



City of Sachse, Texas

Meeting Agenda

City Council

Monday, December 5, 2016

7:30 PM

Council Chambers

The Mayor and Sachse City Council request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond or to conduct a phone conversation.

The City Council of the City of Sachse will hold a Regular Meeting on Monday, December 5, 2016, at 7:30 p.m. in the Council Chambers at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

Invocation and Pledges of Allegiance to U.S. and Texas Flags.

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

1. CONSENT AGENDA.

All items listed on the consent agenda will be considered by the City Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests.

[16-3614](#) Approve the minutes of the November 21, 2016 workshop meeting.

Attachments: [11.21.16 Minutes Workshop](#)

[16-3615](#) Approve the minutes of the November 21, 2016 regular meeting.

Attachments: [11.21.16 Minutes](#)

[16-3617](#) Accept the Monthly Revenue and Expenditure Report for the period ending October 31, 2016.

Attachments: [GF 10-31-16](#)

[UF 10-31-16](#)

[DS 10-31-16](#)

[SEDC 10-31-16](#)

[Sales Tax Analysis](#)

[16-3612](#) Reschedule the January 2, 2017 City Council Workshop and Meeting to Tuesday, January 3, 2017.

[16-3623](#) Approve an ordinance updating the City's Personnel Policies and Procedures Manual.

Attachments: [Ordinance](#)

[Final Policies and Procedures Handbook](#)

2. MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS, CURRENT ACTIVITIES, AND LOCAL ACHIEVEMENTS.

3. CITIZEN INPUT.

The public is invited at this time to address the Council. The Mayor will ask you to come to the microphone and state your name and address for the record. If your remarks pertain to a specific agenda item, please hold them until that item, at which time the Mayor may solicit your comments. Time limit is 3 minutes per speaker. The City Council is prohibited by state law from discussing any item not posted on the agenda according to the Texas Open Meetings Act, but may take them under advisement.

4. REGULAR AGENDA ITEMS.

[16-3619](#) Discuss the logo on the City of Sachse's Caboose located at the intersection of Highway 78 and 5th Street.

Attachments: [Presentation](#)

[16-3618](#) Consider an ordinance amending Chapter 7 of the Code of Ordinances by adding Section 7-5 titled "Police Volunteers".

Attachments: [Presentation](#)

[Ordinance](#)

[16-3620](#) Conduct a public hearing to consider and act on a request by Frank Millsap, to rezone approximately 9.87 acres of land from AG (Agriculture) and Special Use Permit (Ord. #802 & #3052) to Planned Development district (PD) to allow for an expansion of the existing facility using similar construction materials, located at 3904 Miles Road, generally north of Hudson Middle school.

Attachments: [Staff Presentation](#)

[Location Map](#)

[Concept Plans](#)

[Proposed PD Ordinance](#)

[16-3621](#) Conduct a public hearing to consider and act on a request by Trepex, to rezone approximately 9.82 acres of land from C2 (Commercial) with Turnpike Overlay (Transition Zone) to Planned Development district (PD) to allow for a senior housing complex, generally located south of Sewell Elementary and east of Mile Road, within Sachse city limits.

Attachments: [Staff Presentation](#)

[Location Map](#)

[Site Plan](#)

[Building Elevations](#)

[Proposed PD Ordinance](#)

[16-3624](#) Consider a resolution awarding the bid for the construction of the

Bunker Hill Turn Lane Improvements Project to McMahon Contracting, L.P., in an amount not to exceed one hundred six thousand six hundred thirty-seven dollars and forty cents (\$106,637.40).

Attachments: [Presentation](#)

[Exhibit 1 - Project Layout](#)

[Exhibit 2 - Bid Tabulation](#)

[Resolution](#)

16-3622

Consider the application of the Skorburg Company requesting a waiver from the Code of Ordinances, Chapter 8 Subdivisions, to permit the design and construction of a non-standard roadway in the City of Sachse, Texas.

Attachments: [Presentation](#)

[Attachment 1 - Letter of Intent](#)

[Attachment 2 - Sable Hills Estates Plat](#)

[Attachment 3 - Requested Street Section](#)

[Attachment 4 - City Standard Street Section](#)

16-3610

Consider appointments to the Citizen Steering Committee for the Sachse Stormwater Utility Study.

5. ADJOURNMENT.

Vision Statement: Sachse is a friendly, vibrant community offering a safe and enjoyable quality of life to all who call Sachse home.

The City of Sachse reserves the right to reconvene, recess or realign the regular session or called Executive Session or order of business at any time prior to adjournment.

As authorized by Section 551.072(2) of the Texas Government Code, this meeting may be convened into closed Executive Session at any time during the City Council workshop or regular meeting for the purpose of seeking confidential legal advice from the City Attorney on any workshop or regular meeting agenda item listed herein.

Posted: December 2, 2016; 5:00 p.m.

Michelle Lewis Sirianni, City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements, please contact Michelle Lewis Sirianni, City Secretary, at (972) 495-1212, 48 business hours prior to the scheduled meeting date.



City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3614 **Version:** 1 **Name:** November 7, 2016 Council Workshop meeting minutes.
Type: Agenda Item **Status:** Agenda Ready
File created: 11/23/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Approve the minutes of the November 21, 2016 workshop meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [11.21.16 Minutes Workshop](#)

Date	Ver.	Action By	Action	Result
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Title

November 21, 2016 workshop minutes.

Background

Minutes of the November 21, 2016 workshop meeting.

Policy Considerations

None.

Budgetary Considerations

None.

Staff Recommendations

Approve the minutes of the November 21, 2016 workshop meeting.

CITY COUNCIL OF THE CITY OF SACHSE
WORKSHOP MEETING MINUTES
NOVEMBER 21, 2016

The City Council of the City of Sachse held a workshop meeting on Monday, November 21, 2016 at 6:30 p.m. at Sachse City Hall, 3815-B Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Council Members Brett Franks, Charlie Ross, Paul Watkins, and Jeff Bickerstaff. City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Human Resources Director, Stacy Buckley; Community Development Director, Dusty McAfee; Finance Director, Teresa Savage; Director of Public Works and Engineering, Greg Peters; Parks and Recreation Director, Lance Whitworth; Fire Chief, Marty Wade; and Police Chief, Bryan Sylvester. Council Members Cullen King and Bill Adams were absent.

Mayor Felix called the meeting to order at 6:30 p.m.

CITY PERSONNEL POLICIES AND PROCEDURES MANUAL: Discuss City Personnel Policies and Procedures Manual.

Mrs. Nash introduced this item stating that Department Heads have been working with Human Resources to re-write several areas of the employee manual. Stacy will be presenting specifics of major changes.

Mrs. Buckley presented Council with objectives, background, and purpose of the employee manual. Mrs. Buckley outlined the following major changes.

- Legal additions and changes within Chapter 2, 3 and 5.
- Chapter 2 – revising inclement weather policy.
- Chapter 3 – residency requirement, medical testing, compensation during interim Department Directors, use of sick or personal leave if resignation or retirement notice is given, and bridging of service policy.
- Chapter 4 – modified duty policy.
- Chapter 5 – workers compensation, adding Martin Luther King Day as a Holiday, and removing one personal day.
- Chapter 6 – sick leave donation program.
- Chapter 7 – new social media and technology usage policies.
- Chapter 8 – tuition reimbursement increase and bilingual pay.

Mrs. Nash stated that she would like to request the ability to amend existing policies, provided the policy has no financial impact. Any new policies that have a financial impact would be brought back to City Council for approval. Mrs. Nash added the staff is requesting feedback on the manual and it will be brought back with an ordinance for approval at the December 5 meeting.

Councilman Bickerstaff asked about the bereavement leave and if the City Manager would be able to grant any changes if requested. Mrs. Nash responded yes and would be considered on a case by case basis.

Mayor Pro Tem Ross asked for examples of policies could be amended by the City Manager if granted. Mrs. Nash stated it would be only policies that have no financial impact. For example, the bereavement leave policy or the inclement weather policy.

Councilman Watkins asked in regards to the inclement weather policy, if City Hall is closed or delayed in opening by the City Manager, how is everyone notified. Mrs. Buckley responded that the Department Heads are notified and then their department call trees would go into effect. Mrs. Buckley added that Department Heads are encouraged to remind their employees about the policy as we enter into that time of year of bad weather.

Councilman Watkins also asked if there was a cyber security policy and due to the increasing nature, would like to see it addressed.

Mayor Felix asked in regards to the sick pool. Mrs. Buckley replied that it is merely a administrative clean up due to the way it has been managed in the past.

No further discussion or action was taken.

CITY'S STRATEGIC PLAN: Receive and discuss update of the City's Strategic Plan.

Mrs. Nash introduced this item stating that in January 2016, the Council held their retreat where they met to discuss goals and action items which provided a basis for staff as they went into the new budget. A strategic plan update was given in July and now post budget to inform Council where staff is currently.

Mrs. Nash provided the following update regarding the Strategic Plan.

- Goal 1 – Public Safety: service enhancements within the Fire and Police Departments, community outreach and partnerships, and upcoming enhancements.
- Goal 2 – Public Works: initiatives which include the Storm Water Utility Rate, sidewalk maintenance policy, investment in maintenance and expansion of the City's roadway's and infrastructure, upcoming projects.
- Goal 3 – Finance: policy initiatives which include updated polices and implementing the Vehicle and Equipment Replacement Fund (VERF), and upcoming services including the financial transparency software and preparation of the Street Maintenance Sales Tax.
- Goal 4 – Parks, EDC and Library: service enhancements within the Library, around City Hall, and additions to special events including the H2O Expo; upcoming projects including replacing the fountain and fountain lights ant Dave Sanford Park and developing volunteer program policies and procedures.
- Goal 5 – Planning: service enhancements including a new EDC marketing plan, EDC/City coordination, update of the Comprehensive Plan, community programs.

- Goal 6 – Government Services: service enhancements including the implementation of employee self-service, continued market competitiveness in employee compensation and receiving the TML award for code Compliance notifications.

No further discussion or action was taken.

ADJOURNMENT: At 7:06 p.m. Mayor Felix adjourned the meeting.

ATTEST:

MIKE J FELIX, MAYOR

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3615 **Version:** 1 **Name:** November 21, 2016 Council meeting minutes.
Type: Agenda Item **Status:** Agenda Ready
File created: 11/23/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Approve the minutes of the November 21, 2016 regular meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [11.21.16 Minutes](#)

Date	Ver.	Action By	Action	Result
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Title
November 21, 2016 meeting minutes.

Background
Minutes of the November 21, 2016 regular meeting.

Policy Considerations
None.

Budgetary Considerations
None.

Staff Recommendations
Approve the minutes of the November 21, 2016 regular meeting.

CITY COUNCIL OF THE CITY OF SACHSE
MEETING MINUTES
NOVEMBER 21, 2016

The City Council of the City of Sachse held a regular meeting on Monday, November 21, 2016 at 7:30 p.m. at Sachse City Hall, 3815-B Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Council Members Brett Franks, Charlie Ross, Paul Watkins, and Jeff Bickerstaff. City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Human Resources Director, Stacy Buckley; Community Development Director, Dusty McAfee; Parks and Recreation Director, Lance Whitworth; Finance Director, Teresa Savage; Director of Public Works and Engineering, Greg Peters; Economic Development Director, Leslyn Blake; Fire Chief, Marty Wade; and Police Chief, Bryan Sylvester. Councilman King and Bill Adams were absent.

Mayor Felix opened the meeting at 7:32 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE TO US AND STATE LA: The invocation was offered by Councilman Watkins and the pledges by Councilman Bickerstaff.

CONSENT AGENDA: All items listed on the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items unless a Council member or citizen so requests.

16-360 Approve the minutes of the November 7, 2016 workshop meeting.

16-3608 Approve the minutes of the November 7, 2016 regular meeting.

16-3600 Accept the 4th Quarter Investment Report for the period ending September 30, 2016.

Councilman Bickerstaff made a motion to approve items 16-3607, 16-3608, and 16-3600 as submitted. Mayor Pro Tem Ross seconded that motion and the motion was unanimously approved.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Mayor Pro Tem Ross stated that the Library will be closed from November 24 to 26 for the Thanksgiving Holiday and on December 1 the Polar Express will follow the Christmas Tree Lighting Event.

Councilman Franks stated that Christmas Tree Lighting will take place on December 1 at 6:30 p.m. at City Hall and on Saturday, December 10 the annual Christmas parade followed by Cookies with Santa will take place at City Hall.

Councilman Bickerstaff thanked the coaches, players, and band of Sachse High School on a great season of football.

Mayor Felix stated that the Sachse Turkey Trot will take place on Thursday, November 24 at the Sachse High School, beginning on November 27, the FOP will begin collecting toys and perishable foods. Donations may be dropped off anytime at the Public Safety facility. On Saturday, December 3, the Firefighters Association will be hosting their annual Pancakes with Santa. For a \$5 donation, attendees get all you can eat pancakes, sausage, a drink, and a photo with Santa. Mayor Felix also recognized two boy scouts from Troop 78 that were in the audience.

16-3602 Administer Oaths of Office to the Boards and Commissions

Mayor Felix administered Oaths of Office to the newly and re-appointed members of the Planning and Zoning Commission, Economic Development Corporation, Zoning Board of Adjustments, Library Board, Parks and Recreation Board, and Animal Shelter Board.

CITIZENS INPUT:

No comments were made.

REGULAR AGENDA ITEMS:

16-3603 Councilor Appointments to the City's Boards and Commissions.

Councilman Franks stated he would like to stay with the Parks and Recreation Board. Mayor Pro Tem Ross stated is okay with remaining on the TIF and Library Board. Councilman Watkins expressed a desire to be the liaison to the Planning and Zoning Commission. Councilman Bickerstaff stated he is also okay with being the liaisons to the EDC and GISD. Mayor Felix added that he is good with remaining on NTTA and NCTCOG.

Councilman Bickerstaff made a motion to appoint the following:

- Mayor Felix as liaison to NTTA and NCTCOG.
- Mayor Pro Tem Ross as liaison to the TIF and Library Board.
- Councilman Franks as liaison to the Parks and Recreation Board.
- Councilman Bickerstaff as liaison to the EDC and GISD.

Mayor Pro Tem Ross seconded that motion and the motion was unanimously approved.

Mayor Felix requested that due to Councilman Adams and King being absent, that staff bring back the remaining Boards/Commissions liaison positions to the next regularly scheduled Council meeting.

16-3611 R [REDACTED] [REDACTED] **d** [REDACTED] [REDACTED] **d** [REDACTED] [REDACTED] **C** [REDACTED] **S** [REDACTED] **P** [REDACTED]

Mayor Felix stated that this item was discussed in the Workshop session and asked if there were any additional questions or comments.

No further discussion or comments made.

EXECUTIVE SESSION:

At 7:55 p.m., the Council adjourned into Executive Session to discuss the following items:

16-3485 T [REDACTED] **C** [REDACTED] **C** [REDACTED] [REDACTED] [REDACTED] [REDACTED] **E** [REDACTED] **S** [REDACTED] [REDACTED] [REDACTED] **T** [REDACTED]
[REDACTED] [REDACTED] **C** [REDACTED] **d** [REDACTED] **S** [REDACTED] **55108** **E** [REDACTED] **D** [REDACTED] [REDACTED] **r** [REDACTED] [REDACTED] **d** [REDACTED]
r [REDACTED] **EDC D** [REDACTED] **r** [REDACTED]

16-3606 T [REDACTED] **C** [REDACTED] **C** [REDACTED] [REDACTED] [REDACTED] [REDACTED] **E** [REDACTED] **S** [REDACTED] [REDACTED] [REDACTED] **T** [REDACTED]
[REDACTED] [REDACTED] **C** [REDACTED] **d** [REDACTED] **S** [REDACTED] **55104** **I** **P** [REDACTED] **r** [REDACTED] **d** [REDACTED] [REDACTED] [REDACTED] **r** [REDACTED] **r** [REDACTED]
C [REDACTED] **M** [REDACTED] **r** [REDACTED] **C** [REDACTED] **S** [REDACTED] **r** [REDACTED] **r** [REDACTED]

At 9:42 p.m., the City Council recessed back into regular session.

No further action was taken on either item.

ADJOURNMENT:

Mayor Felix adjourned the meeting at 9:42 p.m.

ATTEST:

MIKE J FELIX, MAYOR

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3617 **Version:** 1 **Name:** Budget Reports October 2016
Type: Agenda Item **Status:** Agenda Ready
File created: 11/28/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Accept the Monthly Revenue and Expenditure Report for the period ending October 31, 2016.
Sponsors:
Indexes:
Code sections:
Attachments: [GF 10-31-16](#)
[UF 10-31-16](#)
[DS 10-31-16](#)
[SEDC 10-31-16](#)
[Sales Tax Analysis](#)

Date	Ver.	Action By	Action	Result
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Title

Monthly Revenue and Expenditure Report for the period ending October 31, 2016.

Background

The Finance Department prepares a report each month to update the City Council regarding revenues and expenditures for the City. Included in the report are unaudited summaries for the General Fund, Utility Fund, Debt Service Fund, and Sachse Economic Development Corporation for the period ended October 31, 2016, and an analysis of sales tax receipts compared to the prior year.

Policy Considerations

City Charter requires that the City Manager submit a report covering revenues and expenditures monthly.

Budgetary Considerations

October is the first month of the fiscal year.

Staff Recommendations

Accept Monthly Revenue and Expenditure Report for the period ending October 31, 2016.

