

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

On this the 26th day of September, 2016, the City Council of the City of Port Lavaca, Texas, convened in a workshop session and a special meeting at 5:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

Jack Whitlow	Mayor
Jerry Smith	Councilman, District 1
Tim Dent	Councilman, District 2
Lee Rivera	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4
Jim Ward	Councilman, District 5

And with the following absent:

Ken Barr	Councilman, District 6, Mayor Pro Tem
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Constituting a quorum for the transaction of business, at which time the following business was transacted:

CALL TO ORDER FOR WORKSHOP SESSION

Mayor Whitlow called the workshop session to order at 5:39 P.M. and presided.

DISCUSS THE CITY'S COMPENSATION PLAN FOR THE 2016-2017 FISCAL YEAR

Council discussed this workshop item.

No action was taken.

DISCUSS AMENDMENTS TO THE HR AND WORKPLACE POLICIES

Council discussed this workshop item.

No action was taken.

ADJOURN WORKSHOP SESSION

Councilman Dent made a motion to adjourn the meeting

Councilman Ward seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

Workshop session adjourned at 7:06 P.M.

SPECIAL MEETING

Mayor Whitlow called the special meeting to order at 7:06 P.M. and presided.

CONSIDER THE CITY'S COMPENSATION PLAN FOR THE 2016-2017 FISCAL YEAR AND TAKE ANY ACTION DEEMED NECESSARY

City Secretary Grant presented an annual update to the compensation plan for the 2016-2017 fiscal year. She advised Council that the number of budgeted regular full-time and part-time positions will remain at ninety-five (95). Staff also recommends Council approve a 2.5 % performance pay pool, approximately \$94,500 in the proposed 2016-2017 Budget. She said this plan will be effective on October 1, 2016.

Grant also presented Council the 2016-2017 Compensation Plan by surrounding cities as follows:

Name of City	C.O.L.A (Cost of Living Adjustment)	Merit Increase	Other
Angleton	Yes – 4% Increase		
Aransas Pass	Yes – (% unknown)		
Bay City			3% (all across the board)
Beeville	Yes – 2% Increase		
Calhoun County			\$1,500 to all employees
Edna		Yes – 2% Increase	
Ingleside	Yes – (% unknown)		
Portland	N/A	N/A	N/A
Rockport	Yes – (% unknown)	Yes – (% unknown)	
Sinton	Yes – 2% Increase		
Victoria		Yes – (0% this year)	

City Manager Bradshaw recommended to Council that since the 2016-2017 Budget had already been approved at the September 12th meeting, that they adopt the compensation plan as presented for this fiscal year and give staff time to prepare another plan for the following fiscal year budget.

Councilman Smith made a motion to pass the following:

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

THAT, in accordance with recommendation of staff, Council hereby adopts the City's Compensation Plan for the 2016-2017 fiscal year, with a maximum of two and a half percent (2.5%) or less, distributed among approximately ninety-five (95) full time employees, effective October 01, 2016 thru September 30, 2017.

BE IT FURTHER RESOLVED, that the Compensation Plan proposed for the 2017-2018 fiscal year budget will be evaluated and completed by May 30, 2017.

Councilman Rivera seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER AMENDMENTS TO THE HR AND WORKPLACE POLICIES AND TAKE ANY ACTION DEEMED NECESSARY

City Secretary Grant presented Council with amendments to the HR and workplace policies as follows:

Chapter 3: Employee Benefits

3.06 Employee Development

Chapter 6: Work Environment and Workplace Safety

6.06 Cell Phones

6.06.01 Assignment

6.06.02 Authorized Usage

6.06.03 Eligibility Criteria

6.06.04 Responsibilities

6.06.05 Reimbursements

6.06.06 Cell Phone Allowance

6.08 ~~Take Home Vehicles~~ **Automobile Policy**

6.08.01 City-Owned Vehicles Not Allowed to Take Home

6.08.02 Car Allowance

6.08.03 Auto Reimbursements

6.09 Vehicle Operator Standards

6.09.01 Policy, Purpose and Scope

LEGEND:

Yellow changes

Red letters deletion

Blue letters addition

3.06 Employee Development

The City of Port Lavaca is committed to fostering a cost effective program for employee training and development that 1) encourages skill development, upward mobility, and knowledge enhancement and (2) meets the City's business objectives

Accordingly the City will provide reasonable funding and related support for employee training and professional development, in accordance with identified organizational needs.

All training and development initiatives will be job-related **and/or related to a City career field** and undertaken in a manner that ensures fair and equitable treatment among all employees.

Departments are encouraged to offer professional development opportunities to their employees. Funds are made available in departmental budgets so employees may attend seminars, workshops, and training opportunities to develop and increase their **job-related** work skills and abilities including the enhancement of communication and computer skills regardless of current job assignment and in accordance with the City's Travel Policy.

In-house and on-site training may also be provided by the Human Resources Department or other City departments.

6.06 Cell Phones

6.06.01 Assignment

It is the policy of the City to provide wireless telephones to designated employees in order to improve productivity, enhance customer service to citizens and/or to enhance public safety services.

