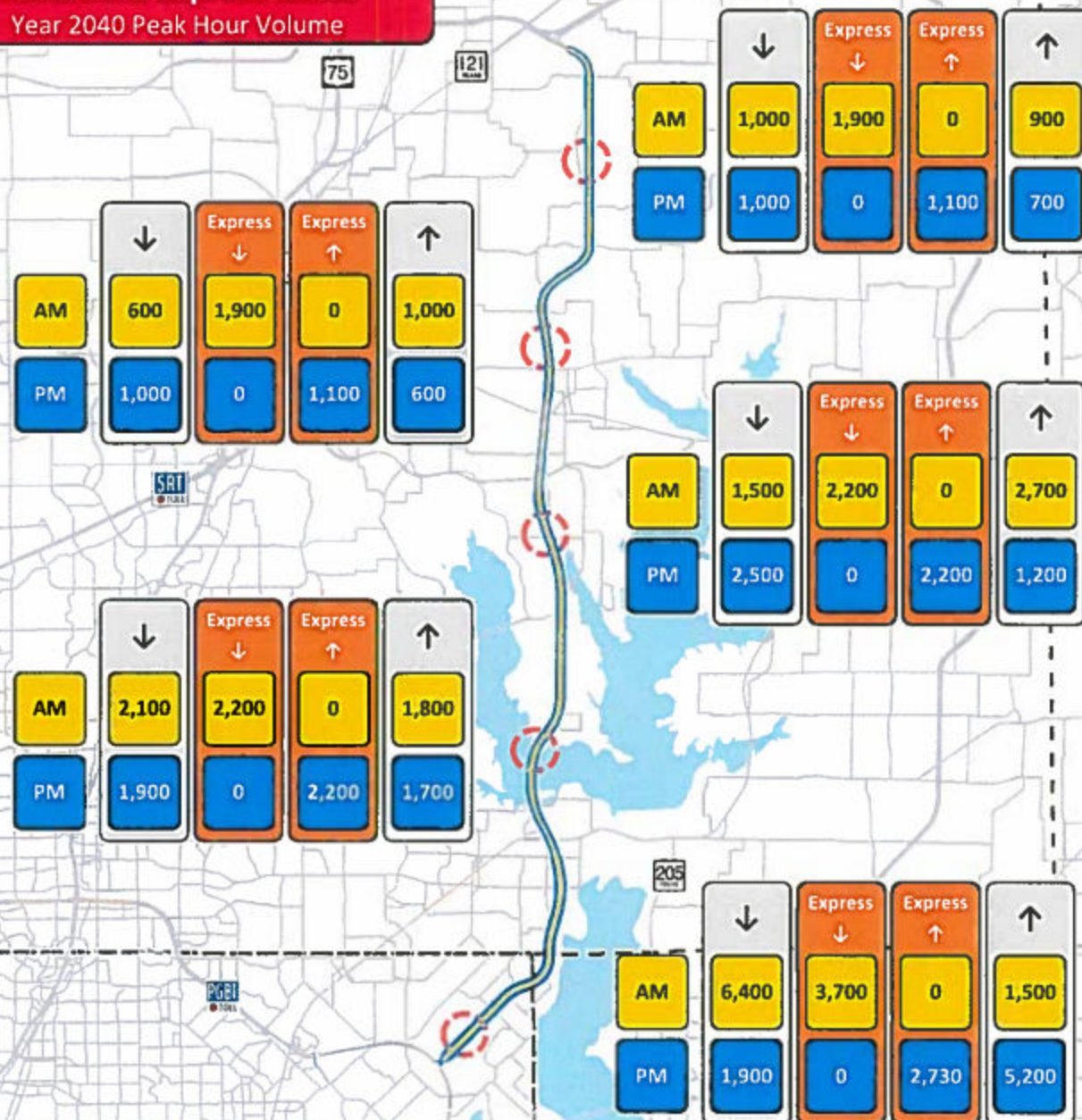
Daily Volume Decrease
(Linewidth is proportional to decrease in daily volume)

Daily Volume Increase
(Linewidth is proportional to increase in daily volume)