City of Sachse
Monthly Revenue and Expenditure Report
October 31, 2016
(Unaudited)

GENERAL FUND

	8% of Year Completed				Note
	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Reference 8%
Revenue Summary					
Property Tax	\$ 10,076,929	\$ 34,346	\$ 34,346	0.34%	A
Sales Tax	1,417,851	125,092	125,092	8.82%	
Franchise Fees	1,690,233	236,102	236,102	13.97%	
Licenses and Permits	757,000	93,125	93,125	12.30%	
Service Fees	721,500	73,285	73,285	10.16%	
Fines	280,000	27,265	27,265	9.74%	
Interest Income	12,000	2,885	2,885	24.04%	
Miscellaneous Income	350,946	18,630	18,630	5.31%	
Intergovernmental Revenue	1,024,611	85,384	85,384	8.33%	
Total Revenue	\$ 16,331,070	\$ 696,113	\$ 696,113	4.26%	
Expenditure Summary					
City Manager	\$ 383,103	\$ 28,002	\$ 28,002	7.31%	
City Secretary	148,553	17,719	17,719	11.93%	
Human Resources	337,607	17,353	17,353	5.14%	
Finance	548,026	70,508	70,508	12.87%	
Municipal Court	217,130	11,383	11,383	5.24%	
Parks & Recreation	1,164,914	60,496	60,496	5.19%	
Senior Programs	150,433	8,680	8,680	5.77%	
Library Services	458,091	34,825	34,825	7.60%	
Community Development	844,546	51,554	51,554	6.10%	
Streets & Drainage	1,691,786	70,683	70,683	4.18%	
Facility Maintenance	515,018	32,131	32,131	6.24%	
Police	4,811,657	408,169	408,169	8.48%	
Animal Control	210,614	17,885	17,885	8.49%	
Fire/EMS	3,740,453	289,603	289,603	7.74%	
Combined Services	381,203	170,112	170,112	44.63%	B
City Engineer	239,302	20,682	20,682	8.64%	
Information Technology	385,183	9,028	9,028	2.34%	C
Total Expenditures	\$ 16,227,619	\$ 1,318,812	\$ 1,318,812	8.13%	
Total Revenue Over/Under Expenses	\$ 103,451	\$ (622,699)	\$ (622,699)		

Explanation of Major Variances:

- A** Property Tax receipts peak in December and January
- B** Total annual property and liability premium paid in October
- C** New department for FY2017

City of Sachse
Monthly Revenue and Expenditure Report
October 31, 2016
(Unaudited)

UTILITY FUND

	8% of Year Completed				Note Reference 8%
	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	
Revenue Summary					
Water Revenue	\$ 5,602,656	\$ 543,086	\$ 543,086	9.69%	
Sewer Revenue	4,355,842	354,096	354,096	8.13%	
Fees	158,500	19,211	19,211	12.12%	
Interest Income	1,500	1,832	1,832	122.12%	
Transfer In-Debt Service					
Miscellaneous Income	-	-	-		
Total Revenue	\$ 10,118,498	\$ 918,225	\$ 918,225	9.07%	
Expenditure Summary					
Utility Administration	\$ 360,973	\$ 11,993	\$ 11,993	3.32%	
Water Operations	7,043,677	396,649	396,649	5.63%	
Sewer Operations	3,737,513	226,073	226,073	6.05%	
Meter Reading	576,755	12,298	12,297	2.13%	
Total Expenditures	\$ 11,718,918	\$ 647,012	\$ 647,012	5.52%	
Total Revenue Over/Under Expenses	\$ (1,600,420)	\$ 271,212	\$ 271,213		

Explanation of Major Variances:

Monthly Revenue and Expenditure Report
October 31, 2016
(Unaudited)

Debt Service Fund

	8% of Year Completed				
	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 8%
Revenue Summary					
Property Tax	\$ 3,522,138	\$ 11,973	\$ 11,973	0.34%	
Interest Income	1,000	165	(11)	-1.06%	
Miscellaneous Receipts		4,073	4,073		
Total Revenue	\$ 3,523,138	\$ 16,211	\$ 16,035	0.46%	
Expenditure Summary					
Fees	\$ 3,500	\$ -	\$ -	0.00%	
Principal	1,922,218	-	-	0.00%	A
Interest	1,583,679			0.00%	A
Transfer Out-Utility Fund					
Total Expenditures	\$ 3,509,397	\$ -	\$ -	0.00%	
Total Revenue Over/Under Expenses	\$ 13,741	\$ 16,211	\$ 16,035		

A Principal payments are due in February and interest payments in February and August

City of Sachse
Monthly Revenue and Expenditure Report
October 31, 2016
(Unaudited)

SACHSE ECONOMIC DEVELOPMENT CORPORATION

8% of Year Completed

	Annual Budget	Current Month Actual	Actual YTD	YTD Actual as a Percent of Budget	Note Reference 8%
Revenue Summary					
Sales Tax	\$ 691,944	\$ 58,286	\$ 58,286	8.42%	A
Other Income	\$ -	\$ 502,845	\$ 502,845		
Interest Income	3,000	117	117	3.91%	
Total Revenue	\$ 694,944	\$ 561,248	\$ 561,248	80.76%	
Expenditure Summary					
Expenditures	688,809	16,301	16,301	2.37%	
Total Expenditures	\$ 688,809	\$ 16,301	\$ 16,301	2.37%	
Total Revenue Over/Under Expenses	\$ 6,135	\$ 544,947	\$ 544,947		

Explanation of Major Variances:

A Proceeds from sale of land

CITY OF SACHSE

2016/2017 SALES TAX ANALYSIS

	Total	General Fund	General Fund	YTD Percent		Total	General Fund	General Fund	YTD Percent
FY 2016	Sales Tax	Sales Tax	Year-To-Date	of Budget	FY 2017	Sales Tax	Sales Tax	Year-To-Date	of Budget
October	156,703	89,540	89,540	7.34%	October	204,011	116,572	116,572	9.56%
November	223,828	127,895	217,435	17.83%	November	269,073	153,748	270,320	19.53%
December	162,793	93,020	310,455	25.46%	December				
January	198,309	113,314	423,769	34.75%	January				
February	278,265	159,001	582,769	47.79%	February				
March	168,935	96,530	679,299	55.70%	March				
April	165,486	94,559	773,858	63.46%	April				
May	269,268	153,860	927,718	76.07%	May				
June	190,617	108,919	1,036,636	85.00%	June				
July	189,206	108,113	1,144,749	93.87%	July				
August	265,824	151,892	1,296,641	106.32%	August				
September	196,876	112,495	1,409,136	115.55%	September				
TOTAL	2,466,111	1,409,136			TOTAL	473,084	270,320		
BUDGET		1,219,518			BUDGET		1,383,888		



City of Sachse, Texas

Legislation Details (With Text)

File #:	16-3612	Version:	1	Name:	Reschedule January 2017 Council Workshops and Meetings.
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	11/23/2016	In control:		In control:	City Council
On agenda:	12/5/2016	Final action:		Final action:	
Title:	Reschedule the January 2, 2017 City Council Workshop and Meeting to Tuesday, January 3, 2017.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Title

January 2017 Council Workshop and Meeting

Background

Due to the New Year's Day Holiday being the first Monday of January, the City Council will need to reschedule this regularly scheduled meeting. Council has traditionally chose to reschedule this meeting to the Tuesday following, which would be January 3, but may choose another date if preferred.

Policy Considerations

None.

Budgetary Considerations

None.

Staff Recommendations

Reschedule the January 2, 2017 City Council Workshop and Meeting to Tuesday, January 3, 2017.



City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3623 **Version:** 1 **Name:** City Personnel Policies and Procedures Manual
Type: Agenda Item **Status:** Agenda Ready
File created: 12/1/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Approve an ordinance updating the City's Personnel Policies and Procedures Manual.
Sponsors:
Indexes:
Code sections:
Attachments: [Ordinance](#)
[Final Policies and Procedures Handbook](#)

Date	Ver.	Action By	Action	Result
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Title

City Personnel Policies and Procedures Manual.

Background

The most current review of the Personnel Policies and Procedures Manual began in August with a committee of Department Directors and Human Resources. Based on feedback from the City Council Workshop on November 21, 2016, staff made the recommended changes to the Information Technology Policy by adding statements addressing cybersecurity and will also emphasize this particular policy with specific employee training.

Considerations

Recommended changes to the Information Technology Policy, located within Chapter 7, have been made.

Budgetary Considerations

N/A.

Staff Recommendations

Approve an ordinance updating the City's Personnel Policies and Procedures Manual.

[illegible]

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, APPROVING THE CITY OF SACHSE EMPLOYEE POLICIES AND PROCEDURES MANUAL, AND FURTHER AUTHORIZING THE CITY MANAGER TO IMPLEMENT AND, IF NECESSARY, AMEND THE SACHSE EMPLOYEE POLICIES AND PROCEDURES MANUAL; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Texas Constitution, Article XI, Section 5, authorizes cities with over 5,000 in population to adopt by election a home rule charter, which charter grants the citizens of the city the power of self-government; and

WHEREAS, the City of Sachse is a home-rule city with the council-city manager form of government; and

WHEREAS, the City of Sachse Home Rule Charter, Section 4.06(1), provides, in part, “Personnel rules shall be prepared by the city manager and presented to the city council, who may adopt them by ordinance, with or without amendment”; and

WHEREAS, the City Manager, in consultation with the City Attorney, is recommending the approval of the City of Sachse Employee Policies and Procedures Manual, and is seeking the authority of the City Council to implement and amend these policies and procedures as necessary provided such amendments do not have a financial impact on the City; and

WHEREAS, if there is a financial impact regarding a proposed amendment or a new policy is proposed, the City Manager shall be required to seek City Council approval prior to implementation of such policy;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSENAS:

SECTION 1 That the City Council approves the City of Sachse Employee Policies and Procedures Manual, and further authorizes the City Manager to amend these policies and procedures as necessary without City council approval provided such amendment does not have a financial impact on the City.

SECTION 2 That all ordinances of the City of Sachse, in conflict with the provisions of this ordinance be, and the same are hereby repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3 That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, as amended hereby, be adjudged or held to be void or unconstitutional,

the same shall not affect the validity of the remaining portions of said ordinance, or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4 That this ordinance shall take effect immediately from and after its passage, and publication of the caption, as the law and charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the _____ day of _____, 2016.

APPROVED:

Mike J. Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(11-29-2016/81819)



**CITY OF SACHSE
PERSONNEL
POLICIES AND
PROCEDURES**

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CHAPTER ONE -- INTRODUCTION

101 P r o p o s e

The Employee Personnel Policies and Procedures Manual (the Manual) is a compilation of the City's personnel policies, practices, and administrative procedures. Its purpose is to provide a consistent guide relating to the terms and conditions of employment.

This Manual is designed to provide information about working conditions, employee benefits, and policies and procedures affecting employment with the City of Sachse.

Employee manuals cannot anticipate every circumstance or question about City policy; therefore, as the City continues to grow and needs arise, the City reserves the right to revise, supplement or rescind any policies or portion of this manual as it deems appropriate. The only exception to any changes is the employment-at-will policy permitting the employee or the City to end the employment relationship for any reason at any time. Any future changes to this Employee Policy Manual will be communicated to employees through official written notices.

102 A p p l i c a t i o n P e r s o n n e l

This Manual shall apply to all City employees, provided that the provisions may be varied in the case of an employee with a written employment agreement approved by the City Council. All employees must become familiar with and abide by these policies.

This policy applies to employees appointed by the City Council. However, this policy does not apply to elected officials nor does it apply to appointed members serving on the City's Boards and Commissions.

103 M a n a g e m e n t A u t h o r i t y

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

Policy Administration. The City Manager may modify, revoke, suspend, interpret, terminate, or change any or all of its policies and procedures, in whole or in part, at any time, with or without notice. Any changes to the Manual that would have a financial impact on the City shall be approved by the City Council. The City Manager reserves the right to make final decisions as to the interpretation and intent of all information contained in the Employee Policies Manual.

The issuance of these policies and procedures does not constitute a contract between the City and its employees for any duration of employment. There is no specified length of employment, and either the City or the employee can terminate the employment relationship at any time, for any reason.

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

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

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

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

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

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

104 O

The objectives of the Employee Policies and Procedures Manual are as follows:

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

105 EEO Ordinance

The City is an equal opportunity employer. Discrimination against any person in recruitment, examination, selection, appointment, rate of pay, promotion and transfer, retention, daily working conditions, testing and training, awards, compensation and benefits, disciplinary measures or any other aspect of employment because of age, race, religion, sex, national origin, citizenship, disability, genetics, veteran's status or other unlawful basis, is prohibited.

CHAPTER TWO -- WORKPLACE ENVIRONMENT

2.01 Americans with Disabilities Act

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

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

Any employee seeking a reasonable accommodation for a disability that affects the employee's ability to perform the essential functions of the position shall make a written application on a form provided by Human Resources.

Employees who have a complaint involving potential violations of the Americans with Disabilities Act or ADAAA, including but not limited to harassment, discrimination, or failure to provide a reasonable accommodation, must immediately contact the immediate Supervisor, Department Director, Human Resources or the City Manager.

2.02 At-Will Employment

All employment by the City has been and continues to be at-will, except for those positions that may have a written contract approved by the City Council. That means that both the employee and/or the City have the right to terminate employment at any time, with or without notice, and with or without cause. Although adherence to these Employee Policies and Procedures Manual is considered a condition of continued employment, nothing in these policies alters an employee's status and shall not constitute nor be deemed a contract or promise of employment.

2.03 Confidentiality of Personnel Files

Personnel Files

The Human Resources Department maintains a complete personnel file on every employee. Information in these files is kept confidential subject to the Open Records Act of the State of Texas. However, active employees may review his/her personnel file at any time during employment with the City by making an appointment with Human Resources. Records may not be removed from the Human Resources Office, and must be reviewed in the presence of an authorized Human Resources Department employee. All personnel related materials, such as applications/resumes, Human Resource Action Forms relating to new hires, promotions, transfers and terminations, performance reviews, commendations, disciplinary actions, education certifications, etc., are to be kept in the Human Resources Office personnel file. Employees and managers are encouraged to place information of a positive nature in personnel files, including special achievements and contributions of an academic, professional or civic nature. Medical records are not kept in

personnel files, and are not available to anyone other than the employee without the employee's express written authorization.

When changes in personal status occur, employees are expected to see Human Resources to complete the proper paperwork. Those changes include:

- Address and/or telephone numbers;
- Name change due to marriage, divorce or court order;
- Updating insurance records, i.e., add or delete spouse or child to/from insurance coverage, change of beneficiary for life insurance and TMRS coverage, etc.

Medical Information

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

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

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

It is important that employees understand that these records are confidential, but confidentiality may be waived when the employee provides release of medical information to his/her supervisor or Human Resources.

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

204 ID Card

All employees will be issued a personal identification card for security purposes. Identification cards may be used for accessing City facilities and work areas as appropriate.

City identification cards are issued for "official use only" and are not to be used to obtain privileges or for personal reasons. Misuse of the City of Sachse ID cards will be grounds for employee disciplinary action.

It is the responsibility of the employee to ensure that current information is reflected on his/her identification card. Any employee having a name change or transfer to another department must obtain a new ID card within thirty (30) days of the name change or transfer. Identification cards

are to be worn in a visible manner while on duty. Employees in City of Sachse work uniforms with his/her name on the uniform are not required to have the ID card visible, but must keep it within reasonable access for verification of employment while on duty.

If an identification card is lost or damaged, the employee must immediately notify Human Resources to obtain a new card. Employees may be responsible for reimbursing the City for the cost of a new card.

Employees must surrender their identification cards upon termination of employment. The Department Director or his/her designee will be responsible for collecting the departing employee's ID card.

205 P R

All information that is a matter of public record will be made available to the media through proper channels, and at appropriate times. Information which is not a matter of public record and for legal purposes is normally not released, and will not be released without authorization from the City Manager and/or City Attorney. All such decisions should be made with the understanding that releasing to, or withholding information from the media is, in effect, releasing to or withholding information from the public.

All City employees can expect to be contacted by the media regarding information about the City of Sachse. Responsibility for responding to such inquiries is as follows:

1. Employees must direct media inquiries of any type to his/her Department Director or designated representative.
2. Department Directors are expected to respond to media inquiries with appropriate information and/or other points of contact. Directors are expected to contact the City Manager and City Attorney, if directed to do so, in regard to potentially controversial or sensitive matters, particularly if media attention is expected or has already occurred. Such incidents include, but are not limited to:
 - Controversial statements, accusations or debates occurring in meetings of advisory boards and/or commissions;
 - Disruption in City services;
 - Personnel problems such as suspensions and resignations of key staff and possible employee strikes or walk-outs;
 - Accidents or other incidents resulting in the injury or death of a City employee;
 - Accidents or other incidents that involve City employees or property resulting in the injury or death of a citizen;
 - Litigation filed or decisions rendered regarding the City.
3. The City Manager is expected to keep the City Council informed on a timely basis of any potentially controversial or sensitive matter, especially if media attention is expected or has already occurred.

4. The release of information during an emergency or disaster is addressed in the City of Sachse's Emergency Management Plan, Annex I: Public Information. The following is a summary:
- All information will be released from the Emergency Operations Center. Information from the scene(s) will cease unless specifically authorized by the Emergency Management Coordinator and the Public Information Officer.
 - All information released to the media will be routed through the Public Information Officer, who will work with the Emergency Management Coordinator in releasing information.
 - Information will be released to the media via news releases and news conferences conducted at a pre-designated media staging area, unless specifically authorized by the Emergency Management Coordinator and Public Information Officer.

206 Texas Public Information Act

The Texas Public Information Act, Chapter 552 of the Texas Government Code, is the law that governs access to information held by State and Local governmental bodies. The Act provides that all information collected, assembled or maintained by, or for a government body in connection with public business is presumed to be public information. The City Secretary will be the Public Information Act (PIA) compliance officer for the City of Sachse.

From time to time requests for personnel records come in to the Human Resources Department. These types of requests normally fall under two categories: first Public Information requests and second requests by employees for their personnel files. In the event of the PIA requests, the Human Resources Department will forward the PIA request to the City Secretary and will work with the City Secretary to respond to the request. The non-PIA types of request will be handled by Human Resources according to their standard operating procedures.

207 Employee Safety

The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed. The City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. All City-provided safety equipment must be used at all times.

The City may issue various equipment or other property to employees, e.g., credit cards, keys, tools, security passes, manuals, written materials, uniforms, mobile telephones, computers, and computer-related equipment. Employees are responsible for items formally issued to them, as well as for items otherwise in their possession or control or used by them in the performance of their duties. Employees may be required to sign certain forms or other documentation evidencing their receipt of property and/or equipment and authorizing a payroll deduction for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, the City may take any other action it deems appropriate or necessary to recover and/or protect its property.

Employees must notify their supervisor immediately if any vehicle, equipment, machine, tool, etc. appears to be damaged or defective, in need of repair or lost or stolen. Supervisors can answer questions about an employee's responsibility for maintenance and care of equipment used on the job. Such reports are necessary so that the City can remain in compliance with applicable laws and begin workers' compensation benefit procedures where appropriate. An Accident Report Form which is available on the City's Shared Drive must be completed by the employee and reviewed by their immediate supervisor and submitted to Human Resources within 24 hours of the accident.

Violation. Departments may also have their own specific safety policies and procedures. Employees who violate the safety standards, who cause or exacerbate hazardous or dangerous situations, or who fail to report or, where appropriate, correct such situations, will likely be subject to immediate disciplinary action, up to and including termination of employment.

1. Personal Use Prohibited

City property, materials, supplies, tools, equipment or vehicles may not be removed from the premises unless the property, materials, supplies, tools, equipment or vehicles are being utilized for City- related purposes. Personal use of City equipment is strictly prohibited. Personal use of City equipment or vehicles may result in disciplinary action, leading up to and including immediate termination of employment.

2. Personal Property

All employees must be responsible for their personal property at all times.

3. Miscellaneous City Property

All City property, regardless of status must be properly and legally disposed of in accordance with Article III, Section 52 and Article XI, Section 3 of the Texas Constitution which prevents a political subdivision from giving public money or anything of value in aid of an individual, association or corporation.

208 U V r C B

All authorized drivers of vehicles (personal and City issued) for City Business must maintain a valid Texas Driver's License. It is the responsibility of the employee to promptly notify his/her Department Director and the Human Resources Department when he/she receives a traffic ticket while operating a City vehicle, has their license suspended/revoked, or is arrested for DUI or DWI. All citations, suspensions/revocations or arrests for DUI or DWI must be reported within three (3) business days of issuance. Failure to maintain a safe driving record as defined by the City's Employee Policy Manual may result in suspension of driving privileges, suspension, demotion or termination.

Under no circumstances will an employee operate a vehicle for City Business while under the influence of alcohol, illegal drugs, or drugs that influence ability to drive. Use of tobacco products while operating a City vehicle is strictly prohibited. Individual departments may have specific policies that address vehicle usage within that department. Employees using a vehicle for City business must:

1. Have his/her driving history checked every year by Human Resources for possible violations;
2. Possess a current Texas Driver's License that is not suspended or revoked;
3. Not have been convicted of a DWI or DUI within the past five (5) years;
4. Maintain a safe driving record which is defined as no more than three convictions for moving violations and/or at-fault accidents in a thirty-six-month period preceding the current year; no felony conviction or failure to stop and render aid, failure to leave identification at the scene of an accident, involuntary manslaughter, or criminally negligent homicide involving a motor vehicle;
5. Operate the vehicle in a manner that will reflect positively on the City; and
6. Comply with all State statutes that apply to City-owned vehicles.