It is also the policy of the City to maintain the right to access and disclose any and all messages communicated through electronic means when City-owned equipment is used. Regardless of the intent of the message (business or personal), any employee involved has no right to privacy, or to the expectation of privacy, concerning the content of any message or the intended destination of any message.

6.06.02 Authorized Usage

City-owned wireless telephones are intended for and expected to be used for City business. Minimal personal usage is permitted, as long as the personal use is reasonable and prudent.

~~Employees should not use wireless telephones to discuss confidential or sensitive information because wireless telephone conversations are not secured.~~

6.06.03 Eligibility Criteria

Employees eligible for assignment of City-owned wireless telephones are those designated by the City Manager and/or Department Heads, including (but not limited to):

1. Employees who are frequently in a vehicle who must conduct City business by telephone while in the field and it can be shown that cost savings and customer service efficiency will be realized through use of such devices;
2. Employees who have a critical need to maintain accessibility with other departments, managers, City management staff and/or public officials, in order to ensure uninterrupted customer service and/or the integrity of the organization; public safety positions and vehicles in order to provide immediate and direct telephone communications with citizens, outside agencies cooperating in operations, or other resource entities outside of City government and to provide for communications which may be inappropriate for mobile radios;
3. Employees involved in the City's emergency response plan; and
4. Department Heads and employees who have a responsibility for responding to public safety incidents in the field.

6.06.04 Responsibilities

City Manager:

The City Manager is responsible for final approval on all requests for wireless telephone devices once the request has been approved by the appropriate Department Head.

Department Heads:

Department Heads will be responsible for:

- a. Approving requests for wireless telephones from their respective subordinates;
- b. Ensuring that requests are in conformance with the procedures outlined herein, or that exceptions are justified;
- c. Ensuring that all persons assigned a City-owned wireless telephone are provided access to a copy of this policy and procedure and that the employee is in compliance with it;
- d. Conducting periodic inventories of wireless telephones with their respective departments to ensure accountability;
- e. Conducting annual reviews of assigned devices to determine if such assignments continue to be justified;

- f. Informing appropriate employees responsible for City communications of all reassignments of wireless telephones;
- g. Reviewing the monthly bill to explain any employee/departmental overages, collecting funds from department employees, and forwarding those funds to the Finance Department to reimburse the City for any chargeable personal calls or text messages appearing on the bill.

Employees:

Employees who are assigned the use of City-owned wireless telephones are responsible for:

- a. Ensuring the physical security of such devices. In case of negligence, the employee will be responsible for reimbursing the City any cost incurred in replacement or repair of the phone;
- b. Ensuring that all communications on such devices are kept to the briefest duration possible;
- c. Keeping personal communications to a minimum;
- d. Ensuring that any personal use does not detract from the employee's availability for completion of assigned duties;
- e. Being available to receive calls or mobile data messages while working or on-call. If employee is driving and receives a call, it is recommended that the employee find a safe place to pull the vehicle over to talk on the phone;
- f. Using good judgment while speaking or sending mobile data messages, as all phone records are subject to Open Records Request;
- g. Not sending or reading mobile data messages while driving a City vehicle. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. The only exception is public safety employees conducting official business;
- h. Providing the appropriate employees/supervisor notification of any repair, lost, stolen or damaged equipment;
- i. Surrendering a City-owned phone upon request of a Department Head, regardless of the reason;
- j. Non-exempt employees: Ensuring compliance with work away from premises or at home involving the use of a wireless device.

6.06.05 Reimbursements

The City may seek reimbursement for any personal calls or text charges that incur additional cost to the City.

6.06.06 Cell Phone Allowance

The City Council may authorize a cell phone allowance to a city employee, in an amount specified in a written contract.

6.08 ~~Take Home Vehicles~~ – Automobile Policy

The City provides vehicles for a number of its employees for them to function in their jobs. The vehicles are not intended for personal use and every effort should be made to use them as efficiently as possible. In a few situations, the City provides car allowances or reimburses employees for use of their personal vehicle for City related business. This policy is intended to address each of these situations to ensure that the City is being a good steward and that reasonable guidelines have been provided for the employees.

(Move the following to Section 6.09.01): All city vehicles must be operated in the manner prescribed in applicable State laws and City ordinances. All drivers and passengers must wear seat belts and obey all traffic laws. Employees are expected to notify their supervisor immediately if their driver's license becomes suspended for any reason.

Due to events and trends in municipal liability and the results of lawsuits and punitive damages, the City of Port Lavaca cannot allow employees that are assigned vehicles to transport in their vehicles at any time persons who are not employees of the City of Port Lavaca. The only exceptions are when the City Manager and/or Department Head specifically instructs the operator of the vehicle to transport an individual in connection with City business, or in the event of vehicles being used in the course and scope of emergency vehicles by volunteers or employees in the Police or Fire Departments. All other unauthorized use of City vehicles will result in disciplinary action against the operator of the vehicle. **(end of section to be moved)**

6.08.01 City-Owned Vehicles Not Allowed to Take Home

The City will not authorize any City-owned vehicle to be taken home by any employee, regardless if that employee is assigned to be on-call. Department Heads will determine where the City-owned vehicles will be picked up at the start of the employee's work hours and where they will be parked at the end of the employee's work hours.