Mobility 2040 Roadway Network
Lakes
County Line

Reversible Express Lanes

Year 2040 Peak Hour Volume



0 2 4 Miles
North Central Texas Council of Governments



PERFORMANCE COMPARISON (NORTH/SOUTH)*

	Outer Loop Corridor (ONLY)	Lake Corridor (ONLY)	North-South System
COLLIN COUNTY			
Vehicle Hours of Travel (VHT)	-2%	-6%	-7%
Average Speed	3%	6%	7%
Traffic Control Delay (Hours)	-1%	-4%	-5%
Congestion Delay (Hours)	-5%	-14%	-17%
ROCKWALL COUNTY			
Vehicle Hours of Travel (VHT)	-3%	-6%	-7%
Average Speed	3%	7%	10%
Traffic Control Delay (Hours)	-6%	-5%	-9%
Congestion Delay (Hours)	-7%	-18%	-20%

	Outer Loop Corridor (ONLY)	Lake Corridor (ONLY)	North-South System
DALLAS COUNTY			
Vehicle Hours of Travel (VHT)	0%	0%	-1%
Average Speed	0%	1%	1%
Traffic Control Delay (Hours)	0%	-1%	-1%
Congestion Delay (Hours)	-1%	-1%	-2%
12-COUNTY REGION			
Vehicle Hours of Travel (VHT)	0%	-1%	-1%
Average Speed	0%	1%	1%
Traffic Control Delay (Hours)	0%	-1%	1%
Congestion Delay (Hours)	-1%	-3%	-3%

*compared to CCSRP baseline

TRAVEL TIME SAVINGS VALUATION

Spur 399 Extension (independent) – **\$2.36 Billion¹**

Lake Corridor (independent) – **\$7.08 Billion¹**

North/South System – **\$8.57 Billion¹**

High likelihood that Spur 399 & Lake Corridor would be cost-effective and need to be advanced now; Outer Loop freeway lanes more feasible after 2040

1. Assumptions (based on 2040 VHT change from baseline):

a. \$2015 Present Value

b. Improvements open by 2025

c. 20-Year Design Life

d. Auto occupancy = 1.31 persons/vehicle

e. Value of time = \$19.52/hour

f. 260 weekdays/year



EAST/WEST CORRIDOR NEEDS

COLLIN COUNTY

SH 78 Spur
Magnitude of Volume Change

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Daily Volume Decrease
(Linewidth is proportional to decrease in daily volume)