Failure to follow this policy, departmental policy, or misuse, including personal use, of any City vehicle or equipment is subject to disciplinary action, up to and including termination of employment. Payments for all citations received in a City vehicle are the responsibility of the employee who received the citation.

Accidents Involving Personal Vehicles while Conducting City Business. All accidents and injuries, however slight or seemingly inconsequential, involving personal vehicles being used while conducting city business must immediately be reported to the appropriate supervisor, Human Resources and to the proper law enforcement agency. Failure to report any accident or injury within 24 hours of its occurrence may lead to disciplinary action, up to and including termination of employment. Such reports are necessary so that the City can remain in compliance with applicable laws and begin workers' compensation benefit procedures where appropriate.

Traffic Regulations. Drivers must obey all traffic rules and regulations prescribed by law and use every reasonable safety measure to prevent accidents. No one under the age of 18 may operate a City vehicle. Wearing of seat belts is mandatory. Any traffic fines imposed upon a City employee while operating a City vehicle will be the personal responsibility of the employee and not the City. Any employee involved in any type of accident involving City equipment may be disciplined if, upon investigation, it is determined that the employee was negligent or through carelessness or recklessness contributed to the cause of the accident.

When a special classification of driver's license is required to operate City equipment, it is the employee's responsibility to maintain the required license.

City Vehicles. Any person assigned a City-owned vehicle is responsible for proper use and operation of the vehicle in accordance with City policies and City and State laws. This includes maintaining a safe driving record, being knowledgeable of driving rules and defensive driving techniques, and staying aware of the condition of the City-owned vehicle that is being operated in

order to notify the supervisor regarding general maintenance needs. City vehicles are furnished for official business only and may not be used for personal reasons. Certain employees may be permitted to drive City-owned vehicles back and forth to work each day. Take-home vehicles must not be used for personal use. Any employee allowed to take a City vehicle home must store the vehicle within a 15-mile radius of the City limits either at their home or an approved governmental agency. Vehicles must be legally parked. Regular assignment of take-home vehicles must be approved and authorized in writing by the City Manager. Employees assigned a City-owned vehicle are the only persons authorized to operate the vehicle without written consent from the Department Director. Only authorized City of Sachse employees are permitted to operate City vehicles. Personal errands should not be conducted during the lunch hour while in a City vehicle. City vehicles should only be driven outside of the City limits for official business. Official City business is defined as training, meetings or picking up supplies. The driver of the City vehicle is responsible for the cleanliness of the vehicle. Riders (as observers) in City-owned vehicles or equipment will be required to complete a waiver form prior to riding in the City vehicle. Minors will be allowed as observers but must have a waiver completed by a parent or legal guardian prior to the ride. Family members and friends are not permitted to ride in City vehicles unless they are riding as an observer and have completed the waiver form. Waivers must be approved by the Department Director before the person is authorized to ride in a City vehicle.

Tobacco/Drug Use Prohibited. The use of all tobacco products (including smokeless) is prohibited at any time in City buildings and other facilities, in City vehicles, while using City equipment, and as otherwise directed. At no time may an Employee under the influence of alcohol or a presence in the system of illegal drugs, drive a city vehicle or a personal vehicle while conducting City business.

200 IOWA WORKERS – EMPLOYMENT CONTRACT

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

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

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

When weather or other conditions are such that the City Manager declares certain City departments officially closed, all affected personnel i.e., those nonessential employees who were scheduled to

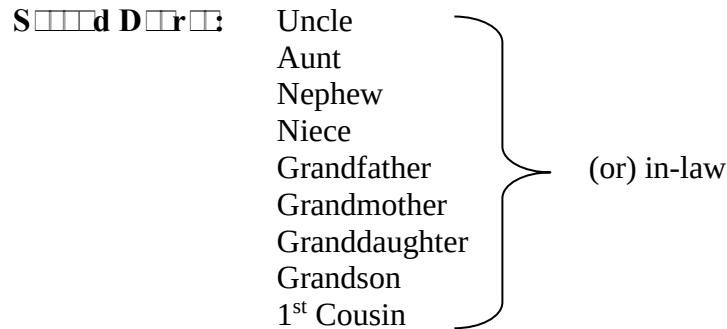
When weather or other conditions are such that the City Manager declares a “delayed opening” for certain City departments, all affected personnel—i.e., those nonessential employees who were scheduled to work during the time of closure, will be granted “paid administrative leave” for the time the department is closed provided they report to work at the time designated. If an employee fails to report to work at the designated time, regular full- and part-time nonexempt employees who don’t report, must use any accrued vacation, personal leave or compensatory time available for the hours that the City was open for business.

210 NNNNNNNN

Applicants:

- $$\mathbf{r}^T \mathbf{D} \mathbf{r} :$$

(or) in-law



Promotions. In the event of a proposed promotion to any of the positions listed above, any employed family member of a person considered for promotion to any of the positions identified above must agree to immediately tender written, conditional resignation before the candidate will be formally considered for the proposed promotion. If the candidate is selected for and chooses to accept the promotion, the conditional resignation becomes final. Normally, once final, any such resignation will not become effective until ninety (90) days after the promotion takes effect. During this ninety (90) day period, the employed family member may apply for other open positions within the City or seek a transfer provided that the employed family member is duly qualified and the position sought does not violate the City’s nepotism policy.

Reorganization. In the event of a reorganization, or any other situation (other than a promotion) giving rise to a relationship prohibited by this section of the policy, the lower ranking employee will be required to immediately resign employment. If both employees are of an equal rank, one of them will be required to immediately resign employment. In the event that the employees do not decide which will resign the employee with the least seniority will be deemed to have resigned. Normally, any such resignation will not be effective until ninety (90) days after the engagement, reorganization, etc., occurs.

Other Restrictions. The following restrictions apply on the employment of any relative, including those defined as family members under this policy:

1. No employee in the relationship will supervise, review or process the work of the other;
2. The employees’ relationship must not create a conflict between each employee and City interests; and
3. There must be no interdependence or relationship between the jobs of the individuals concerned which could be potentially detrimental to the interests of the City.

Relatives will not normally be permitted to work in the same department with each other without prior written authorization from the City Manager (or designee). In addition, written authorization must also be obtained from the City Manager (or designee) to employ any relative of a current City employee.

Marriage of Current Employees. In the event of a marriage between two City employees, a promotion, reorganization, or any other situation giving rise to a relationship prohibited by this

policy, one or both of the affected employees must immediately seek a transfer to another available position within the City for which the employee is qualified and that meets the requirements of this policy. If a suitable transfer cannot be made within ninety (90) days of the event giving rise to a relationship prohibited by this policy, one or both of the affected employees will be required to resign from employment.

Periodic Review. Periodically, the City Manager (or designee) will review the job descriptions and interrelationship between the affected jobs and determine whether they meet the requirements set out in this policy. If one or more of these requirements are not met, one or both of the affected employees must immediately seek a transfer to another available position within the City for which he or she is qualified and that meets the requirements of this policy. If a suitable transfer cannot be made within ninety (90) days, one or both of the affected employees will be required to resign from employment.

Application of Policy. This policy applies to all City employees, including non-benefitted, temporary or seasonal employees of the City.

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It is the policy of the City to promote a productive work environment. While the City encourages employees to develop good working relationships and friendships with fellow employees, certain types of fraternization are prohibited. The City does not wish to intrude into the private lives of employees; however, when personal or business relationships between employees adversely impact, or have the reasonable potential to adversely impact the City of Sachse by eroding morale, good order, discipline, respect for authority or departmental cohesion they become a matter of official concern. In order to avoid situations involving unlawful sexual harassment, stalking, conflicts of interest, misunderstandings or the appearance of favoritism and impropriety, any relationship that impedes the City's ability to conduct business, that would create a conflict of interest, or prevents employees from performing their duties in an effective manner are considered detrimental to a productive work environment and are prohibited.

1. Relationships are considered unprofessional, whether pursued on or off-duty when they detract from management authority, or result in or reasonably create the appearance of favoritism, misuse of office or position, or the abandonment of organizational goals for personal interests.
2. Personal relationships are defined as dating, cohabitation, and any type of intimate or sexual relationship.
3. Business relationships are defined as borrowing or lending money, commercial solicitation or entering into any type of on-going financial or business relationship.
4. Employees in relationships which comply with this policy, but move to noncompliance due to a change in status of one or both employees through promotion or transfer must notify their Department Directors. Situations will be reviewed on a case-by-case basis taking into consideration the best interest of the City. Decisions will be based on the best interest of the City. Resolution may

include reassignment, restriction of duties and responsibilities, or transfer of one of the employees.

5. Employees who do not notify the City of a personal (emotional or physical) or on-going business relationship may be subject to remedial action; up to and including reassignment of duties and responsibilities, transfer, demotion, limiting of job functions and/or access to certain information, possible disciplinary action, up to and including termination.
6. Employees involved in a consensual relationship which complies with this policy, but allow the relationship to interfere in any way with the effective performance of their duties or the duties of their co-workers will be subject to disciplinary action, up to and including termination.

212 Outside Employment

Written Authorization Required. Full-time City employees may engage in outside employment provided they receive prior written approval from their Department Director. Department Directors and Administrative Staff reporting directly to the City Manager must receive written approval from the City Manager prior to engaging in outside or self-employment.

Prohibited Activities. Employees will not be permitted to engage in outside employment (including self-employment) or other activities that might discredit the City, result in a conflict of interest or a potential conflict of interest, or adversely affect the employee's job performance.

Workers' Compensation Coverage. Employees are not covered by the City's workers' compensation insurance while working for another employer.

Outside Employment While on Leave Prohibited Approval for outside employment as set out in this policy does not authorize an employee on FMLA leave, sick leave, disability leave, workers' compensation, administrative leave, or an unpaid leave of absence or on restricted or light duty to engage in any outside employment. Any exceptions must be expressly authorized in writing by the Department Director. Additionally, the Department Director may suspend outside employment activities at any time.

213 Political Activities

City employees will not be appointed or retained on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. No City employee is prohibited from becoming a candidate for public office. However, City employees may not:

- While on duty publicly endorse or campaign in any manner for any person seeking a City public office.

- Use the employee's position or office to coerce political support from employees or citizens.
- Use the employee's official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office.
- Make, solicit or receive any contribution to the campaign funds of any candidate, directly or indirectly through an organization or association, for the City Council or take any part in the management, affairs or political campaign of any such candidate; provided nothing herein shall infringe upon the rights of an employee to seek office himself/herself, express his or her opinions and to cast his or her vote.
- Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.
- Contribute money, labor, time or other valuable thing to any person for City election purposes, except as permitted by law.
- Hold an appointive or elective office of public trust where service would constitute a direct conflict of interest with City employment. Upon being elected to such an office, an employee must immediately resign or will be dismissed upon failure to do so.

214 Search

The City may conduct unannounced searches or inspections of the work site, as it deems appropriate and reasonable, including but not limited to City property used by employees such as lockers, file cabinets, desks, and offices, computer and electronic files, social media sites, cell phones, text messages, whether secured, unsecured or secured by a lock or password provided by the employee. No supervisor has the authority to deviate from City policy. The City also reserves the right to conduct surveillance through video equipment or security personnel.

215 Standard of Conduct: Harassment

All City employees are entitled to a workplace free of unlawful harassment by management, supervisors, co-workers, citizens, and vendors. This means that each employee must be respectful of others and act professionally. City employees are also prohibited from harassing citizens, vendors, and all other third parties.

Sexual Harassment. All types of sexual harassment are prohibited. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
2. submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Sexual harassment does not require sexual attraction or interest. This policy prohibits sexual advances and requests for sexual favors, sexual jokes and innuendo; comments about bodies, sexual prowess, sexual preferences, sexual experiences or sexual deficiencies; leering, whistling, or touching; verbal abuse of a sexual nature, including insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures, including nudity and pornography; and all inappropriate conduct of a sexual nature, whether it be physical, verbal or visual conduct.

Other Prohibited Harassment. In addition to the City's prohibition against sexual harassment, harassment on the basis of any other legally protected characteristic is also strictly prohibited. This means that verbal or physical conduct that singles out, denigrates, or shows hostility or aversion toward someone because of race, religion, color, national origin, gender, age, disability, genetics, veteran status, citizenship, political affiliation, marital status or any other characteristic protected by law is also prohibited.

Prohibited conduct includes, but is not limited to, epithets, slurs and negative stereotyping; threatening, intimidating, or hostile conduct; denigrating jokes and comments; and objects, writings or pictures, that single out, denigrate, or show hostility or aversion toward someone on the basis of a protected characteristic. Conduct, comments, or innuendoes that may be perceived by others as offensive are wholly inappropriate and are strictly prohibited.

This policy also prohibits sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, comics, stories, etc., including but not limited to via facsimile, e-mail, cell phone or other electronic devices, social media, and/or the Internet, such as YouTube, Instagram, Snapchat, Facebook or other social networking sites. Harassment of any nature, when based on race, religion, color, sex, national origin, age or disability, genetics, veteran status, citizenship or any other characteristic protected by law is prohibited and will not be tolerated. This policy applies to City employees, citizens, vendors, and other visitors to the workplace.

Mandatory Reporting. The City requires that employees report all perceived incidents of harassment, regardless of the offender's identity or position. Any employee who observes or otherwise learns of possible harassment in the workplace or who feels that harassment has occurred or has been subjected to conduct prohibited by this policy must report it immediately to:

- Department Director;
- Human Resources; or
- City Manager.

Any supervisor, manager, or Department Director who becomes aware of possible conduct prohibited by this policy must immediately advise the Department Director and/or Human Resources.

Under this policy, an employee may report to and/or contact Human Resources directly, without regard to the employee's normal chain of command. The City encourages employees who believe they are being subjected to conduct prohibited by this policy and who feel comfortable doing so, to promptly advise the offender that his/her behavior is unwelcomed and request that it stop. Often this action resolves the problem. If the conduct continues and is a clear violation of this policy, employees are still required to report the offending conduct to one of the individuals listed above.

Investigation. All reports of prohibited conduct will be investigated promptly and in as confidential a manner as possible. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have other relevant knowledge. All employees are required to cooperate with the investigation and to maintain confidentiality.

Retaliation Prohibited. Retaliation against employees who make a good faith charge or report of prohibited conduct or who assist in a complaint investigation is prohibited. Acts of retaliation must be reported immediately to Human Resources or the City Manager.

Responsive Action. Misconduct constituting harassment or retaliation will be dealt with appropriately. Discipline, up to and including termination will be imposed upon any employee who is found to have engaged in conduct prohibited by this policy. Likewise, disciplinary action will be imposed in situations where claims of prohibited conduct were untruthful, fabricated or exaggerated or when employees are untruthful during an investigation.

216 Tobacco Prohibited

The City's policy is to provide a smoke free workplace. Smoking and use of smokeless tobacco and e-cigarettes (vapor devices) is prohibited in City buildings, or outdoors within twenty-five (25) feet of any entrance utilized by employees or the public. Smoking and use of smokeless tobacco is also prohibited in all City vehicles, in garages or around the entrances to buildings. Smoking and use of smokeless tobacco is only allowed in designated areas. Cigarette or cigar butts may not be discarded on the ground at any City facility, including parking lots. This prohibition against smoking applies to electronic cigarettes. Users of smokeless tobacco are prohibited from spitting on sidewalks, parking lots, on landscaping or in the bathroom facilities.

217 Workplace Violence Prohibited

The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur.

Zero Tolerance. This policy prohibits harassment, intimidation, threats, and violent behavior by or towards anyone in the workplace, that is in any way job- or City-related, that is or might be carried out on City property, or that is in any way connected to the employee's employment with the City, whether the conduct occurs on-duty or off-duty. The City has a zero tolerance policy for this type of misconduct.

Weapons Banned. Unless specifically authorized by the City Manager, no employee, other than a City of Sachse Police Officer or Fire Marshal, if TCOLE certified, shall carry or possess a firearm or other weapon on City property. Employees are also prohibited from carrying a weapon while on duty or at any time while engaging in City-related business. Prohibited weapons include firearms, clubs, explosive devices, knives with blades exceeding 5 ½ inches, switchblades, etc. Employees do not have an expectation of privacy and the City retains the right to search for firearms or other weapons on City property. Employees licensed to carry a firearm by the State of Texas may have a licensed handgun only on the City parking lot if it is locked and concealed in the employee's vehicle.

Mandatory Reporting. Each City employee must immediately notify Human Resources or the City Manager and the appropriate law enforcement agency of any act of violence or of any threat involving a City employee that the employee has witnessed, received, or has been told that another person has witnessed or received. Even without an actual threat, each City employee must also report any behavior that the employee regards as threatening or violent when that behavior is job-related or might be carried out on City property, a City-controlled site or City job site, or when that behavior is in any manner connected to City employment or activity. Each employee is responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons threatened or the target of the threatening behavior. A supervisor who is made aware of such a threat or other conduct must immediately notify Human Resources or the City Manager.

Policy Violations. Violations of this policy may lead to disciplinary action, up to and including termination of employment.

CHAPTER THREE -- RECRUITMENT AND EMPLOYMENT

301 E □ □ □ □ □ □ □ □ S □ □ □ □ □

The City classifies City employees for the purpose of employment status and benefit eligibility as follows:

Regular Full-Time. An employee in a budgeted position that is permanent in nature with an officially scheduled workweek of 30 hours or more (except for certain Fire-Rescue Department shift personnel who have a different work cycle) who has successfully completed the initial introductory period. Generally, regular full-time employees are eligible for the City's full benefits package, subject to the terms, conditions, and waiting periods of each benefit program. Regular full-time employees are required to participate in the Texas Municipal Retirement System (TMRS).

Regular Part-Time. An employee in a budgeted position with an officially scheduled workweek of less than 30 hours who has successfully completed 6 months of active service with the City. Part-time employees who work at least 1000 hours in a year are required to participate in Texas Municipal Retirement System (TMRS).

Non-benefitted part-time. A part-time employee who works fewer than 20 hours per week. Non-benefitted part-time employees receive no benefits or leave time but do receive all legally mandated benefits (such as workers' compensation insurance coverage), but are not eligible for the City's other employment benefits.

Temporary/Seasonal. An employee who is employed for only a specific time period, for a special assignment, or as an interim replacement. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary and seasonal employees retain that status unless and until notified of a change in writing by Human Resources. Temporary and seasonal employees receive all legally mandated benefits (such as workers' compensation insurance coverage), but are not eligible for the City's other employment benefits. Interns are classified as temporary/seasonal employees.

Volunteers. Volunteers are not employed by the City in any capacity. Volunteers elect to donate their time and services as a volunteer for the City without any expectation of compensation. Volunteers are not paid and are not entitled to any benefits but are covered by workers' compensation.

FLSA Classification. In addition to being in one of the above categories, each employee is also designated as either exempt or nonexempt from federal and state wage and hour laws. Employees are informed of their status as exempt or nonexempt at the time of their initial employment, or subsequently if their classification changes for any reason. An employee's exempt or nonexempt classification may be changed only upon written notification by Human Resources.