6.08.02 Car Allowance

The City Council may authorize the payment of a monthly car allowance to certain employees, and if necessary, the City will equip the vehicle with communication and emergency equipment.

The individual receiving the car allowance shall provide a vehicle in good operating condition and be responsible for providing adequate liability insurance. The City will not be responsible for any damage to the vehicle.

The car allowance will cover all travel within Calhoun, Victoria and Jackson Counties. Trips to areas outside of those counties will be reimbursed on a mileage basis at the current Internal Revenue Service mileage rate, as the same now exists, or as it may be changed from time to time.

6.08.03 Auto Reimbursements

Employees, other than those receiving car allowances, will be reimbursed for use of their own vehicle for all City related travel at the Internal Revenue Service mileage rate, as the same now exists, or as it may be changed from time to time. Requests for reimbursements shall be on an approved City form. Reimbursement will not include mileage to and from work, except as allowed by the Internal Revenue Service.

6.09 Vehicle Operator Standards

6.09.01 Policy, Purpose, and Scope

(Moved from the following Section 6.08):

All city vehicles must be operated in the manner prescribed in applicable State laws and City ordinances. All drivers and passengers must wear seat belts and obey all traffic laws. Employees are expected to notify their supervisor immediately if their driver's license becomes suspended for any reason.

Due to events and trends in municipal liability and the results of lawsuits and punitive damages, the City of Port Lavaca cannot allow employees that are assigned vehicles to transport in their vehicles at any time persons who are not employees of the City of Port Lavaca. The only exceptions are when the City Manager and/or Department Head specifically instructs the operator of the vehicle to transport an individual in connection with City business, or in the event of vehicles being used in the course and scope of emergency vehicles by volunteers or employees in the Police or Fire Departments. All other unauthorized use of City vehicles will result in disciplinary action against the operator of the vehicle. **(end of section moved)**

All employees authorized to operate City of Port Lavaca vehicles and motorized equipment, or who operate personal vehicles on city-related business, shall be subject to the standards established in this policy, in addition to policies set forth in the City Personnel Policy Manual and those outlined under Chapter 6 - Work Environment.

This policy establishes minimum standards for the qualification of employees and applicants to operate City vehicles and motorized equipment.

This policy shall apply to:

- Employees that are required to have a commercial driver's license (CDL) in order to perform their assigned job requirements;
- Employees driving city owned, leased or rented vehicles or motorized equipment.

(End of Amendments presented to City Council)

Councilman Ward made a motion to pass the following:

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

THAT, in accordance with recommendation of staff, Council hereby adopts the amendments, as presented, to the City of Port Lavaca HR and Workplace Policies, effective October 01, 2016.

Councilman Rivera seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

ADJOURN

Councilman Rivera made a motion to adjourn the meeting

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

Special meeting adjourned at 7:24 p.m.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, WILL CONDUCT A WORKSHOP SESSION AND A SPECIAL MEETING ON MONDAY, SEPTEMBER 26, 2016. THE WORKSHOP SESSION WILL BEGIN AT 5:30 P.M. AND THE SPECIAL MEETING WILL BEGIN IMMEDIATELY AFTER THE WORKSHOP, AT THE REGULAR MEETING PLACE IN COUNCIL CHAMBERS AT CITY HALL, 202 NORTH VIRGINIA STREET, PORT LAVACA, TEXAS TO CONDUCT THE FOLLOWING AGENDA:

CALL TO ORDER

- ANNOUNCEMENT BY MAYOR THAT COUNCIL SESSION IS OPEN

WORKSHOP SESSION AGENDA:

1. DISCUSS THE CITY'S COMPENSATION PLAN FOR THE 2016-2017 FISCAL YEAR
2. DISCUSS AMENDMENTS TO THE HR AND WORKPLACE POLICIES

ADJOURN

- ANNOUNCEMENT BY MAYOR THAT WORKSHOP SESSION IS ADJOURNED

SPECIAL MEETING AGENDA:

CALL TO ORDER

- ANNOUNCEMENT BY MAYOR THAT SPECIAL MEETING IS OPEN
1. CONSIDER THE CITY'S COMPENSATION PLAN FOR THE 2016-2017 FISCAL YEAR AND TAKE ANY ACTION DEEMED NECESSARY
 2. CONSIDER AMENDMENTS TO THE HR AND WORKPLACE POLICIES AND TAKE ANY ACTION DEEMED NECESSARY

ADJOURN

- ANNOUNCEMENT BY MAYOR THAT SPECIAL MEETING IS ADJOURNED

JACK WHITLOW, MAYOR

CERTIFICATION OF POSTING NOTICE

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING NOTICE OF A WORKSHOP SESSION AND A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, TO BE HELD ON MONDAY, SEPTEMBER 26, 2016 BEGINNING AT 5:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M., WEDNESDAY, SEPTEMBER 21, 2016.

MANDY GRANT,
CITY SECRETARY