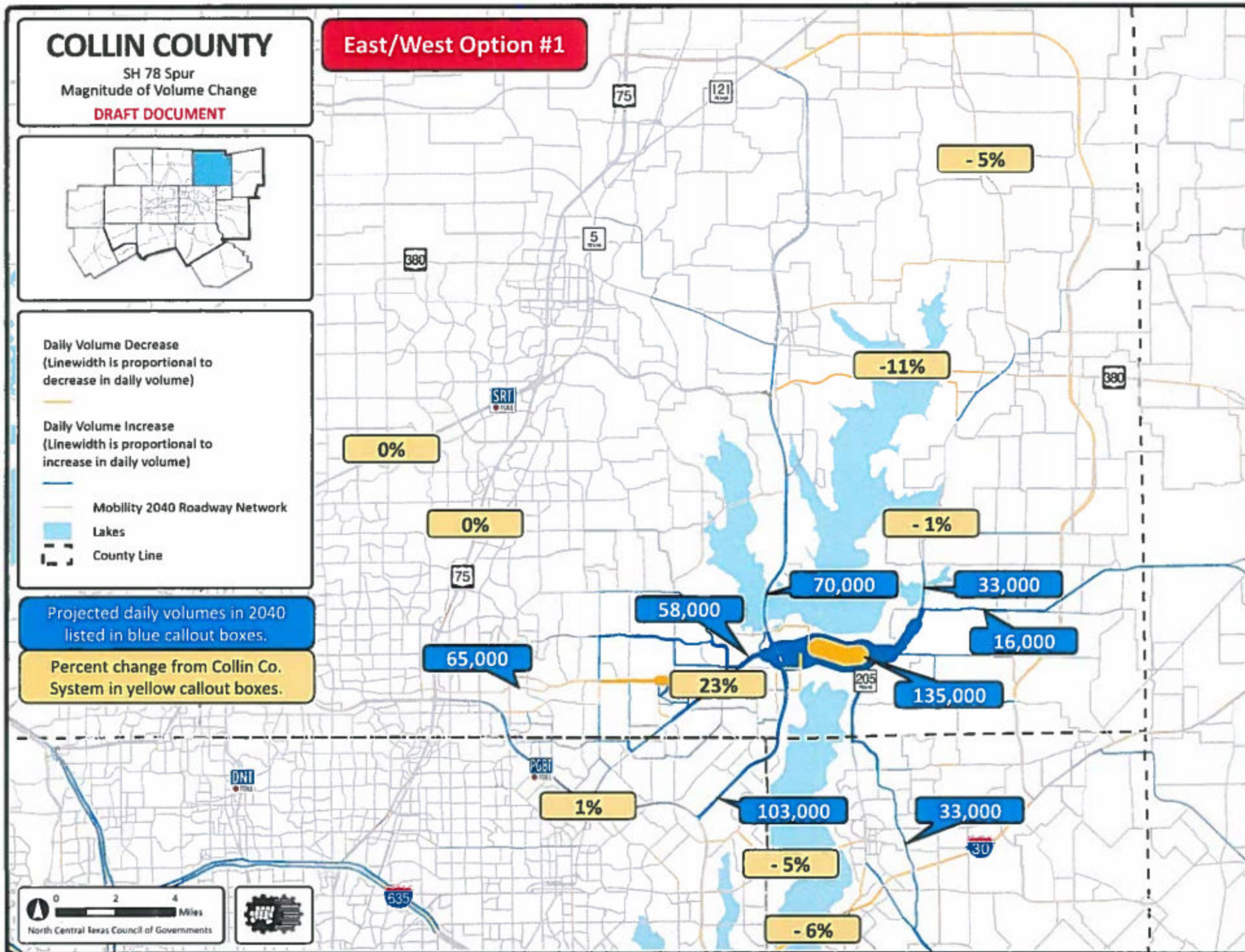
Daily Volume Increase
(Linewidth is proportional to increase in daily volume)

Mobility 2040 Roadway Network
Lakes
County Line

Projected daily volumes in 2040
listed in blue callout boxes.

Percent change from Collin Co.
System in yellow callout boxes.

East/West Option #1



COLLIN COUNTY

SH 78/FM 544 Spur
Magnitude of Volume Change

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Daily Volume Decrease
(Linewidth is proportional to
decrease in daily volume)