- Nonexempt Employees – Employees who are subject to all provisions of the Fair Labor Standards Act (FLSA) as amended. These employees receive overtime pay for hours worked beyond 40 hours in any workweek at one and a half times their regular hourly rate.
- Exempt Employees – Executives, professional, administrative, outside sales and some computer professional employees who are excluded from the overtime provision of the Fair Labor Standards Act (FLSA) as amended. These employees do not receive overtime pay for hours worked beyond 40 hours in a workweek.
- 207(k) Employees - The Fair Labor Standards Act (FLSA) provides partial and total exemptions from overtime for fire fighters in some cities. A partial exemption can be found in section 207(k) of the FLSA which provides that employees engaged in fire protection may be paid overtime on a “work period” basis. The employer is responsible for setting the “work period.” A “work period” may be from seven consecutive days to 28 consecutive days in length. For the City of Sachse, its fire protection and emergency medical personnel who work shifts are due overtime under such a plan after 212 hours worked during a 28-day period.

3.02 Recruitment and Selection

The City hires employees based on their knowledge, skills and abilities, experience, and other qualifications as they relate to the duties and responsibilities of a position without regard to race, national origin, religion, color, sex, age, citizenship, political affiliation, disability, genetics, veteran’s status, or any other characteristic protected by law. It is the desire and intent of management to provide promotional opportunities for employees of the City by offering assistance to interested employees in developing career plans and making applicable training and educational opportunities available.

Anyone seeking employment, promotion, transfer or re-employment with the City must complete and submit an official City Employment Application for the position desired. All information on the application is subject to verification. Applications will normally be considered active until the vacancy is filled. After the application deadline, Human Resources will review the applications and eliminate those that do not meet the minimum qualifications specified in the job description. Only applications meeting the minimum qualifications will be sent to the interviewing department, unless all applications are requested.

Disqualifications. Applicants may be disqualified from consideration for one or more of the following:

1. Failure to meet the minimum qualifications necessary to perform the duties of the position;
2. Termination of previous employment with the City due to unsatisfactory performance or conduct and/or violation of a City policy or procedure;
3. The applicant has previously been re-hired by the City a second time;

4. Employment will result in a violation of the City's Nepotism Policy;
5. Failure to meet minimum age requirement of 17;
6. False statements or material omissions on the Employment Application or at any time during the application process;
7. Failing any City background and/or employment requirements including, but not limited to drug testing;
8. The applicant commits or attempts to commit a fraudulent act at any stage of the selection process;
9. Applicant is not legally permitted to work in the United States;
10. The applicant is unable to perform the essential functions of the job applied for with or without reasonable accommodation; or
11. Any other reason deemed to be in the best interest of the City of Sachse.

303 R

The City does not give references, other than to confirm the dates of employment and job title, without the express written consent of the employee. Only the City Manager or Human Resources will provide employment references on current or former City employees.

304 R

There is no residency requirement for City employment. Employees who are likely to be called to work in response to emergency situations MAY be required to reside within reasonable response time which is less than 30 minutes.

305 H/M d E / / r D

It is the responsibility of each employee to maintain the standards of physical and mental health fitness required for performing the essential functions of the position, either with or without reasonable accommodation.

Serious Health Condition/Disabilities. The City recognizes that employees with a potentially life-threatening and/or infectious illness or physical and/or mental disabilities may wish to continue to engage in as many of their normal pursuits as their condition allows, including their employment. As long as these employees are able to perform the essential functions of their job, with or without a reasonable accommodation, without creating an undue hardship, and medical evidence indicates

that their condition is not a direct threat to themselves or others, the City will treat them consistently with other employees.

New Hires. Applicants who have been offered employment will be required to undergo a medical examination/testing by a physician designated by the City. The cost of the examination will be borne by the City. This examination will include drug and/or alcohol screening and a physical exam and/or a job task assessment. No applicant will be employed by the City until the examining physician has certified that the applicant meets the minimum standards of physical fitness required to fulfill the essential tasks and duties of the position for which the applicant is applying. Psychological tests will be required for Sworn Police, Police Dispatchers, and Fire Marshal.

Medical Exams for Current Employees. Human Resources may require a current employee to undergo a medical and/or psychological examination:

- to determine fitness for continued employment;
- as may be necessary in order for the City to provide a reasonable accommodation;
- following an injury or accident; and
- as otherwise permitted in accordance with applicable laws.

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

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

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

Return to Work/Fitness for Duty. Before returning to work following a medical and/or psychological examination under this policy, the employee must coordinate his/her return through Human Resources. An employee who misses work due to medical reasons may be required to provide a fitness for duty certification before returning to work.

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

306 Initial Period

The introductory period is designed to assure all employees meet acceptable standards of work performance and behavior for the position. All new employees hired to fill regular full-time or part-time positions must satisfactorily complete a performance introductory period of six months, or one year for sworn police and fire employees and police dispatchers. Additionally, all current employees who are transferred, promoted, or reclassified to a supervisory position, as well as former City employees who are re-hired, must satisfactorily complete a performance introductory period for the duration listed above. The introductory period assists the City in maintaining an effective, productive, and efficient workforce to provide quality services to its citizens. Only those employees who meet acceptable performance and other standards during their introductory period will be retained. Each introductory employee is responsible for knowing, understanding, and meeting the expectations and standards for his/her position. In addition, each employee is responsible for performing his/her job in a safe, productive, and effective manner within the instructions and established standards for the position. Furthermore, employees are expected to maintain acceptable standards of conduct in their employment. During the introductory period, it is the employee's responsibility to correct any deficiencies or inadequacies in job performance, attitude or conduct.

- Non-benefitted, seasonal and temporary employees do not serve a performance introductory period and have no right of appeal when terminated at any time.
- Change in Assignment of Employee serving in the Initial Introductory period. Employees serving in the introductory period may not request or make application for reassignment, promotion, or voluntary transfer during the introductory period without written approval from the City Manager, or if requested by their Department Director. If the reassignment, promotion, or transfer is approved the employee will serve six (6) months performance introductory period in the new position beginning with the date of the position change. Employees who change from regular part-time to regular full-time status must also complete a new introductory period.
- Absences During Introductory Period. During the introductory period, an employee is eligible to use sick leave for qualifying absences, but may not use vacation leave for an absence. Employees with a 1-year introductory period may use vacation after 6 months of satisfactory service. Compensatory time off, personal time or recognized holidays during the performance introductory period may be used as approved per established City/departmental policy or practice. Transferred or promoted employees serving introductory periods retain their eligibility for all types of leave established by City policy.
- Introductory Performance Evaluations. All employees serving in the introductory period shall be constantly evaluated. Supervisors must evaluate each employee's

performance and communicate feedback regarding the performance to the employee.

- Extensions to Introductory Period. The six-month introductory period may be extended up to an additional three months at the discretion of the Department Director. The introductory period may be extended for up to six months if approved by the City Manager. If granted, the employee will be advised in writing and given the date the extended introductory period will be completed. The decision to extend or not to extend an employee's introductory period may not be appealed.

An introductory period may also be extended for time spent away from the workplace due to mandated training or an approved leave of absence or including absence due to injury or illness or approved Military Leave. The extension will normally equal the length of time away from work. Accordingly, each full-day absence incurred will normally extend the introductory period by an additional day.

- Successful Completion of Introductory Period/"Regular" Status Granted. Employees have no guarantee of employment either during or after their introductory period. Only employees who meet acceptable performance, conduct, attendance, and other standards during this period will be retained as regular employees. An employee is granted "regular" status in the new position if the employee satisfactorily completes the performance introductory period.
- Failure of Introductory Period. An employee is considered to have failed the introductory period when it is determined that the employee's fitness, job performance, quality or quantity of work, attendance, or combination thereof, does not meet minimum job performance standards and expectations for the position. Failure of the introductory period may occur at any time within this timeframe. An employee who does not successfully complete the introductory period will normally be terminated from the City's employment. If desirable and feasible, the employee may be administratively transferred to a more suitable position at the sole discretion of the City. A transferred or promoted employee who fails the introductory period may, at the sole discretion of the City, be reinstated to the former position provided there is a vacancy and if approved by the affected Department Director(s).
- Termination of Employees Serving in the Introductory Period. Employees serving in the introductory period are at-will employees and may be terminated at any time, with or without notice or cause and has no right of appeal. Prior to dismissal of an introductory employee, the supervisor must consult with Human Resources and the Department Director. If the decision is made to dismiss the introductory employee, such dismissal should be initiated with a written notice of termination. Employees serving in the introductory period are otherwise subject to all policies and procedures of the City.

300 Director

Job descriptions will be written for all positions covered under the job evaluation plan, prior to being classified in accordance with the pay scale. Job evaluation is the process of determining the relative worth of all jobs in the City of Sachse. Each job in the City has been evaluated and placed in a grade level and accompanying salary range on the basis of that evaluation.

308 Supervisor Paid as Director

In accordance with Texas Local Government Code, Title 5, Chapter 141, a member of the fire or police department who is required to perform the duties of a particular classification is entitled to be paid the salary prescribed for that position during the time the member performs those duties. Therefore, if a member of the Police Department or Fire Department is required to act as a supervisor for a shift or more, he or she will be paid at the minimum salary of the pay scale for the supervisory position. If the employee's current salary is the same or more than the minimum pay scale, he or she will not receive additional compensation.

300 Chief Interim Director

If an employee is required to act as an Interim Director due to more than a 3-week absence of the Department Director, he or she will receive a temporary salary increase not to exceed 10% of the employee's base salary or the minimum of the Director's pay grade, whichever amount is higher. When the employee is no longer fulfilling the interim role of the Director, his or her salary will be changed back to what it would have been including any pay increases that would have been effective.

310 Transfer

Employees may apply for job openings within the City after the introductory period in his/her present position is complete, and if the employee meets the minimum qualifications for the open position. Requests for transfers must be discussed with the supervisor or Department Director. The employee should complete an Employment Application for the position and forward it to the Human Resources Department during the period in which applications are being considered. Employees promoted or transferred to another position within the City of Sachse, will be subject to a six-month introductory period in that new position. If an employee transfers to a different position and does not successfully complete the introductory period, he/she may be eligible for rehire in the former position, if that position has not been filled. If no position is available for which the employee is qualified, he/she will be terminated.

311 Senior

As previously mentioned in Chapter Two, all employment with the City of Sachse has been and continues to be at-will, except for those positions that may have a written contract approved by the City Council. That means that both the employee and/or the City have the right to terminate employment at any time, with or without notice, and with or without cause.

The City designates all employee separations as one of the following types:

Resignation. An employee who intends to resign is requested to notify the supervisor, Department Director and/or Human Resources in writing at least two weeks prior to the last day of work. Employees who fail to give a two-week notice are typically not eligible for rehire. The supervisor or Department Director is responsible for immediately notifying Human Resources. An employee who has provided notice of resignation is not allowed to use sick or personal leave that was not previously approved prior to the time the notice was given. In addition, an employee's last day of work must be physically worked.

Retirement. An employee who intends to retire is requested to notify the supervisor, Department Director and/or Human Resources in writing at least two weeks prior to the date of retirement. For those who provide more than two weeks' notice, the employee is not allowed to use sick or personal leave that was not previously approved within the final two weeks of employment. In addition, an employee's last day of work must be physically worked.

Dismissal/Termination. The City may terminate an employee's employment as a result of unsatisfactory performance or conduct and/or violation of City policies or procedures, including a new hire who fails the Introductory period. City employees who are terminated, or who resign in lieu of termination, due to unsatisfactory performance, pending results of an investigation, or conduct and /or violation of City policies or procedures, are not eligible for rehire.

Job Abandonment If an employee fails to properly notify the City of an absence from work or if an employee is absent without authorization and/or notification for three or more consecutive days or two or more shifts (nonexempt firefighters), the City will normally consider the employee to have abandoned employment, and the employee will be terminated and will not be eligible for rehire.

Reductions-in-Force/Reorganization. An employee may be separated from City service when it is deemed necessary by reason of shortage of funds or work, the abolition of the position, or other material change in the duties of the organization, or for other reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee.

Death. If a City employee dies, the designated beneficiary or estate will be paid all earned pay and payable benefits.

Bridging of Service. When an employee breaks service with the City, this service may be connected for seniority purposes by the City Manager. Only employees who have been rehired within 12 months will be considered for possible bridging of service. All employees who do receive adjusted hire dates must serve a new introductory period, as based on the department in which the employee returns. The City Manager makes final determinations on all bridging requests.

312 E

The City usually provides separating employees with an exit interview prior to their last day of work. The purpose of the exit interview is to finalize all compensation due, return City equipment, provide explanation of any continuing benefits, review employment history, discuss the reason(s)

for the separation, and solicit constructive feedback to improve the City. Human Resources shall complete an Exit Interview Form with the employee during the exit interview. Exit interviews are conducted confidentially by Human Resources. Information discussed during the exit interview may be shared with the City Manager and acted upon as deemed appropriate by the City. The Department Director (or designee) is responsible for promptly notifying the Human Resources of all separations, arranging for the exit interview and providing documentation of receipt of all departmental and/or City property from the exiting employee.

Final payment of compensation may be withheld pending return of City property, completion of necessary paperwork, and other requirements of separation. Final paychecks for employees who voluntarily resign will be disbursed on the regular bi-weekly pay date. In the case of termination, final paychecks will be disbursed within six calendar days.

CHAPTER FOUR - CONDUCT/PERFORMANCE

401 Arraignment and Indictment

City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.

Employee Detained by Law Enforcement Authorities An employee that is questioned by law enforcement authorities and not free to leave is considered to be “detained.” A detained employee, who fails to report to work at the employee’s regularly scheduled time, and/or provide timely notification to the supervisor, will be subject to disciplinary action for unauthorized absence. Employees are to contact their immediate supervisor at the beginning of the next work shift after being detained by law enforcement authorities, including traffic stops, to report the detainment, arrest, confinement or indictment and reason. If the employee is unable to report to the supervisor because of confinement, the employee must have someone contact the supervisor for the employee, no later than the beginning of the next scheduled work shift, to report why the employee is unable to report to work.

Violations of Law Discovered through Criminal History Check. If the City becomes aware of an existing employee’s involvement in criminal activity, the City may conduct a criminal history check on the employee. Conduct constituting a crime that violates the laws of the State of Texas or the United States of America, either a felony or misdemeanor (Class A or B) that results in a conviction, a plea of nolo contendere or deferred adjudication may result in disciplinary action, up to and including termination. For any arrest that has not been fully adjudicated, the City may inquire from the employee additional information to determine if the conduct underlying the arrest justifies any action on the part of the City.

Exempt Employees. Depending on the circumstances of the arrest, confinement, or indictment, the salary or the leave accruals of an exempt employee may be docked for absences of less than one (1) full work day.

Nonexempt Employees If a nonexempt employee does not report to work as scheduled and fails to notify their Supervisor, the time missed will be classified as an unauthorized absence and will be recorded as unpaid leave.

Felonies and Misdemeanors. Employees must immediately notify their supervisor and/or Department Director within twenty-four (24) hours if they are arrested, charged or indicted for any misdemeanor or felony. Employees who do not drive as a part of their job duties with the City are not required to report minor traffic violations.

In most instances, the City will conduct its own investigation and take appropriate action. An employee arrested, charged, or indicted for a felony or misdemeanor, or accused by information of official misconduct or other serious criminal violation may be placed on administrative leave (with or without pay) until the charge, indictment or information is:

- dismissed;
- receives deferred adjudication or pleads nolo contendere;
- fully adjudicated without trial; or
- if tried, until the trial and appeal (if any) are completed and all related administrative matters are concluded.

Such a determination will typically be made by the Department Director, Human Resources and the City Manager. An employee on administrative leave may, in the City's sole discretion, be reinstated to the position held before being placed on administrative leave (if available), if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal.

Employee Status after Violation of Law □ At the time the employee's department is made aware of an employee's arrest or conduct constituting an offense, the Department Director shall consult with Human Resources to determine available options which may include, but are not limited to:

- allowing the employee to return to regular duty with pay;
- allowing the employee to return to restricted duty with pay;
- placing the employee on paid administrative leave;
- placing the employee on unpaid administrative leave; or
- terminating the employee.

The Department Director and Human Resources will make a recommendation to the City Manager for approval.

Disciplinary Action. Disciplinary action may be pursued concurrently or in place of the above options or imposed at a later date. Multiple violations of law or confinements within a prescribed time period may also result in disciplinary action.

Other Policies. This policy should not be construed to limit disciplinary action that may be taken in accordance with other Personnel Policies and Procedures, department policies, or other city wide policies.

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Attendance Records. Employees are expected to be at their work stations and ready to work at their scheduled start time. Nonexempt employees are required to record the number of hours worked each day, as well as the time they arrived to work, the time they left for and returned from lunch, and the time(s) they left for and returned from any unpaid break during the work day.

Attendance and Punctuality. To maintain a safe and productive work environment, the City expects employees to be reliable and punctual in reporting to work. Absenteeism and tardiness are disruptive and place a burden on the City and on co-workers. Either may lead to disciplinary action, up to and including termination of employment. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, the employee must personally notify the supervisor as soon as possible in advance of the anticipated tardiness or absence in

accordance with departmental procedures. The employee must disclose to the supervisor whether the absence or tardiness is approved Family Medical Leave, or sick leave and the date and time of anticipated arrival. The employee must personally notify the supervisor on each day of absence for absences of a day or more unless the supervisor expressly waives this requirement. At the discretion of the supervisor, employees may notify their supervisor by telephone, email or text message, however it is the employee's responsibility to ensure that they communicate with their supervisor. An employee who does not personally reach the supervisor or receive confirmation of an email or text message being received, should leave a detailed telephone message with the supervisor.

In most instances, an employee who fails to properly notify the supervisor in advance of an absence or tardiness will be subject to disciplinary action up to and including termination. An employee who fails to notify the City of an absence of three days or more may be presumed to have abandoned employment and the employee may be terminated and may not be eligible for rehire.

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Federal law or the laws governing the State of Texas does not require the City to provide meal or rest breaks. However, the City allows rest breaks as authorized by an employee's immediate supervisor during the course of each work day to prevent undue fatigue.

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

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

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

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

- Combining two daily breaks into one thirty (30) minute rest break;
- "Banking" rest period time from day to day;

- Saving rest period time to extend lunch periods or shorten the scheduled work day; or
- Requesting compensatory time off or overtime pay for work performed during rest period time.

4.04 C O N F L I C T O F I N T E R E S T S A N D A C C E P T A N C E O F G I F T

Conflict of Interest. To uphold the public trust, no employee of the City may:

- Have any financial or other interest, directly or indirectly, in any proposed or existing contract, purchase, work, sale or service to, for, with or by the City;
- Use City employment, authority, or influence in any manner for personal betterment, financial or otherwise;
- Have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or services;
- Have discussions or participate in decisions of any City agency, board, commission or instrumentality if the employee has any personal economic interest or is employed, directly or indirectly, by the person or entity that is the subject of the discussion or decision;
- Accept other employment or engage in outside activities incompatible with the performance of duties and responsibilities as a City employee or that might impair independent judgment in the performance of duties to the City, or
- Accept remuneration or provide services for compensation, directly or indirectly, to a person or organization requesting an approval, investigation, or determination from the City.

Solicitation and Acceptance of Gift. City employees must comply with the following:

- Solicitation of funds or anything of value for any purpose whatsoever shall be permitted of or by City employees on the job only with the express approval of the City Manager. No employee may be required to make any contribution nor may an employee be penalized in any way concerning employment according to the employee's response to a solicitation.
- No employee shall accept or solicit any money, property, service, or other thing of value in excess of \$50 from a person, business entity or other organization regulated by, contracting with, or having any other business relationship with the City department of which the employee is a member.

- If a person presents a gift to a City employee as a reward for service or as an act of expressing appreciation, then the employee shall report the gift in writing to the supervisor and the City Manager.
- No employee shall accept or solicit any money, noncash items, property, service or other thing of value in excess of \$50 for the benefit of the City, or any employee, or department of the City, unless approved in advance by the City Council.

Violations of this policy may result in disciplinary action. Employees should direct questions regarding the prohibitions imposed by this policy to your Department Director, Human Resources, or the City Manager.

405 Dress and Uniform

Employees must, at all times, dress appropriately and professionally and present a clean and neat appearance while at work and while representing the City or conducting City business. The City allows business casual dress in the work place year-round, in accordance with this policy. Department Directors and supervisors are responsible for enforcing this policy in their respective departments in order to maintain acceptable dress and appearance.

Professional business attire or a required uniform is to be worn when there is a need to present a more formal professional appearance for meetings or special events. Employees must remember that they are professionals 100% of the time and are dressing for business, not for pleasure. Attire must always reflect a professional business attitude and presence.

Business Professional

Business professional dress is required for all business and public meetings unless otherwise specified by the City Manager. Business professional dress should always be easily accessible for Directors and employees in City Hall in the event of an unscheduled meeting. The following are guidelines for appropriate business professional attire:

- Long- or short-sleeve dress shirt and tie
- Dress slacks, dress shirt, sport coat/blazer and tie
- Suit, dress shirt and tie
- Dress blouses or shells with suits, slacks or skirts
- Appropriate business footwear including dress shoes and sandals with straps
- Uniforms for fire and police, as appropriate

Business Casual

Business casual for office employees is allowed Monday through Friday during regularly scheduled business hours for all employees except uniformed personnel. Because not all casual clothing is suitable for the office, these guidelines will help determine what is appropriate to wear to work. Employees attending seminars should dress appropriately as they are representing the City of Sachse. The following are appropriate guidelines for business casual attire:

- Traditional business attire
- Dockers style dress trousers
- Long- or short-sleeved shirts or blouses, polo shirts with collars
- Dress blouses or shells with suits, slacks or skirts
- Blazers, sport coats, sweaters, vests, cardigans
- Cropped (ankle-length) or capris (no shorter than mid-calf)

The following are inappropriate:

- Sweat-shirts, sweat pants, cargo pants (unless part of uniform) or shorts of any type are not acceptable unless a special casual wear or festive occasion is declared by the City Manager or have been approved as part of the standard uniform.
- Flip-flop sandals and “Croc” type shoes are not acceptable.
- T-shirts are not acceptable.
- Sleeveless anything, except when worn with a jacket or sweater.
- Provocative or revealing, low cut attire including body-hugging, see-through, or excessively tight fabrics, sleeveless tops and leggings;
- Clothing with obscene messages or that endorses alcohol, tobacco products, drugs, pornography, or offensive material of any kind;
- Wrinkled, ripped and tattered clothing;
- Visible tattoos which could be deemed offensive;
- Nose rings/studs, eyebrow rings/studs, tongue studs or similar type facial jewelry.

Ordinary Dress

Employees are allowed to wear certain items on Fridays only (unless otherwise designated by the City Manager). In addition to business casual attire, employees may wear denim jeans that are in good condition (no holes or fraying), City of Sachse logo shirt or any other type of shirt considered business casual and business footwear or athletic shoes.

Hair. Hair styles and hair colors must be appropriate to the employee’s position and extremes of any type are unacceptable. For example, green hair, Mohawk style haircuts, and severely spiked hair are not allowed. Hair, including facial hair, must be clean and neatly groomed at all times.

Uniforms. The City supplies certain personnel with appropriate uniforms. Employees in jobs that require a uniform will be told how and where the uniforms can be obtained. The City will provide replacement uniforms as necessary. City-owned or authorized uniforms may not be used outside of work, for personal use or by any third party. City uniforms may be used by City employees in

connection with outside employment only with the Department Director's prior written authorization.

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

When an employee terminates, uniforms and any other City equipment which the employee possesses must be returned in good condition before final pay will be authorized. The cost of lost or damaged City property and unreturned uniforms may be deducted from the employee's final pay check. Department Directors are responsible for maintaining adequate records regarding the issuance of uniforms and equipment.

Enforcement. In all cases, the City will make the determination as to acceptable dress, appearance and grooming. Employees should direct questions about appropriate appearance or dress to your supervisor, Department Director or Human Resources. Employees in violation of this policy may be sent home. Under such circumstances, nonexempt employees will not be paid for work time missed and exempt employees will be required to make up the work time missed. Employees whose grooming or personal appearance violates this policy may be disciplined, up to and including termination of employment.

406 Dr ██████ Ad ██████ Uniform Policy

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

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

The use of alcohol by a City employee during a business lunch is prohibited even though the person with whom the employee is having lunch may be consuming alcohol. Further, an employee on duty or conducting City business, including City-related business entertainment, may not drive his or her own personal vehicle while under the influence of alcohol. No employee in his or her work-related capacity should ever be impaired because of the excessive use of alcohol. Employees may not store or transport alcohol in a City-owned or leased vehicle. No City funds will be used for the purchase of alcoholic beverages. Any alcoholic beverages purchased at off-site functions must be purchased with personal funds and may not be hosted or supplied by the City.

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

Permissive Use of Prescribed and Over-The-Counter Drugs. The legal use of prescribed and over-the-counter drugs is permitted while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment only if it does not impair an employee's ability to perform the essential functions of the job (or operate the vehicle, property or other equipment) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Employees taking prescription medication and/or over-the-counter medication must report such use to either their Department Director or to the City Manager if there is a reasonable likelihood the medication will impair the employee's ability to perform the essential functions of his or her job (or operate a vehicle, property or other equipment, if applicable) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, slurred speech, drowsiness, dizziness, confusion, or feeling shaky.

Fire-Rescue Department Employees. Certain City Fire-Rescue Department employees may be required to be in possession of drugs in carrying out their job duties as an emergency medical technician or paramedic. Such employees will be exempted from certain portions of this policy under certain limited conditions. Additional guidelines may be established by Fire-Rescue Department operating procedures.

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

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

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

including termination.

Testing.

1. Types of Tests. Testing may include one or more of the following: urinalysis, hair testing, breathalyzer, intoxilyzer, blood, or other generally-accepted testing procedure.
2. Testing of Applicants. All applicants to whom a conditional offer of employment has been made will be required to submit to testing for alcohol and illegal and unauthorized drugs. A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will render the applicant ineligible for consideration of employment or future employment with the City.
3. Testing of Employees.
 - a. If an employee's conduct resulted in an at-fault motor vehicle accident causing property damage, damage to a City vehicle or other motor vehicle, injury or death, the employee will undergo drug and alcohol testing immediately following the accident. A supervisor or other designated City representative may be required to stay with the employee during the testing process. The City may, in its discretion, reassign the employee or put the employee on administrative leave until the test results are received. The City will make arrangements to have the employee transported home after the testing.
 - b. All testing must normally be authorized in advance by both the employee's Department Director and Human Resources. If the Department Director is unavailable within a reasonable period of time, Human Resources may, with sole discretion, authorize the testing of an employee. If Human Resources is unavailable within a reasonable period of time, the City Manager may, with sole discretion, authorize the testing of an employee. For reasonable suspicion testing, testing may not be authorized without the supervisor's documentation of the articulable factors which led the supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Testing should be arranged as soon as possible after the supervisor's articulable observations.
 - c. All substance abuse testing will be performed by an approved laboratory or healthcare provider chosen by the City. All positive test results will be subject to confirmation testing.
 - d. Test results will be maintained in a confidential file separate and apart from the employee's personnel file. Any medical-related information will be confidential and accessible only by Human Resources; supervisors and managers on a need to know basis, including those who have a need to know

about necessary restrictions on the work or duties of an employee and any necessary accommodation; first aid and safety personnel when appropriate; government officials; insurance companies as may be necessary to provide health or life insurance to employees; by court order or as otherwise legally mandated; and as necessary to protect the interests of the City.

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Federal laws cover all employees who are required to have a current Commercial Driver's License (CDL). These laws prohibit using controlled substances on or off duty, drinking alcohol while driving, carrying alcohol in vehicles, and drinking alcohol within four hours prior to driving. Drivers of fire and police vehicles are specifically exempted. Under these laws, a Commercial Driver's License is required for anyone who:

1. Operates a motor vehicle with a gross weight of over 26,000 pounds, including the weight of any towed unit over 10,000 pounds,
2. Performs safety-sensitive work on vehicles requiring a CDL,
3. Operates a commercial motor vehicle designed to transport 16 or more passengers, or
4. Transports hazardous materials.

These laws require drug and alcohol testing in the following situations.

- A. Pre-employment: Pre-employment tests for alcohol and drugs are required before any new or newly promoted employee can be allowed to operate a commercial motor vehicle.
- B. Post-accident: Any driver of a commercial motor vehicle who is involved in the following must undergo alcohol and drug testing within a prescribed number of hours:
 - an accident resulting in the loss of human life,
 - an employee receiving a citation under State or Local laws for a moving traffic violation in connection with the accident,
 - the employee's performance could have contributed to the accident,
 - an accident requiring the towing of any vehicle from the scene.
- C. Random: Drug and/or alcohol testing is conducted on an unannounced, random basis before, during or just after performance of safety-sensitive functions. Individuals will be randomly selected through use of a valid method administered by a third party. The minimum annual testing rate for drugs and alcohol is determined each year by the Department of Transportation.
- D. Reasonable Suspicion: When a trained supervisor determines, through observations, that there is reasonable suspicion that a driver has consumed

alcohol or has used drugs, that driver may be required to submit to a drug and/or alcohol screening. If it is determined that a reasonable suspicion exists, but testing cannot be administered, the driver must be removed from performing safety-sensitive functions for at least 24 hours.

- E. Return-to-duty and follow-up: If an employee has violated the alcohol or drug policy, a return-to-duty test may be administered before that employee is allowed to return to duty and operate a commercial motor vehicle. The return- to-duty alcohol test must register below 0.02. Drug tests must verify no trace of illegal drugs and no abuse of legal drugs. Test results may only be released to the driver, employer, substance abuse professional, laboratory officials and medical review officer. They cannot be released to others without the written consent of the driver. All test results will be kept in a secure location with limited access.

In post-accident situations, the City of Sachse reserves the right to substitute a blood or breath alcohol test and a urine drug test performed by local law enforcement officials, using procedures required by their jurisdictions, providing such test results are received directly from the local jurisdiction or the driver. If the City substitutes a law enforcement based post-accident test, it will take the actions appropriate to the result. The employee can return to work as soon as the results are received. The City of Sachse has a zero tolerance policy for substance abuse. Therefore, if the drug/alcohol screening results are positive, or if the employee refuses to undergo the test, his/her employment will be terminated.

408 E C d W r R / D r A

To ensure orderly and productive operations and provide the best possible work environment, the City requires employees to follow rules of conduct that will protect the interests and safety of the City, its citizens and employees.

Progressive Discipline. In certain instances, the City will use a progressive disciplinary system. The City is not obligated to use all of the progressive disciplinary steps available, and may begin the disciplinary process at any level, up to and including immediate termination, depending upon the severity of the conduct, the employee's work performance and prior disciplinary history, the employee's length of service, and any mitigating circumstances. At-will employment status is not affected by the progressive discipline process. Depending on the circumstances of each individual case, disciplinary action may consist of one or more of the following:

- oral warning
- verbal counseling (must be documented)
- written reprimand
- probation
- suspension (without pay)
- performance improvement plan
- demotion
- termination

Documentation. All forms of discipline, other than oral warnings, must be documented and will be placed in the employee's personnel file. In the event an employee is to be terminated, the supervisor shall forward a copy of the documentation to Human Resources and the City Manager for review. Human Resources will consult with the City Attorney on all terminations. The Supervisor will also make a recommendation concerning the possible rehiring (or not rehiring) of the person in the future.

Supervisory Responsibility. All employees with the responsibility and authority to supervise and direct employees under their control shall administer policies and procedures within their scope of authority; document their subordinates' job performance, conduct, and behavior as appropriate; properly conduct evaluations of subordinates in a timely manner; discipline their subordinates as required under their departmental and/or City policies and procedures as well as address performance appeals submitted to them as provided by policy in a professional manner, in an attempt to resolve such issues at the lowest possible supervisory level.

Review by Human Resources. Any proposed disciplinary action in excess of an oral warning must be reviewed by Human Resources prior to being given to the employee. This applies to both employees serving in the introductory period and regular employees that have completed the introductory period.

Appeal Rights. If disciplinary action involves a suspension, demotion and/or termination, the employee will be given an opportunity to respond to the allegations through the Disciplinary Conference policy prior to disciplinary action being taken. The employee will also be given the opportunity to appeal the decision of the Department Director to the City Manager within 5 business days of the date of the decision, by filing a written request with the Human Resources Director for a hearing before the City Manager. Failing to appeal in accordance with these provisions deems the Department Director's decision final and non-appealable.

Positions classified as Director Level and above have the right to a Disciplinary Conference; however, have no right of appeal for any type of disciplinary action, including termination. Introductory employees have no right of appeal for disciplinary action taken against them.

Prohibited Activities. Disciplinary action will be imposed for violations of City or departmental policies and procedures, codes of conduct, rules and regulations, either written or verbal. In addition, acts which are not specifically addressed in policies and procedures, codes of conduct, and rules and regulations, yet may adversely affect the City or put the health and safety of fellow employees, citizens or other third parties, at risk, may also result in disciplinary action. It is impossible to list all the forms of behavior that are considered unacceptable in the workplace. The following are some examples of conduct that will likely result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or use of City property or other property not belonging to the employee
- Falsification of timekeeping or other records, including employment application

- Reporting for work or working under the influence of or a presence in the system of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol, illegal drugs or pornography in the workplace, while on duty, or while operating City-owned equipment
- Violation of City's policy regarding sexual or other unlawful harassment
- Interfering with work schedules or another employee's ability to work
- Misuse of City telephones, computers, mail systems, internet, etc.
- Excessive or unscheduled absenteeism, tardiness in reporting for work or returning from lunch and breaks or absence without notice and/or approval
- Breaks in excess of the allotted time allowed
- Violation of tobacco policy
- Violation of safety or health rules and failure to immediately report an on-the-job injury/accident
- Profanity, abusive language, or racial slurs
- Unauthorized disclosure of confidential information
- Violation of any provision of the City Charter
- Violation of City or departmental policies, codes of conduct, rules and procedures
- Coercion, intimidation, or threats against citizens, supervisors, co-workers, City officials, or others
- Making or publishing false, vicious, or malicious statements about the City, or a City employee or citizen, or others
- Unsatisfactory performance or conduct
- Inefficiency, incompetence or neglect of duty
- Fighting, provoking or instigating a fight, or threatening violence
- Disruptive activity in the workplace

- Engaging in a work stoppage
- Conduct which results in waste or damage of a coworker's, City, or citizen-owned property
- Insubordination or other disrespectful or unprofessional conduct
- Discourteous treatment of the public
- Possession of weapons on City time, in City owned vehicles, City premises excluding City parking lots, or while on City business (except for licensed peace officers required to carry a weapon as part of their job duties or employees with a license to carry a handgun provided their handgun remains locked in their personal vehicle while on City premises).
- Violation of local, state or federal law
- Conviction of a felony, including reasonable belief employee has committed a crime under Texas Penal Code or Class A or B misdemeanor involving moral turpitude, or repeated conviction of Class C misdemeanor charges, or any crime
- Failure to timely return to work upon conclusion of authorized leave or disciplinary suspension
- Outside employment that conflicts with, or potentially conflicts with, City interests
- Acceptance of payment of any kind for activities related to City employment
- Failure or refusal to follow lawful orders
- Sleeping on the job (except for Fire-Rescue Department personnel who are governed by applicable Fire-Rescue Department Rules and Regulations)
- Dishonesty, including misrepresentation during the hiring process
- An accumulation of minor infractions

Disciplinary Conference. A disciplinary conference will be scheduled prior to the imposition of a disciplinary suspension, demotion or termination. The Department Director, the affected employee, the Director of Human Resources (if available) and anyone else deemed necessary by the Department Director typically attend the disciplinary conference. During the conference the affected employee will be given an opportunity to present an explanation of the conduct leading up to the proposed disciplinary action. Employees will be given advance notice of the conference. Employees may, at the City's sole discretion, be placed on administrative leave prior to, during, or after the disciplinary conference. Following the conference, the employee will be notified in writing of the City's determination.

Administrative Leave. During an investigation into alleged offenses or violations of City policies, the City may, at its sole discretion, place the employee on administrative leave. The leave may be with or without pay, and may be charged to available accrued leave if authorized by the City Manager.

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Definition of Grievance. Inconsistent and/or unlawful treatment, interpretation and/or application of City or departmental policies, procedures, or practices; and retaliation. A disagreement over a non-existing law, ordinance, resolution, policy, rule or regulation will be defined as a “complaint,” not a grievance.

Any employee wishing to submit a complaint or grievance must first discuss the grievance with the employee’s immediate supervisor. If the matter is not resolved to the employee’s satisfaction, the employee may take the grievance to the employee’s Department Director. The employee must submit the grievance in writing within five business days after receiving the supervisor’s response.

An employee failing to gain satisfaction after conferring with the employee’s Department Director may present the grievance to Human Resources, who will forward the written grievance to the City Manager. The employee must notify Human Resources within five business days after receiving the Department Director’s response of his/her desire to have the grievance considered by the City Manager.

At the discretion of the City Manager, a special employee grievance committee may be appointed to investigate any grievance and make a recommendation to the City Manager.

The decision of the City Manager is final.

410 Whistleblower’s Statute

Under the Texas Whistleblower’s statute, an employee who reports a violation of law to an appropriate enforcement authority may not be disciplined nor discriminated against in retaliation for the report so long as the employee acts in good faith. For the purpose of interpretation of this statute, “law” means a State or Federal statute, an ordinance passed by a local government body, or a rule adopted under a statute or ordinance.

411 Modified Duty Assignments

The City may modify duty assignments available to ill or injured employees who are unable to perform their regular job duties. The decision to offer an employee a modified duty assignment is made in the City’s sole discretion. A modified duty assignment may be in the employee’s own or another department in the City. Factors considered by the City in making its decision include, but are not limited to:

- the nature of the employee’s illness or injury;
- the medical release provided in support of modified duty;

- the risk that a modified duty assignment may result in aggravation of the employee's injury or illness;
- the type of modified duty work available;
- the length of the employee's employment with the City;
- the employee's performance and disciplinary history; and
- whether the illness or injury occurred on or off duty.

In making modified duty assignments, the City will normally give priority to employees whose injury or illness is work-related.

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

Modified duty for off the job injuries will not normally extend beyond 30 calendar days without an evaluation by the employee's treating physician and a recommendation from the Department Director and Human Resources to the City Manager. Only the City Manager may approve an extension of a modified duty assignment. Employees still unable to return to regular duty within the time limit established for modified duty must re-qualify for modified duty through evaluation by their treating physician or revert to workers' compensation indemnity payment, accumulated sick leave, Family Medical Leave Act (FMLA) or vacation benefits, if available.