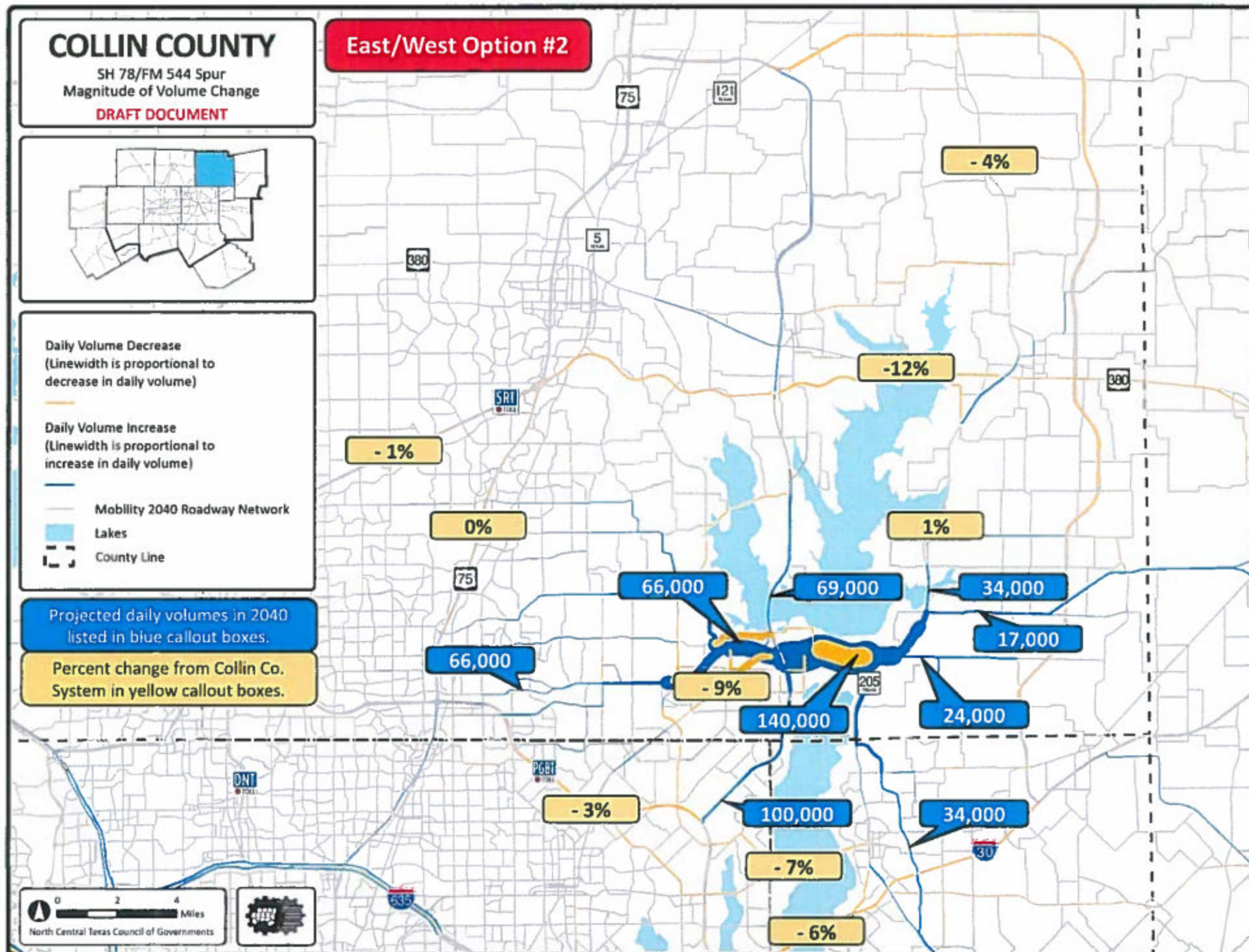
Daily Volume Increase
(Linewidth is proportional to
increase in daily volume)

Mobility 2040 Roadway Network
Lakes
County Line

Projected daily volumes in 2040
listed in blue callout boxes.

Percent change from Collin Co.
System in yellow callout boxes.

East/West Option #2



COLLIN COUNTY

East/West Freeway
Magnitude of Volume Change

DRAFT DOCUMENT



Daily Volume Decrease
(Linewidth is proportional to
decrease in daily volume)

Daily Volume Increase
(Linewidth is proportional to
increase in daily volume)