During a modified duty assignment, employees will typically work an 8-hour workday, Monday through Friday. This means that 24-hour shift employees, as well as other employees who work a non-traditional schedule, will usually be temporarily reassigned to an 8-hour workday, Monday through Friday, for the duration of their modified duty assignment. Employees on modified duty for any reason are unable to work overtime and may not be able to continue any secondary employment that has previously been authorized by the Department Director.

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

Modified duty requests and assignments, except for Police and Fire, will be reviewed by and coordinated through Human Resources. Human Resources will work with the employee's department in making its decision whether modified duty work will be offered. Before returning to regular job duties following a modified duty assignment, the employee must provide a full release from the physician to return to work and coordinate the return through Human Resources.

412 Performance Standards

Job performance will be formally evaluated at regular intervals throughout employment with the City. These evaluations provide feedback about performance and allow opportunities to communicate directly with supervisors, ask questions and clarify any problems or misunderstandings. Performance evaluations acknowledge superior performance and recognize

areas where performance can be improved. Performance evaluations will be in written format and signed by the employee, the supervisor and the Department Director.

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Open positions may be filled with City employees currently on the payroll when existing employees best meet employment needs of the City. This shall not prohibit the City Manager or other supervisory personnel from filling positions with persons not employed by the City.

Promotions shall be made upon the recommendation of the Department Directors with the approval of the City Manager.

Promotions shall be based on qualifications, proven performance, merit, and the ability to perform the duties and responsibilities of the position.

A promotion should not be deemed completed until an introductory period of six months shall have elapsed. Should a promoted employee not successfully complete the introductory period, the employee is eligible to return to the previous position held, if available. If no position is available for which the employee is qualified, the employee will be terminated.

CHAPTER FIVE -- BENEFITS

501 Benefits - Insurance

The City of Sachse reserves the right to make modifications to its employee benefits program including but not limited to providers, level of benefits, cost, etc., with or without notice. The City may furnish medical, dental, vision, disability and life insurance for each full-time employee. However, the City reserves the right to make changes in insurance benefits when deemed necessary or advisable. For details of coverage, see City's Benefits Summary or contact Human Resources. This insurance is effective as long as the employee remains on full-time status.

Additional supplemental insurance coverage for employees and members of their families, beyond those amounts provided by the City, may be made available at the employee's expense.

The City also carries a workers' compensation insurance policy. In cases of job related injuries, provisions and benefits available under workers' compensation are activated.

502 Confidential Medical Information

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

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

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

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

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

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

503 Retirement

The City participates in the Texas Municipal Retirement System (TMRS), which provides retirement benefits to eligible employees. Employees covered under TMRS are required to contribute 7% of pay to be deposited into the member's account. The City of Sachse currently contributes matching funds at a 2:1 ratio pursuant to actuarial assumptions. Specific plan provisions are established by ordinance and approved by the Sachse City Council. Participation by every regular full- and part-time regular employee is a condition of employment. Employees are provided retirement benefits upon meeting TMRS eligibility and plan requirements. Specific TMRS plan requirements and provisions can be obtained from Human Resources or TMRS.

The City of Sachse offers an optional 457(b) Deferred Compensation Program for full-time employees only. The City does not fund this program. The Deferred Compensation Program is a tax-deferred tool for retirement planning. The City follows IRS guidelines for the amount of earnings that can be tax-deferred during the calendar year.

Non-benefitted, temporary and seasonal part-time employees do not qualify for the Texas Municipal Retirement System (TMRS).

The City participates in the Federal Medicare and Social Security programs which provide benefits upon retirement. A deduction from the employee's salary is matched by the City for this benefit. Participation by every employee is a condition of employment.

504 Health and Life Insurance

COBRA is a federal law that requires most employers who sponsor group health plans to offer employees and their families the opportunity to temporarily extend their group coverage at group rates in certain instances where coverage under the employer's group health plan would otherwise terminate. The employee is responsible for paying for the cost of any such continuation coverage.

Under COBRA, employees may elect insurance continuation coverage for up to 18 months after termination of employment (unless the employee is terminated due to gross misconduct), or if an employee's hours are reduced to such an extent that the employee no longer qualifies for participation in the group health plan. Under other circumstances, COBRA coverage is available for up to 36 months following a qualifying event. Employees must notify the City within 60 days of the occurrence of the employee's legal separation or divorce and of a covered dependent ceasing to qualify as a dependent under the medical plan.

Detailed COBRA notices are given to employees when an employee becomes eligible for participation in the City's group health plan and again when a qualifying event occurs. For more complete information on COBRA and your health plan, contact Human Resources.

505 Workers' Compensation

Eligibility for Workers' Compensation. Workers' compensation is designed to cover the costs associated with injuries resulting from identifiable and specific accidents or injuries occurring during the course and scope of one's employment. It is not designed to cover ordinary diseases of life. All employees and volunteers of the City are covered by workers' compensation insurance.

An employee injured on the job may be eligible for workers' compensation benefits, which may cover the cost of hospitalization, doctors, treatment, prescription drugs and other related expenses, to include possible salary continuation.

Injuries not directly related to or caused by a specific accident or incident that occurred in the performance of the employee's job duties for the City, injuries occurring while an employee or volunteer is working or volunteering for an employer or organization other than the City, and/or injuries occurring during self-employment, are not covered under the City's workers' compensation plan.

Accident and Injury Reporting Procedures.

1. Medical Attention - When an employee is injured on the job, the City's first priority is to ensure that the employee gets timely medical attention. The employee must immediately report the circumstances of the accident and/or injury to the supervisor who will direct the employee to seek medical treatment, if necessary, from the approved doctor list (ADL), as provided by the Texas Department of Insurance, Political Subdivision Workers' Compensation Alliance.
2. Reporting and Documentation - The employee's supervisor is responsible for notifying Human Resources and the employee's Department Director immediately upon being made aware of an employee's involvement in an accident or injury. This timely notification is critical.
 - a. The employee's supervisor will initiate a thorough investigation into the cause and circumstances of the accident causing the injury, including interviewing all witnesses and preparing a written report explaining the facts of the accident that occurred. The supervisor must submit the City's Accident Report, First Report of Injury or Illness and any other related information to the Human Resources no later than the next business day after the injury was reported or as soon as practical.
 - b. If the employee's supervisor has reason to believe that an injury has been reported that is not directly related to or caused by a specific accident or incident occurring in the performance of the employee's assigned job

duties, the supervisor must advise Human Resources of these circumstances. The decision of whether or not an injury will be covered by workers' compensation will be made by the City's insurance carrier and not by the City.

- c. For every doctor's office visit, the employee is required to obtain from his or her doctor a completed Work Status Report, which includes the employee's diagnosis, when the employee is expected to be able to return to work, the employee's restrictions and the date of the employee's next appointment. It is the employee's responsibility to ensure that a copy of the Work Status Report is forwarded to the Human Resources and to the supervisor. Failure to report to Human Resources as required may result in disciplinary action, up to and including termination of employment.

Returning to Work. Employees are expected to return to work immediately after treatment for the injury unless the doctor recommends light duty or time off work to recuperate. If the doctor recommends light duty, the injured worker will be expected to accept any light duty assignments that may be offered, including an assignment in another department. If a light duty assignment is not accepted, the employee will not receive salary continuation while off work. In addition, any absences while on light duty will not be eligible for salary continuation unless such absences are approved by the treating physician. All light duty assignments must be approved by Human Resources to ensure compliance with the City's Personnel Policies and Procedures and with the Americans with Disabilities Act. Injured workers must submit a Medical Report Form from the treating doctor before returning for light duty assignments or regular job duties. The Medical Report Form must specify what type of work the injured worker is able to perform. Injured workers will not be accepted back to work without this written release from the doctor.

The City will hold an employee's position, following an injury that occurred while performing official job duties or conducting City business, for no more than 26 weeks. Twelve weeks of this period may qualify for Family and Medical Leave (FMLA) and will run concurrently with such leave, if applicable. If the injured worker is still unable to perform the essential duties of the job, with or without reasonable accommodations after 26 weeks, the position may be refilled and the injured worker may be assigned to a vacant position for which he/she is qualified, if such a position is available at that time. If no vacant position is available for which the employee is qualified, if he or she is not selected to fill the vacant position or if the employee declines to accept another position, his or her employment with the City will be terminated.

Eligibility for Salary Continuation.

1. An employee who is unable to work for any period of time, either at his or her regular job or at any alternative duty position, because of an injury that occurred while performing official job duties or conducting official City business, is eligible to receive workers' compensation benefits equal to approximately 70% of regular salary. It is the City's policy to make up the remainder of the employee's regular pay for at least a portion of the time off, provided certain conditions are met. This benefit is paid starting from the date of injury and is available to both regular full-

and part-time employees. Non-benefitted, temporary and seasonal part-time employees are not eligible for salary continuation. Any employee receiving salary continuation is not allowed to engage in any other part-time or secondary jobs inside or outside of the City.

2. The Human Resources Department will determine whether the employee meets the criteria for receiving supplemental salary continuation pay for any hours missed because of restrictions imposed by the employee's physician. To be eligible for supplemental salary continuation, the employee must furnish to the City sufficient documentation to verify the injury or accident:
 - a. occurred during the course and scope of the employee's employment;
 - b. did not occur while conducting personal business on paid or unpaid meal breaks or while participating in voluntary fitness activities while not on shift;
 - c. was timely reported;
 - d. was not caused by the employee's failure to use or wear prescribed safety apparel or devices;
 - e. did not occur while the employee was under the influence of alcohol, illegal drugs or abuse of legally obtained drugs; and
 - f. prevents the employee from performing his or her regular job duties or any other alternative duty assignment.

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

The maximum duration of salary continuation for employees is 90 days from the first day of lost time as a result of the work-related injury, unless such an extension is expressly authorized by the City Manager. A careful review will be conducted by the City Manager and Human Resources Department prior to authorizing each extension. Extensions by the City Manager may be authorized in no more than 30 day intervals. Employees suffering injuries that have extended beyond the 90 days, are denied any extensions or are not eligible for supplemental salary continuation may elect to use their personal, sick or vacation leaves to offset the loss of income during the recovery period.

Conditions Under Which Benefits May Be Revoked:

1. Working on another job or in a personal business while receiving Workers' Compensation benefits, sick leave pay or extended salary benefits from the City or the Texas Workers' Compensation Commission.
2. Failure or refusal to follow the physician's instructions regarding treatment, or failure to keep medical appointments.
3. Refusal to see a doctor of the City's choosing for evaluation when requested by Human Resources.
4. Refusal to perform other duties approved by the physician and assigned during recovery periods.
5. Misrepresentation or falsification of physical conditions or disabilities.
6. Failure to follow the procedures outlined in this Employee Policy Manual.
7. Refusal or failure to return to work after the attending physician has released the employee.
8. Retires, resigns, is dismissed for any reason, or dies.
9. Has been injured as a result of the employee's own willful misconduct while under the influence of illegal drugs or alcohol, gross negligence, horseplay, or is in violation of safety procedures/rules.

506 Br d W r

Break Time for New Mothers. Nursing mothers will be provided with reasonable unpaid break time to express breast milk for up to one year after the birth of a child in accordance with applicable law. Employees are permitted to breast feed at the workplace and the City desires to provide a supportive environment for such and has adopted the following policy:

1. Breastfeeding employees are allowed to breastfeed or express milk during work hours using their normal breaks and meal times.
2. For time that may be needed beyond the usual break times, employees may use personal leave or may make up the time as negotiated with their supervisors.
3. A private room (not located in any restroom) shall be available for employees to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet.
4. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the supervisor.
5. Expressed milk can be stored in designated refrigerators or in employees' personal coolers.
6. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees.
7. Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the City.

8. Employees must keep the general lactation area clean for the next user. This responsibility extends to both designated milk expression areas, as well as other areas where expressing milk will occur, including private offices.
9. Employees should label all milk expressed with names and dates so they are not inadvertently confused with another employee's milk.
10. Employees are responsible for proper storage and disposal of milk.

CHAPTER SI -- LEAVE

601 Adm L

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

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

602 Br L

Regular full-time employees who suffer the loss of an immediate family member (spouse, parents, step-parents, children, step-children, foster children, brothers, sisters, parents-in-law, brothers/sisters in-law, grandchildren, great grandchildren, grandparents, great grandparents, nephews, nieces, uncles and aunts) will be granted up to 24 hours of bereavement leave with pay per occurrence. Sworn Fire personnel who work 24-hour shifts will be eligible for a total of 36 hours of bereavement leave per occurrence. This benefit may also be granted in the case of the loss of any other relative living in the household. Department Directors may require satisfactory documentation of eligibility for this benefit. The City Manager may grant bereavement leave at his/her discretion.

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

Employees who wish to take bereavement leave must notify their supervisor immediately. Employees may take additional time off as vacation, comp time, personal leave or, if no paid time is available, as authorized leave without pay upon approval of the Department Director. Employees who wish to attend funerals for people other than those listed above must use vacation, compensatory time, personal leave or unpaid leave.

603 C T

Nonexempt employees may accrue compensatory (comp) time in lieu of overtime. Employees may not accrue more than 80 hours of comp time. Overtime hours worked beyond the applicable cap must be paid or flexed, as described below. Comp time accrues at a rate of 1 1/2 hours for every hour of overtime worked by nonexempt employees. Comp time accruals are to be monitored at the department level. All compensatory time earned must be documented in the payroll system.

Any employee using comp time will be paid at the regular rate of pay. Comp time is not considered hours worked for purposes of performing overtime calculations. An employee with accrued comp time who requests use of such time must be permitted to use the time off within a "reasonable period" after making the request, if it does not "unduly disrupt" the work of the department. If use of requested comp time would be disruptive, the department may elect to pay the employee in lieu of approving the requested time off. The City may, at any time, elect to pay a nonexempt employee for any or all of the employee's accrued comp time. Otherwise, comp time off may be used the same as leave time.

Payment of Compensatory Time. Any employee re-classified from a nonexempt to an exempt position will be paid all accrued comp time upon approval of the re-classification and will be paid out at the nonexempt rate of pay. The newly classified employee will no longer be eligible for any additional overtime and/or comp time. Upon leaving employment with the City, a nonexempt employee will be paid for unused comp time at the employee's current hourly rate.

604 H d

The City of Sachse observes ten (10) official holidays. The City provides paid holidays to regular full- and part-time employees. Non-benefitted, seasonal and temporary part-time employees are extended the official holiday, but without pay. The following official holidays will be observed:

New Year's Day	January 1
Martin Luther King, Jr. Day	3 rd Monday of January
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Patriot Day (Fire personnel only, may be taken in lieu of Labor Day)	September 11
Thanksgiving Day	Designated Thursday in November
Thanksgiving Friday	Designated Friday in November
Christmas Eve Day	December 24
Christmas Day	December 25

Holidays. All regular full-time employees receive 8 hours of regular holiday pay for each City observed holiday. Full-time Fire Department employees who work 24-hour shifts receive 12 hours of holiday pay for each City observed holiday. Employees who work 8 hour shifts must take holidays in 8 hour increments. However, employees who work 10, 12 or 24 hour shifts may take holidays in increments of one hour. Holiday pay is counted as time worked for purposes of calculating overtime.

Scheduling of Holiday. Each year the City Manager will review approved holidays and determine which day they will be observed. Holidays occurring on Saturday normally will be observed on the preceding Friday and holidays occurring on Sunday will normally be observed on the following Monday.

Regular Part-time Employees. Regular part-time employees are eligible for holiday pay, at a pro-rated basis based on regular hours scheduled. Non-benefitted, temporary and seasonal part-time employees are not eligible for holiday pay.

Holidays for Police and Fire Personnel. In lieu of taking an observed holiday, fire and police personnel may choose to have a holiday paid as straight time wages. Holidays can be taken or sold back up to 30 days before the holiday occurs. However, if an employee leaves employment with the City before the holiday(s) occurs, the employee will not receive payment for holiday time in the final check.

Holidays to Be Taken Within the Fiscal Year. All eligible employees are required to use, or request payout, for all holidays within the fiscal year in which they are accrued. Holidays cannot be carried over from year to year.

Holiday Occurring During Paid Leave Status. An employee on a paid leave status will normally be paid holiday pay in lieu of the leave status pay they would ordinarily receive at the time of the holiday.

Ineligibility for Holiday Pay. Employees on unpaid Administrative Leave are not eligible for holiday pay. Nonexempt employees absent without authorized leave on the day immediately preceding or following a scheduled holiday will not be paid for the holiday. A doctor's note for an absence before or after a holiday may be required.

Holiday Occurring During Vacation leave. A holiday that falls within an employee's vacation period will be counted as holiday in lieu of a day of vacation.

Other Religious Holidays. Employees may request an approved absence to celebrate a religious holiday that is not a scheduled City holiday. If approved, the employee must charge the time to personal or vacation leave, compensatory time, or an excused absence without pay.

Separating Employees. Except in extraordinary situations, separating employees will not be allowed to use a holiday as their final day of employment.

605 Personal Leave

All full- and part-time employees are granted annual personal leave after six (6) months of employment with the City. Personal leave is granted each fiscal year and unused leave cannot be carried over from year to year. Non-benefitted, temporary and seasonal employees are not granted personal leave. Employees may not “borrow” unearned personal leave.

All personal leave time should be approved in advance by the Department Director or his/her designee. No unauthorized absence from work will be compensated for by personal leave time.

Upon termination or end of service with the City, no regular full- or part-time employee will be paid for accrued, unused personal time.

Official City-observed holidays occurring while an employee is on approved paid personal leave are considered paid holidays and do not reduce personal leave balances. Personal leave will not be not considered hours worked in overtime calculations.

ACCRUAL RATES

Personal Leave accrues according to the following schedule:

	Department Personal Leave Year	Total Hours Per Year
Regular Employees	4	32
Part-Time Employees	4	16
Fire Department 24-Hour Shift	4	48

606 Vacation Leave

A “vacation day” for all regular employees is defined as an 8-hour period. A “vacation day” for 24-hour Fire Department shift personnel is defined as a 12-hour period. Employees may take vacation in increments of 15 minutes or more at a time.

Eligibility. All regular full- and part-time employees accrue vacation leave at the time they begin their employment with the City. Non-benefitted, temporary and seasonal employees do not accrue vacation leave. Full- and part-time employees with less than 6 months of continuous service may not use accrued vacation. Employees may not “borrow” unearned vacation time.

1. Accrual Rate/Maximum Accruals

Vacation leave for all full- and part-time employees accrues only during pay periods in which the employee works, or is otherwise on approved paid leave status.

Vacation leave for part-time employees working less than 40 hours per week will accumulate on a pro-rated basis.

Official City-observed holidays occurring while an employee is on approved paid vacation leave are considered paid holidays and do not affect vacation leave balances. When an employee is required to work on a scheduled day off, vacation pay will not be reduced by the number of hours worked. Paid vacation leave is not considered hours worked for purposes of calculating overtime. Only scheduled working days taken off will be counted as vacation days.

Employees will not be paid for vacation in excess of the maximum accrual, or for vacation that is “lost”. Maximum accruals for part-time employees are pro-rated based on the budgeted number of hours for each part-time position.

Regular full-time employees accrue vacation leave as follows:

Year of Service	Annual Pro-Rated Period	Hours Per Year	Maximum Annual Accrual
1-4	3.34	86.84	180
5-14	5	130	260
15 years	6.67	173.42	340

Full-time Fire Department personnel working 24-hour shifts earn vacation leave as follows:

Year of Service	Annual Pro-Rated Period	Hours Per Year	Maximum Annual Accrual
1-4	5.01	130.26	260
5-14	7.50	195	380
15 years	10.01	260	500

2. Use and Scheduling of Vacation Leave

Vacation leave is an earned benefit intended to provide employees with paid time away from the work environment. Vacation leave may also be used for purposes of personal business, extension of sick leave when sick leave is exhausted, inability to get to work because of inclement weather, or other purposes.

Employees must schedule their annual vacation leave in accordance with their department's guidelines. Whenever possible, vacation leave will be scheduled at the convenience of employees. However, Department Directors must be certain that vacations do not interfere with the normal functions and activities of department operations. Employees are encouraged to submit their preferred vacation schedule to the appropriate supervisor as far in advance as possible.

No more than 15 consecutive days of vacation leave may be taken, unless the City Manager grants an exception. Vacation leave will not be authorized during a disciplinary suspension.

Vacation leave will be paid at the regular rate of pay. Vacation leave is not considered hours worked for purposes of performing overtime calculations.

3. Vacation Buyback

The City encourages employees to take at least two weeks of vacation time each year. Regular full-time and part-time employees who have been continuously employed throughout the previous fiscal year may exchange accrued vacation leave for cash. Eligibility requires full-time employees have at least 80 hours of accrued vacation, and must have used at least 40 hours of vacation during the previous fiscal year (October 1 through September 30). Part-time employees must have at least 20 hours of accrued vacation and must have used at least 20 hours of vacation during the previous fiscal year. Full-time Fire Department employees must have at least 120 hours of accrued vacation and must have used at least 60 hours of accrued vacation during the previous fiscal year.

Calculations are based on hourly, salary and monthly accrual rates for this benefit and the rate of exchange is the pay rate in effect on the most recent payday prior to the date payment is made. Maximum amount of vacation exchange will be three days, which will consist of 24 hours for regular full-time employees, 12 hours for part-time employees and 36 hours for full-time Fire Department personnel on 24-hour shifts. Buyback checks are distributed during the month of November. To be eligible, employees must be actively employed when buyback checks are distributed.

600 S L

1. Eligibility

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

2. Accrual Rate

Sick leave for all full-time employees is computed on the following basis:

- All regular full-time employees receive 3.34 hours of sick leave per period. Full-time Fire Department personnel who work 24-hour shifts receive 5.01 hours of sick leave per pay period.
- Sick leave accrues only during pay periods in which the employee works or is on an approved paid leave status.

- Sick leave for all part-time employees working less than 40 hours is computed on a pro-rated basis.

3. Maximum Accrual

The maximum sick leave time which may be accumulated by any employee is 500 hours for employees on 8-hour shifts, and 540 hours for employees on 24-hour shifts.

4. Authorized Use of Sick Leave

For the employee. Accrued sick leave may be used for absences due to an employee's personal illness, accident, injury that prevents him/her from working, or birth of a child.

For the employee's immediate family. Sick leave may also be used for absences when the employee is needed to care for a member of his/her immediate family who is ill or injured. If additional time is needed, employees may use all accrued compensatory time, holiday leave and vacation leave. "Immediate family" is defined as the employee's parent, spouse or children/stepchildren. In the event of a life-threatening illness or injury of an employee's family member who does not meet the definition of "immediate family," the Department Director (in the case of Department Directors, the City Manager) may allow the employee to use accrued sick leave time. Sick leave may also be used by employees for their own and/or their immediate family's scheduled doctor and dentist appointments.

Sick leave will be paid at the regular rate of pay. Sick leave is not considered hours worked for purposes of performing overtime calculations.

5. Minimum Increments

Sick leave may be taken in minimum increments of 15 minutes.

6. Failure to Report Absence/Abuse of Sick Leave

Use of sick leave for anything other than illness, injury, or doctor/dentist appointment as provided for in this policy is considered as abuse and may result in immediate disciplinary action, up to and including termination of employment. Abuse of sick leave may also render the employee ineligible for paid sick leave benefits. Similarly, employees who fail to timely report an absence or tardiness due to illness□injury□or doctor/dentist appointment may be disqualified from using sick leave for their absence.

7. Other Employment During Sick Leave

Employees on sick leave, whether paid or unpaid, may not work a second job, including self-employment, or participate in volunteer work during the leave, even with written authorization from their Department Director to work a second job.

8. Use of Other Leave

If approved by the Department Director (in the case of Department Directors, the City Manager), employees who have successfully completed their initial introductory period may use accrued vacation leave, compensatory time, other accrued paid leave, or leave of absence without pay only if he/she has no remaining accrued sick leave time. Official City holidays observed while an eligible employee is on approved paid sick leave will be treated as a paid holiday rather than a day of sick leave. Department Directors/supervisors may approve the employee to flex his/her work schedule ("time management") to attend medical or dental appointments. This is acceptable provided that work time is accurately recorded on the time sheet for the week or work cycle in which approved time management occurred. Under no circumstances can time management extend beyond the affected workweek or work cycle.

9. Documentation

Employees requesting paid sick leave must submit a leave request and submit it to their supervisor for approval. An employee must present satisfactory proof of illness/injury that prevents him/her from working whenever the employee uses sick leave for three (3) or more consecutive work days, and at any other time if requested by the supervisor. An employee may also be required to present satisfactory proof of family relationship and/or satisfactory proof of a family member's illness, injury, and/or doctor/dentist appointment if the employee wishes to use accrued sick leave to care for a family member. If the employee fails to present such proof in a timely manner, use of sick leave will be disallowed and no other paid leave may be used for the absence. Abuse of sick leave may result in disciplinary action, up to and including termination of employment.

10. Payment for Unused Sick Leave

Employees are not entitled to payment of any unused portion of sick leave upon separation of employment with the City. Sick leave is available only for purposes outlined within this section.

11. Sick Leave Buyback

Regular full- and part-time employees who have been continuously employed throughout the entire fiscal year may exchange accrued sick leave for cash. Maximum amount of sick leave exchange is three (3) days, consisting of 24 hours for regular full-time employees, 12 hours for part-time employees and 36 hours for full-time Fire Department personnel on 24-hour shifts. To be eligible, full time employees must keep at least 80 hours of accrued sick leave. Part-time employees must keep at least 40 hours of accrued sick leave. Full-time Fire Department personnel working 24 hour shifts must keep at least 120 hours of accrued sick leave. Additionally, all employees must be continuously employed during the previous fiscal year (October 1 through September 30).

Calculations are based on hourly, salary and monthly accrual rates and the rate of exchange will be those in effect on the most recent payday prior to the date payment

is made. Buyback checks are paid during the month of November. Employees must be actively employed when buyback checks are distributed. Sick leave is paid time away from work due to a bona fide illness or injury that prevents the employee from working, for visits to the doctor or dentist, or to care for certain family members who are ill or injured. Employees who are unable to work due to illness or injury or other situations covered by this policy must immediately notify the appropriate supervisor in accordance with the procedures adopted by their Department.

608 E S L

The City of Sachse offers a Sick Leave Donation Program to assist employees with wage supplementation for critical health situations and maternity leave in which an employee has exhausted all other paid leave, including compensatory time, but are not eligible for workers' compensation benefits or disability benefits. Only full-time employees who qualify for leave under the Family Medical Leave Act are eligible to use donated leave time. Employees may also utilize donated sick leave to care for immediate family members. This includes the employee's spouse, children of any age, parents, and any legal dependents or member of the household who are totally dependent on the employee for personal care or services on a continuing basis.

The Sick Leave Donation Program will include the involvement of a Sick Leave Program Committee who will review all requests for donated time. The Sick Leave Program Committee consists of Department Directors who will ensure all employees eligible for participation in the sick leave donation program are treated consistently and equitably according to established procedures and without consideration of employee classification or any other legally impermissible reason.

Use of benefits from the Sick Leave Donation Program are considered under the provisions of the Family and Medical Leave Act (FMLA), and any use is calculated in the 12 weeks of leave provided under this Act.

Guidelines to Make Donations. Upon a request for donations, only full-time employees who have been employed at least 12 months are able to donate. Donations are completely voluntary. The employee must submit the Sick Leave Donation Program Form to Human Resources. Eligible employees may not donate more than 10% or 40 hours of their leave balance per year, whichever amount is greater. Donated hours are deducted from those employees donating the time on a payday by payday basis. All donated, but unused time will be returned to the donator within 60 days upon return to work of the requestor. Any sick leave donations do not affect an employee's sick leave buy back option.

Receipt of Donations from the Sick Leave Donation Program. Applications for sick leave donations must be filed with Human Resources and accompanied by a statement from the licensed physician who treated the illness or injury of the employee or affected family member. The Sick Leave Donation Program Committee will consider applications and render a decision within ten (10) working days after receipt of the application.

An employee may not receive more than 480 hours of donated sick leave. An employee may apply only once per calendar year, unless they did not receive the maximum of 480 hours during the prior use. Donated sick leave hours may be used for a continuous absence or for intermittent absences if all other requirements of this policy are met. Donations received but not used for the initial health situation, illness or injury may be carried over for up to 60 days and used for the same illness or injury only. Donations received but not used cannot be used by the same employee for another reason or condition. All donations will expire 60 days from the employees return to regular status.

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

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

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Department employees, or once the employee exceeds three (3) days, or two (2) or more shifts for nonexempt Fire employees of sick leave use.

Human Resource Responsibility. Human Resources is responsible for central administration of all requests for family and medical leave. Human Resources reserves the right to automatically place an employee on family and medical leave if it is determined that a qualifying event has occurred. Human Resources may retroactively designate the beginning date of FMLA to the beginning date of the employee's absence for the qualifying event.

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

Utilization of Paid Leave. An employee utilizing family and medical leave for a qualifying event shall be required to exhaust all accrued vacation, sick leave, personal leave, comp time and any other applicable paid leave prior to going on unpaid leave. When an employee qualifies for family and medical leave, it will run concurrently with any paid leave. The City reserves the right to count any paid leave that qualifies for family and medical leave toward the twelve (12) or twenty-six (26) weeks allowed under this policy.

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

Medical Certification. The City may require medical certification from a health care provider to support a claim for leave to care for a seriously ill child, spouse or parent, or for the employee's own serious health condition. Medical certifications must be returned to Human Resources within fifteen (15) working days. Recertification may also be required on a monthly basis. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. For the employee's own serious health condition, the certification must include a statement that the employee is unable to perform the essential functions of the position, and expected duration. The City does not seek and should not be provided genetic information. If an employee or applicant's genetic information is inadvertently received by the City; the City will not use genetic information for any employment decision or action.

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

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

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

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

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

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

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

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

Definitions:

- Child - A biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis, who is standing in the place of a parent, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability. A biological or legal relationship is not necessary. A more detailed definition is provided in the Family and Medical Leave Act of 1993 which is available in Human Resources.
- Health Care Provider - A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or any other person determined by the Secretary of Labor to be capable of providing health care services. A more expansive definition is provided in the Family and Medical Leave Act of 1993 which is available in Human Resources.
- Parent - A biological adoptive, step or foster father or mother or someone who stood in loco parentis to the employee when the employee was a child. This term does not include parents-in-law.
- Serious Health Condition - An illness, injury, impairment, or physical or mental condition that involves: (1) any period of incapacity or treatment that results in inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; (2) any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider; or (3) continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days; or (4) for prenatal care. Voluntary or cosmetic treatments (such as most treatments for orthodontia or acne) which are not medically necessary are not "serious health conditions," unless inpatient hospital care is required. Restorative dental surgeries after an accident or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met.
- Spouse - A husband or wife as defined or recognized in the state where the employee was married and includes individuals in a same-sex marriage or common law marriage.

Military Family Leave Entitlement:

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

childcare and school activities; addressing financial and legal arrangements; attending counseling sessions; attending post-deployment activities; up to 15 days of rest and recuperation; and parental care.

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

Extended Medical Leave. Nothing in this policy prevents the City from granting unpaid leave for employees beyond the initial twelve (12) weeks, however, the same protections and benefits granted under FMLA leave will not be continued during this extended leave. Employees who desire to continue coverage while on leave without pay must make advance arrangements to pay the required monthly health insurance amounts. If the insurance policy requires a premium paid in part by the employee, the employee must pay his/her portion of the premium as with the portion normally paid by the City by the first day of each billing month or his/her enrollment in that particular policy may be terminated.

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The City provides paid leave to regular full- and part-time employees required to serve on jury duty or requested to testify as a witness by the City in a City-related civil, criminal, legislative, or administrative proceeding. Court appearances for testimony, investigation, and court preparation as a result of official duties as a City employee (e.g., fire, inspections, animal control, etc.) are compensated as actual hours worked and are not classified as paid leave. In all other cases, employees are required to use accrued vacation, personal, holiday or compensatory leave; otherwise a nonexempt employee's time off to testify will be considered a leave without pay.

The employee must provide documentation of the requirement for jury duty, subpoena compliance ☐ etc., with the leave request. Employees must submit a leave request, along with supporting documentation to their supervisor as soon as possible so that arrangements can be made to accommodate the absence.

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

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

611 Military Leave

The City complies with all state and federal laws relating to employees in reserve or active military service and does not discriminate against employees who serve in the military. Temporary employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their employment with the City will continue indefinitely or for a significant period of time are generally ineligible for extended paid military leave in excess of 15 days (120 work hours), reemployment rights, or any other military leave benefits under this policy.

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

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

Paid and Unpaid Leave for Training and Duty.

1. Full Pay for up to 15 Days. Employees will be paid for military absences of up to a maximum of 15 work days per fiscal year. Shift employees will be transitioned to a 40-hour workweek during military absences. This leave may be used when an employee is engaged in National Guard or U.S. armed forces reserve training or active military duty ordered or approved by proper military authority. The paid leave days may be consecutive or scattered throughout the year.
2. Other Paid Leave. Employees who have exhausted all available paid military leave may, at their option, use any other available paid leave time (i.e., vacation, personal or holiday leave and compensatory time) to cover their absence from work.
3. Unpaid Leave. After an employee has exhausted all available paid military leave (including any other paid leave time that the employee chooses to use to cover a military absence), the employee will be placed on leave without pay.

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

1. Medical and Dental. While an employee is on paid military leave (or any military leave of less than 31 days), the City will continue to pay its portion of the monthly premium for group health benefits. When military leave is unpaid, the employee

may elect to continue group health coverage for up to 24 months following separation of employment or until the employee's reemployment rights expire, whichever event occurs first, for the employee and eligible dependents.

2. Upon an employee's return to employment following military service, the City will provide health insurance coverage immediately. In addition, a returning employee will not be subjected to exclusions from coverage unless the exclusions apply to injuries or conditions that were incurred as a result of military service.
3. Other Benefits. While on paid military leave, employees continue to accrue vacation, sick leave and other benefits provided to other employees on paid leave. The City will also continue to pay the premium for any City-provided life insurance while the employee is on paid military leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. Benefits, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. While on unpaid military leave, benefit accruals will be suspended and will resume upon the employee's return to active employment. Once an employee returns to work following an unpaid leave, the employee will be treated as though continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.
4. TMRS. Typically, an employee's period of uniformed service is deemed to constitute service for purposes of vesting and benefit accrual. Thus employees earn service credit for time spent on Active Duty Military Leave. Service time is credited when an employee returns to work. To qualify for service credit, an employee must return to work for the City within 90 days after discharge, receive an honorable discharge and complete the necessary application.

Return to Work. A person returning from service must report back to work or apply for reemployment within the time constraints prescribed by USERRA. The City shall re-employ a returning veteran according to the provisions of USERRA.

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

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

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

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

612 Unpaid Leave

Time off without pay may be granted by the Department Director to any employee for personal reasons up to twenty-two working days (one month) in any service year. Reasons may include recovery from extended illness, injury or temporary disability, extended care for immediate family members or situationally as determined by the City Manager. Any personal paid time off for which the employee may be eligible is included in the twenty-two-day maximum. Any request for personal time off which, in combination with personal time off previously granted the employee, exceeds twenty-two working days in one service year, requires the approval of the City Manager. Any request for personal time off in excess of one continuous month is treated as a personal leave of absence subject to the following conditions:

- Absence of one month requires approval of the Director.
- Absence of over one month requires approval of the City Manager.
- City service of a minimum of six months is required.
- Requests for leave must be made in writing 30 days prior to the starting date. This requirement may be waived when circumstances do not permit such advance notice.
- The duration of the leave and the date of return to work must be established before the start of the leave. Any extension must be requested in writing at least two weeks prior to start of the extension date.
- The maximum permissible duration of a personal leave is three months.
- Provided the above conditions are met and business conditions permit, the employee will be reinstated in the same or equivalent job at equivalent compensation at the end of the leave. If business conditions do not permit, the employee will be offered other available job opportunities with the City.
- Failure to return to work on the appointed date will be treated as unauthorized absence.
- Absences due to medical reasons, or caring for a family member with serious medical problems, may be eligible for Family Medical Leave.

CHAPTER SEVEN – COMMUNICATION/INFORMATION TECHNOLOGY

01 CITTU W P

The City recognizes that many employees bring cell phones to work. Cell phones may belong to the employee or be provided for the employee's use by the City. Employees using a personal cell phone while at work must not allow cell phone use to become disruptive or interfere with their own or a co-worker's ability to do their jobs. Employees who use cell phones to violate City policy, including the City's Sexual and Other Unlawful Harassment Policy, will be subject to disciplinary action.

Safety. Except in emergency circumstances, employees should not use a cell phone while operating a motor vehicle, including both making and receiving phone calls and text messages.

Public Information Act. Employees are advised that records related to calls and text messages made and received on City owned cell telephones or business calls made on personal cell phones are public information. Information related to telephone numbers called, length of call, and time and date of call as well as the text message itself may be obtainable through the Texas Public Information Act.

No Expectation of Privacy. All employees must, when asked by the City, consent to a request to provide the City access to all cell phone and text message records. Employees using City-issued cell phones have no expectation of privacy in either cell phone calls, pictures, or text messages on these telephones. Employees should be aware that cell telephone calls are not secure and can be monitored. It is a crime for a third party to intentionally monitor cell phone conversations without the consent of one of the parties to the conversation. Inadvertent monitoring of private cell conversations is possible. Caution should be used whenever confidential or sensitive information must be discussed on a City provided cell phone.

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All supervisory and service personnel must have a telephone number at which they can be reached during off-duty hours. This can be a cell phone or a land line telephone.

No reimbursement shall be made to the employee for the City's use of such employee's private telephone to contact the employee regarding work related matters.

All employees must immediately notify supervision and Human Resources of any change in phone number(s), and provide a phone number for a secondary contact, i.e., spouse, parent.

Employees who are in positions that are classified as emergency essential are required to be available via telephone contact 24/7.

Policy. An employee's use of social media, both on and off duty must not interfere with or conflict with the employee's duties or job performance, reflect negatively on the City or violate any City policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. Protecting the City's reputation and ensuring that an employee's communication with people outside the City, not only reflects positively on the employee as an individual, but also on the City.

Personal use of the Internet is a privilege and carries responsibilities requiring responsible and ethical use. The City may monitor an employee's access, use, and postings to the Internet, including from personal computers, to ensure compliance with internal policies, support the performance of internal investigations, assist management of information systems, and for all other lawful purposes. The City expects all employees to follow the guidelines below when posting information on the Internet, regardless if done during or after work hours. This policy encompasses the following: wikis, tweets, Facebook, Myspace, LinkedIn, blogs, and other online journals and diaries; bulletin boards and chat rooms, microblogging and all other social networking sites, instant messaging and the posting of video on YouTube and similar media, as well as City-operated networks.