Mobility 2040 Roadway Network

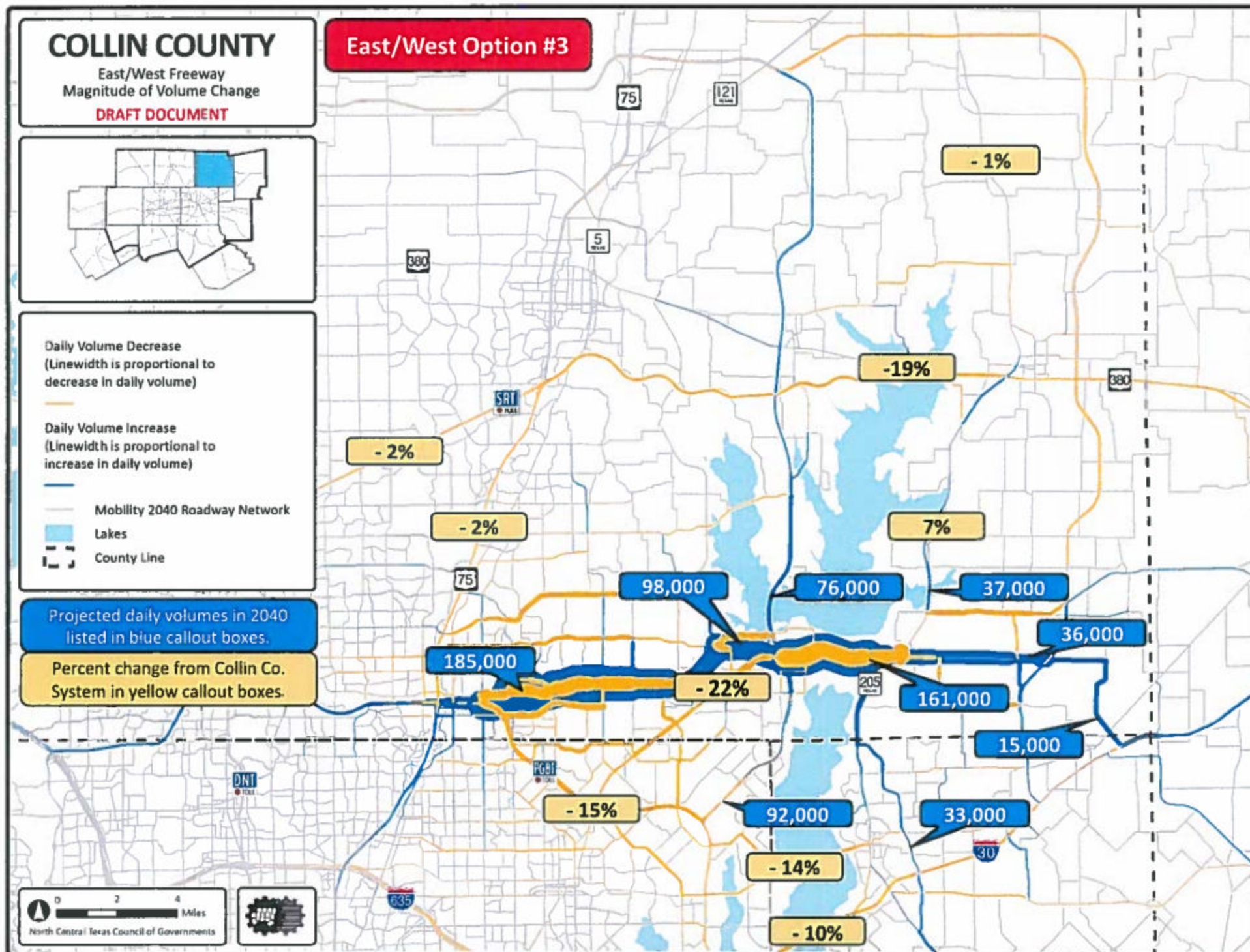
Lakes

County Line

Projected daily volumes in 2040
listed in blue callout boxes.

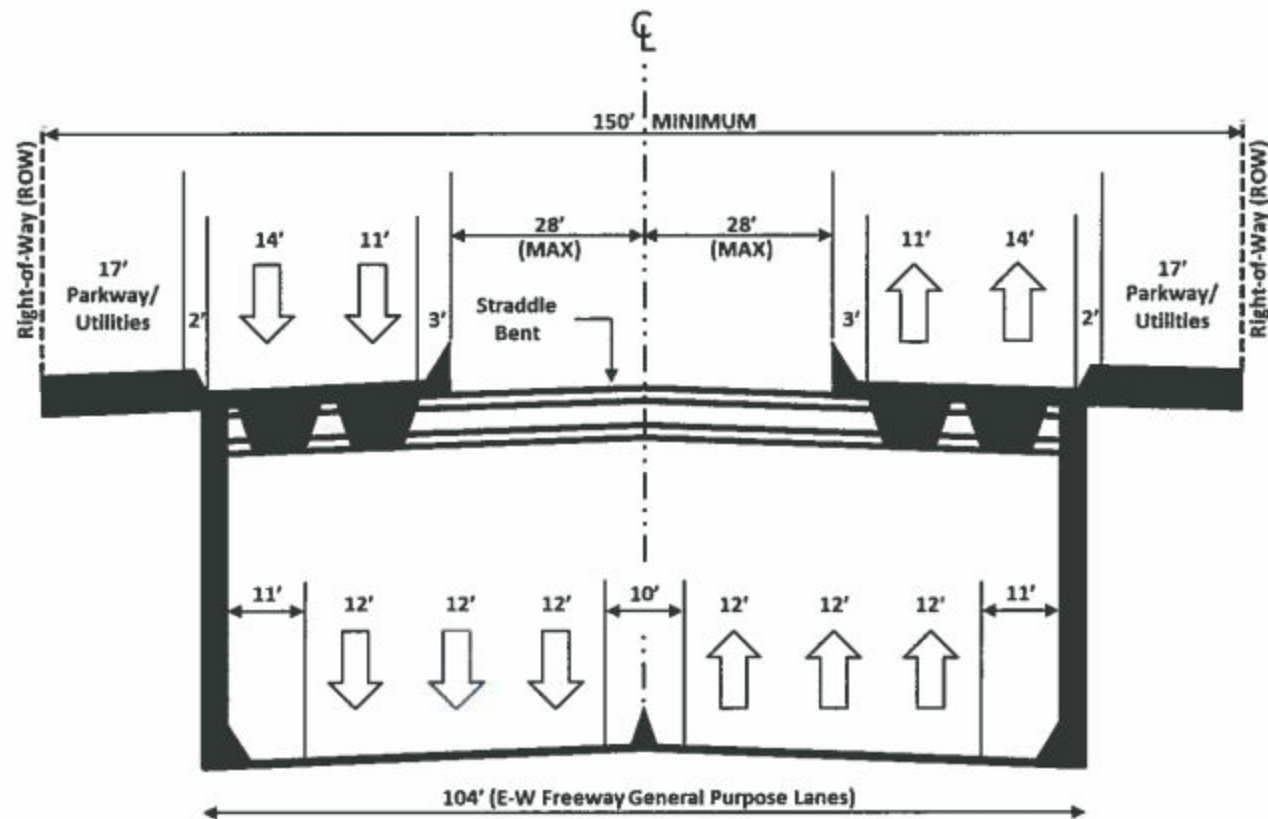
Percent change from Collin Co.
System in yellow callout boxes.

East/West Option #3



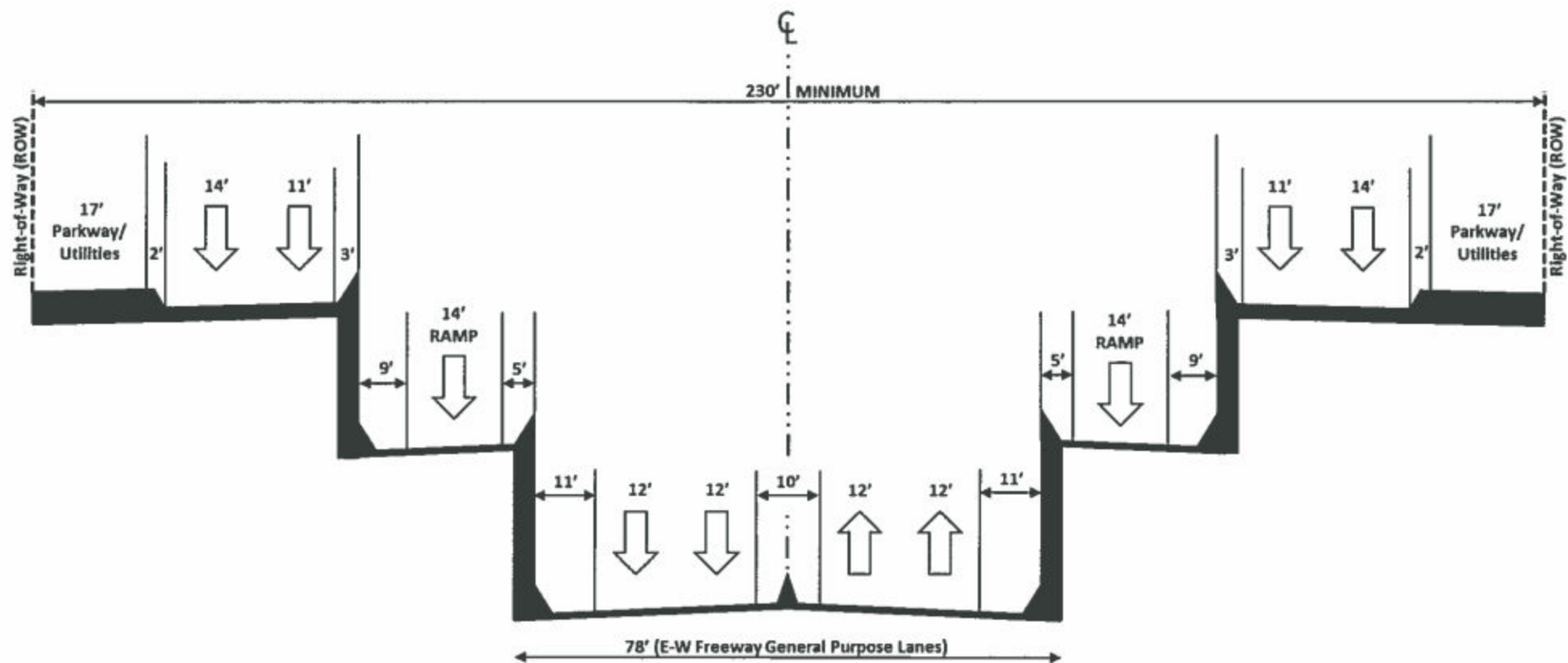
EAST-WEST FREEWAY – ROW NEEDS

Horizontal Typical Section – Between Interchanges



EAST-WEST FREEWAY – ROW NEEDS

Horizontal Typical Section – Ramp Locations



SUMMARY OF EAST-WEST CORRIDOR FINDINGS

1. Computer simulation supports theoretical spacing of facilities.
2. New east-west facilities do not change north-south corridor recommendations.
3. Demand maximized when western terminus is a freeway facility.
4. ROW constraints (new location or along existing arterial facilities) will curtail new freeway options.
5. New and/or expanded thoroughfare options may need additional investigation.
6. This need has been formally added to our study.

COLLIN COUNTY

Collin County Strategic Roadway Plan
North/South Roadway Opportunities

DRAFT DOCUMENT



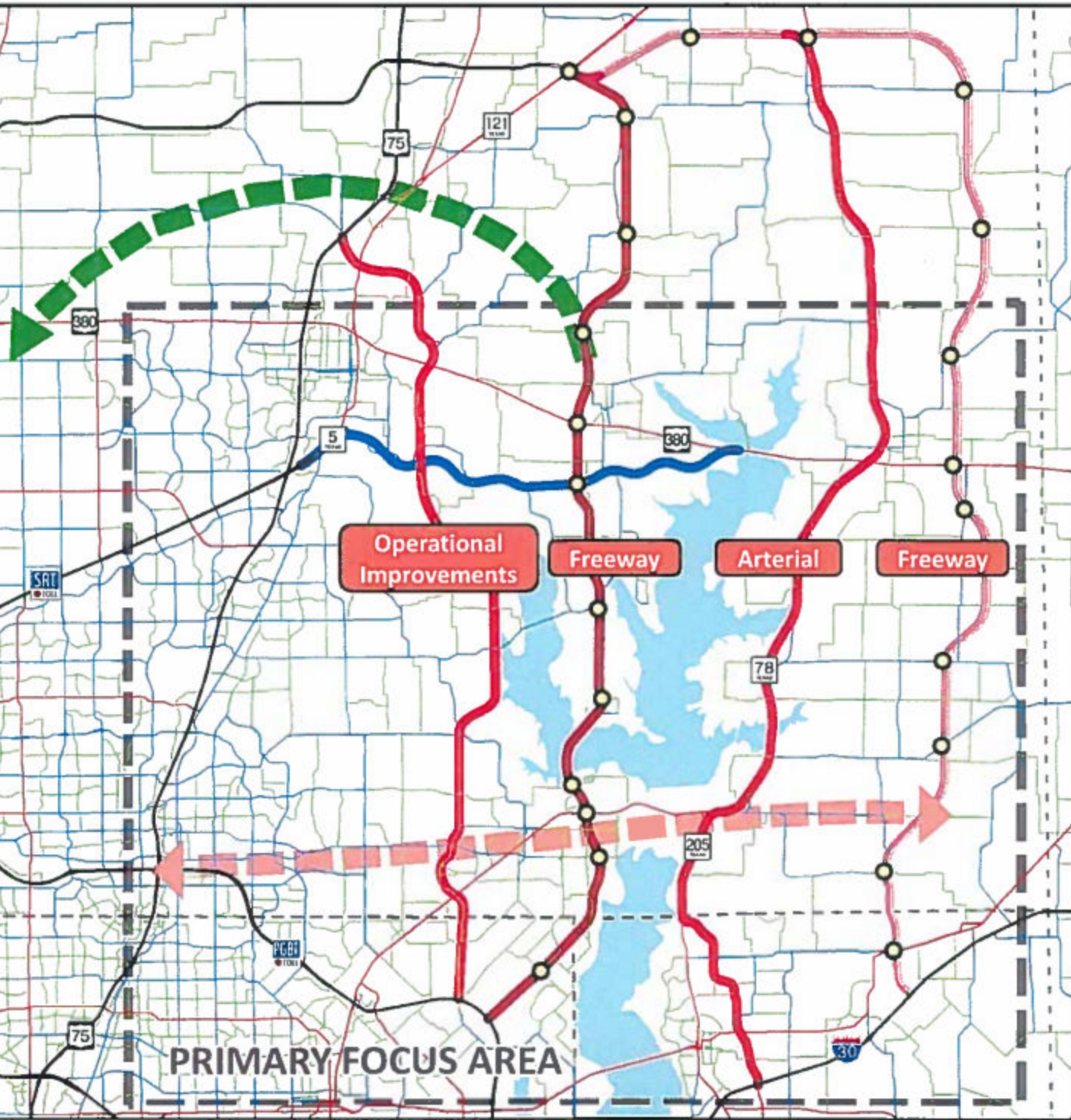
● Proposed Interchange

Year 2040 Roadway Network

- Freeway, Tollway, Express Lane
- Principal Arterial
- Minor Arterial
- Collector
- Frontage/Service

Proposed Roadway Corridors

- West Corridor
- Lake Corridor
- SH 78/SH 205/John King Corridor
- Collin County Outer Loop
- East/West Corridor
- Spur 399 Extension
- McKinney Bypass
- Focus Area Boundary
- County Line
- Lakes



Operational
Improvements

Freeway

Arterial

Freeway

PRIMARY FOCUS AREA





NEXT STEPS

NEXT STEPS

Collect additional input/feedback from elected officials & local government staff.
Consider scheduling needs for subsequent meetings.

Integrate findings with TxDOT and continue to partner leadership.

Proceed with north-south corridor strategic review to identify possible expedited project segments utilizing targeted 10-Year Plan funds and/or other resources; coordinate with the Regional Transportation Council.

Identify and analyze potential refined east-west corridor alternatives.

Coordinate with local stakeholders to determine potential implications to US 380 Feasibility Study, Collin County Outer Loop, and other related studies.

Prepare overall corridor project list/staging for Mobility 2045 inclusion.

Review US 75 Technology Lanes white paper.

Focus on area between the lakes.

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US 75 TECHNOLOGY LANES – WHITE PAPER

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AREA BETWEEN THE LAKES

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Agenda Section	Regular Agenda
Section Number	V.K
Subject	Update on infrastructure around future Collin College site.
To	Mayor and Council Members
From	Ben White, City Manager
Date	July 11, 2017
Attachment(s)	None
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php
Consideration and Discussion	<ul style="list-style-type: none"> • Building guidelines as of now: <u>Total Sq ft: 60,000</u> <ol style="list-style-type: none"> 1) Water (Domestic/ Fire): One 6" line @ 65 PSI 2) Electric: 720 KW 3) Sewer: One 4" line (equates to 70k gpd) <p>Build-out</p> <u>Total Sq ft: 300,000</u> <ol style="list-style-type: none"> 4) Water (Domestic/ Fire): One 12" line @ 65 PSI 5) Electric: 3,600 KW 6) Sewer: One 8" line (equates to 1.0 cfs or .5m gpd) • City Council discussion as required.
Action	<ul style="list-style-type: none"> • Motion/second/vote <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Approve with Updates <input type="checkbox"/> Disapprove • Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove • Move item to a future agenda. _____ • No motion, no action

VI. Requests to be Placed on Future Agendas

VII. Adjournment