This policy should be read and interpreted in conjunction with other City policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior and the City's Technology policy. Violations of the City's Social Networking and Technology Usage Policies may lead to disciplinary action. The City provides an effective system for employee complaints "off-line" through the "General Complaint and Grievance" policy without resorting to social media.

Employee Guidelines. Any blogging or posting information on the Internet for personal or professional purposes, must comply with the City's guidelines (as listed below), regardless of where the blogging or posting is done.

- Blogging, or posting information of a personal nature on the Internet, is prohibited during work hours. Employees are not permitted to engage in social networking while using any of the city's electronic resources.
- Never disclose any confidential information concerning another employee of the City in a blog or other posting to the Internet. Posting of confidential information may violate state law and subject the user to criminal penalty. All requests for City documents must be processed through the Public Information Act.
- Employees must abide by all federal and state law and policies of the City with regard to information sent through the Internet.

- If the employee's social networking includes any information related to the City, the employee must make it clear to the readers that the views expressed are the employee's alone and not reflective of the views of the City.
- Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media.
- Respect coworkers and the City. Do not put anything on your blog or post any information and/or pictures on the Internet that may defame, embarrass, insult, demean or damage the reputation of the City or any of its employees.
- Do not put anything in your blog or post any information and/or pictures that may constitute violation of the City's Harassment policy. Do not post any pornographic pictures of any type that could identify you as an employee of the City.
- Do not post pictures of yourself or others containing images of City uniforms or insignia, City logos, City equipment or City work sites, unless you are posting them on the City official website as part of your job duties.
- Do not post information on the Internet that could adversely impact the City and/or an employee of the City.
- Do not permit or fail to remove postings violating this policy, even when placed by others on the employee's blog. Recognize that postings, even if done off premises and while off duty could have an adverse effect on the City's legitimate business interests.
- Individual supervisors do not have the authority to make exceptions to these guidelines.
- Provide residents of Sachse about City events, activities, and issues;
- Promote the city in a positive manner to those in and outside the community.

Guidelines for City Postings. The city's website, www.cityofsachse.com, will remain the official location for content regarding city business, services, and events. Whenever, possible, links within social media formats should direct users back to the city's website for more information, forms, documents, or on-line services necessary to conduct business with the city.

1. The City Manager and/or his/her designee(s) shall have the sole authority and responsibility for the implementation of this policy and the following functions.
2. Create, establish, register, or initiate any social media account on behalf of the City or which appears to be established by the City, or to use any Social Media Platform in such fashion. Only City e-mail addresses or e-mails authorized in advance by the City Manager's Office will be posted on the site or used to create the web site

accounts. Use of generic e-mail addresses, for example, socialadmin@cityofsachse.com, is appropriate to create social networking accounts.

- a. Modify the content of any City Social Media Account including the City's website;
- b. Publish any information on a Social Media Platform on the City's behalf, or in any fashion which could be attributed to the City including, but not limited to:
 - Sharing published news releases from the City Manager's Office, Police, and Fire Departments;
 - Publicizing Library and Parks and Recreation programs sponsored by the City;
 - Publicizing new services, holiday closings or other information normally found on the City's primary website; and,
 - Issuing emergency alerts, road closures, or weather alerts affecting large numbers of citizens.
- c. To the extent that design parameters of the host site allows, City of Sachse pages will conform to the following:
 - Be identified as a City of Sachse official site;
 - Contain appropriate staff contact information;
 - Contain the City logo;
 - Have a link to the appropriate page of the City's website; and,
 - Specify that all content, comments, and replies posted will be subject to Texas Public Information laws.
- d. All personnel that engage in social media activities on the City's behalf shall adhere to all applicable Federal, State, and City ordinances, regulations, and policies, as well as proper business etiquette. This includes adherence to established laws and policies regarding copyright, records retention, and release of public information, the First Amendment, and privacy laws.
- e. The City of Sachse reserves the right to remove any messages or postings, including those that are obscene, deemed inappropriate, offensive, threatening and/or in violation of the copyright, trademark right or property right of any third party.
 - Content posted by "friends", "followers", or "fans" will not constitute a representation, agreement, or endorsement on the part of the City of Sachse.
 - Any comments posted by external parties are not official public testimony and shall be considered an opinion expressed on a city's

social media page, and is not a substitute for a formal statement in a public hearing process.

- f. Communication through social media is a public record. Any posts and feedback by others will be part of the public records of the City of Sachse and will be subject to the Texas Public Information Act (Chapter 552 of the Texas Government Code). The designee(s) will be responsible for maintaining copies of content posted to comply with the city's records management program.
- g. If questions arise regarding the use or posting of confidential information on a social media site, the matter shall be referred to the City Attorney for review. The information in question shall not be posted, or if already posted, shall be removed until an opinion is rendered by the City Attorney. The City Manager or designee(s) reserves the right to restrict or remove city information from an official city social media site if the City Manager believes that the information does not serve the best interests of the city.
- h. Each Official City of Sachse Social Media Site/Page, must include a Disclaimer that contains the following information:

"The City of Sachse maintains this social media site/page to provide information and promote City of Sachse programs, services, and policies. It is the City's goal to keep the most current and accurate information available to the public on this site, however, varying events can occur that could affect the timeliness of the information and the accuracy of the content.

The City of Sachse is not responsible for the content nor endorse any site which has a hyperlink from this page. All content, comments and replies posted are subject to Texas Public Information laws; the City of Sachse reserves the right to remove any messages or postings."

04 T U

Purpose/Scope. Define the acceptable use of technology at the City of Sachse and to ensure that the City complies with all legally mandated requirements and best practices for maintaining the security and integrity of the City network and files. It outlines the responsibilities of those who work for and on behalf of the City in contributing to the maintenance and protection of its information resources in a secure, stable and cost-effective manner. This policy is consistent with the intent and requirements of the City's work policies and rules. Exceptions require the approval of both the requesting department's director and the System Administrator. Approvals must be documented in writing and limited in duration to provide for periodic re-evaluation. Adherence to this policy may require periodic training for all users.

This policy defines the oversight, use and protection of the City of Sachse's computing equipment, network, voice, electronic communications and data repositories. This includes the acquisition, access and use of all software, hardware and shared resources, whether connected to the network,

configured off the network, or while in transit (mobile). It applies to all those who work on behalf of the City of Sachse including, but not limited to, employees, contractors, consultants and volunteers. This policy also applies to all equipment that is owned or leased by the City regardless of project and program funding sources.

Acquisition of Technology Resources. Information Technology must evaluate and approve all software, hardware, removable devices and related maintenance and support contracts, whether the selected products or solution will be on the network or off; used by one or many people; and for all program and project funding sources.

Acquisition of technology resources should conform to existing purchasing policies and procedures as defined by the Finance Department.

Most City-owned technology has a pre-determined lifecycle replacement period and must be surrendered for replacement on a 1:1 basis or retired, according to that schedule. Such technology may not be redeployed or otherwise put back into use without approval from the System Administrator.

□05 Access to the City's Technology Resources

City Network Accounts. Human Resources must approve the creation of new City network user accounts. A help desk ticket will be created by a member of Human Resources requesting that the user account be created and a temporary password issued. This information will be provided to the user by Human Resources.

In the event of voluntary or involuntary termination of an employee who has a City network account, Human Resources will again submit a help desk ticket requesting that the account be disabled and that the user's e-mail account be archived shall be retained for a period not to exceed two (2) years.

Occasionally, it may be necessary to keep the user account active past the date of termination, such as in the case of a Department Director leaving the City, for the purpose of ensuring that all sources of contact have been notified. Human Resources will request that Information Technology change the user's password, and then will advise when the account may be disabled.

Passwords. Users are responsible for the establishment and maintenance of passwords consistent with the City's standards. User accounts and passwords may not be shared with anyone other than the named owner or a member of the Information Technology division for the purpose of troubleshooting and repairing issues on the user's computer or device.

Examples of those whom credentials shall not be shared with include co-workers, subordinates, business associates, household members, etc. The individual logged on to the City network must be present while the logon credentials are being used to access network resources, or must ensure that the account is locked or logged off and not being used by others when not present.

Passwords will be changed on a regular basis to heighten security of the network. Users will be prompted by Microsoft Windows to change their password at a pre-determined time. Information Technology may also change the password for the user.

Connecting to the City Network. Information Technology Division, or a representative, must approve connection of all devices using the City's infrastructure (e.g. Internet, network, secure wireless channels, and telephone lines). This does not include the use of public Wi-Fi.

At no time shall a member of the public, a vendor, or any other person not being directly employed by the City of Sachse, be allowed to connect a device of any sort to any City network data port without prior authorization from the System Administrator. Likewise, use of the secured Wi-Fi must be authorized by the System Administrator.

Software Installations. Information Technology must be consulted and approve installation of all software, including shareware, freeware and software that is obtained for evaluation purposes. Software that has not been approved and that has been found installed on any City owned device shall immediately be uninstalled. Subsequent violations will result in notification of the user's supervisor and/or Department Director.

Hardware Installations. Information Technology must be consulted and approve the installation of all IT-related hardware. This includes but is not limited to computers, monitors, printers, and other peripherals.

Any device that is to be directly connected to the City network will be approved in advance before the connection is made. This does not include connecting to the City's public Wi-Fi.

Personally Owned Hardware and Software. Connection or installation of personally-owned hardware or software with the City-provided infrastructure (i.e. network, Internet, fax lines, telephone lines, cellular telephones, and other computers) is not allowed without prior consent from the System Administrator. This does not include connecting to the City's public Wi-Fi. Connection to the secured Wi-Fi, however, requires authorization.

Use of Removable Devices. The use of removable devices such as memory cards, USB drives, etc. must be closely monitored. Modern technology allows data taken from one system to be moved to another very easily, and with these come security risks.

Anti-virus software shall be maintained by the Information Technology division that allows for these devices to be automatically scanned when inserted into a computer.

In the event that such a scan does not occur on insertion of a device, Information Technology should be informed so that the device can be scanned elsewhere, and the anti-virus settings on the computer in question can be reviewed.

06 Internet and Computer Use

Use of the Internet should be consistent with City policies and work rules. Limited personal use is permitted as long as it does not result in a cost to the City, does not interfere with the responsibilities and fulfillment of job duties, is brief in duration and frequency, does not distract from the conduct of City business and does not compromise the security or integrity of City information or software.

- Inappropriate materials-visiting, referencing, downloading and/or storing materials that are inappropriate in a work environment on any type of electronic device is prohibited unless such activity is specifically related to your job. Examples include but are not limited to data from sexually explicit sites, and those associated with violence, hate crimes or illegal activities.
- Network bandwidth impact from Internet use-Internet usage that significantly impacts network bandwidth may be restricted. Individuals should utilize only the City's tools (such as the City-standard browser) and recommended best practices* to manage their connections when viewing, downloading, sharing and printing information to ensure that these shared resources are not negatively impacted.

Excessive use of streaming media and Internet radio other than for informational purposes or online training should be limited to avoid bandwidth issues. There is no right to privacy in the course of using the City's technology resources, whether conducting City business or for incidental personal use. The City owns all data stored on its network and peripheral devices and reserves the right to inspect and monitor any and all such use at any time (examples include e-mail, voice-mail, Internet logs, computers, laptops, handhelds, etc.).

07 E-mail Communications

General E-mail Communications. The City provides access to and support of its own e-mail system and web-related components. Employees shall not use any other e-mail system to conduct City-related correspondence. Exception to this policy will be made in the event the City e-mail's system is down. In such event, employees shall retain all city related communications pursuant to the City's records retention policy.

E-mail communications will conform to the same professional standards as with written and verbal business correspondence. A professional tone should prevail and content will be consistent with and representative of the City's policies and practices. As aforementioned, any attempt to misrepresent one's identity via e-mail is prohibited. The City's e-mail distribution lists should be used for critical and time-sensitive City business information only.

Permissible Use. This policy allows *minimal* personal e-mail under specific circumstances. Personal e-mail must conform to permissible use standards and may not be related to activities listed as prohibited uses. Apart from this, the rule does not sanction the use of City computers for unofficial purposes, e.g., writing letters, playing computer games, surfing the Internet, etc. Downloading personal email to the City's system or attaching a personal email box is prohibited.

Prohibited Uses. The following activities are expressly prohibited;

- a use for the purposes of supporting, promoting, or soliciting for any non-City sponsored outside organization or group, religious activity;
- campaigning or political use;
- commercial use, including operating a personal business;
- posting to or buying personal items from online auction or sales sites;
- use to conduct illegal activities;
- viewing pornography or otherwise inappropriate web sites;
- online gambling;
- use which results in the City being placed on electronic mailing lists related to prohibited uses.
- Sending e-mail which contains vulgar or profane language and not of a professional nature by its content.

Public Record. E-mail is considered part of the public record and is subject to disclosure under Texas State law. Managing individual e-mail storage and retention is the responsibility of each individual, consistent with the City's document and records-retention guidelines. Effort should be made to restrict unnecessary e-mail traffic, including minimizing the size of attachment files; and using network drives instead of large distribution lists to share file attachments with large groups.

E-mail Signature. Every employee with a City issued e-mail account shall create a signature that will be attached to all outgoing email. The signature file must include at least the following:

1. Employee's name;
2. Department;
3. Complete business address;
4. Telephone number;
5. City Logo,
6. How am I doing online survey link.

08 Security and Privacy

Effective security requires the participation and support of every user in the organization. The City employs enterprise tools to manage, monitor and protect the organization from internal and external security threats and data loss. In addition to these measures, it is the responsibility of individuals to remain vigilant in their awareness and protection of the City's resources, including equipment and data they have access to and while in their possession. Specific due diligence requirements are outlined below:

- City devices and computer equipment must be logged out or "locked" when unattended.
- All users must log off of their computer and leave it powered on at the end of their shift to enable after hours or off-shift maintenance and security updates
- Intruding or attempting to intrude into any gap in system or network security is prohibited.

- Sharing of information with others that facilitates their unauthorized access to the City's data, network or devices, or their exploitation of a security gap is also prohibited.
- As noted above, user accounts and passwords may not be shared. The individual logged onto the City network must be present while logon credentials are being used to access Network resources
- City owned, or any personal device such as a PDA/handheld/smart phone, camera, etc., that connects to the network must always be password-enabled.
- Transmitting confidential data in part or full via e-mail or other unencrypted medium is prohibited.
- Leaving personal, sensitive or confidential information exposed to view while unattended, either on paper or on screen, is prohibited.
- Whenever possible, laptop and desktop hard drives and removable devices should only contain *copies* of source files, not the original file.
- Individuals must report to the City any equipment, software or data that is lost, damaged or stolen at their first available opportunity. Reports will be made to a supervisor or Department Director. Unrecoverable equipment may incur additional replacement costs.
- Lost equipment, especially that containing sensitive or confidential information as defined here, must be reported immediately to Information Technology.
- Stolen computers, laptops, PDA's, thumb drives, etc. must be reported immediately.
- Individuals must utilize City provided anti-virus software and scanning tools regularly to scan material from removable devices prior to use.
- Storage of any copyrighted material on a network server or local hard drive including, but not limited to, photographs from magazines, books or other copyrighted sources, copyrighted music, the installation of any copyrighted software for which the City or end user does not have an active license, or the installation of "pirated" software is strictly prohibited.

CHAPTER EIGHT -- COMPENSATION

801 C P

1. Compensation for Classified Positions. Each non-exempt position is assigned to a classified grade level. The Compensation Plan specifies a minimum and maximum hourly wage or salary within each pay grade. The City Council, as part of its annual budget process, considers the allocation of funds for pay plan adjustments and merit increases.
2. Setting Salary Level for New Employees. Employees may be hired for positions at a higher pay than the established minimum pay level, but not higher than the mid-point level based upon qualifications and job-related experience.
3. Salaries of City Manager and City Secretary. Salaries for the City Manager and City Secretary are established by the City Council and not subject to the Compensation Plan.
4. Amendments to the Plan. As circumstances require, the Compensation Plan may be amended through submission of suggested changes by the City Manager and approval by City Council.
5. Job Titles and Employee Classification. Job titles are descriptive of the duties performed, skill required and organization level. Care must be exercised to avoid titles that are overly specific in order to keep the total number of distinct jobs to a minimum. Each employee will be properly classified under an established job title which will be used on all payroll and personnel records. This classification shall not be changed unless a transfer, promotion or demotion occurs, or a re-study of the job results in a re-classification.
6. Re-Classification/New Positions. As new jobs are approved or requests for reclassification of existing positions are made, the City Manager will evaluate or re-evaluate the job(s) and make recommendations. The department desiring the new or re-classified position must submit requests in writing, including the rationale for the proposed change and a new/revised job description. (*Note: this process is not meant to replace requests for new personnel as normally submitted during the budget process. It is assumed that the addition of the position has been approved prior to evaluating the job.*) The job evaluation is based on the factors and levels defined in the Job Evaluation Process, comparing the proposed factors of the job to the factors of comparable jobs. While the definition of various levels of a given job factor can be used to guide the evaluation process, the primary rationale should be the relative worth of a job's factor to existing jobs. A copy of the City Manager's decisions will be kept on file. Should a Department Director determine the necessity to request a job evaluation of any job more than once in

any twelve-month period, he/she must obtain written approval of the City Manager prior to initiating the job evaluation process.

802 Salar Review

A periodic salary review will be made by the City Manager or his/her designee to determine if City of Sachse salaries are stable with the economy. If the City Manager determines that an increase is warranted and is not regularly scheduled, such increase may become effective if and when funds are appropriated by the City Council.

803 Method of Payment

Pay distributions are made every other Friday. If an employee does not have direct deposit and is away from work on payday, he/she should make arrangements with their supervisor to handle their paycheck. Paychecks will not be given to third parties without express written authorization from the employee.

804 First Paycheck

A new employee's first paycheck will be disbursed depending on his/her hire date. The first paycheck will be prepared with regularly scheduled payroll which may result in a one-week delay to the new employee.

805 Final Paycheck - Last Day Worked

The final paycheck for regular employees who have satisfactorily completed the introductory period will include payment for all unused vacation earned. Unused vacation earned will also be paid out to employees who have a one (1) year introductory period and have satisfactorily completed six (6) months of service or more. Payment of accrued compensatory leave for hourly employees will also be included in the final paycheck. Department Directors must certify that all property, uniforms and keys belonging to the City have been returned before a final paycheck will be issued. The actual cost of lost or damaged articles and any other lawful offsets will be deducted from the final paycheck unless a release is granted by the Department Director and approved by the City Manager. For the purpose of calculating final payments, "last day worked" will be the last business day actually worked and will not be a holiday, vacation day, sick day or any other paid non-working day. Payment will be made only for the actual number of hours worked on the last day. If an employee resigns immediately following an extended illness or maternity leave, the "last day worked" will be the day the employee's doctor determined the employee was able to return to work.

806 Incentive Pay

Employees can enhance and improve their skills through continuing education and certification/licensing programs. Full-time employees are eligible to receive certification and incentive pay as long as the criteria are met and targeted certifications and licenses remain designated by the City Council. The availability of incentive pay is subject to City Council approved funding levels.

Department Directors must propose and secure approval within the annual budget process in order to provide Incentive Pay. Upon adoption of the City's annual operating budget, departments must publish its funded, adopted incentives and specify eligible certifications and licenses included in the program for the coming fiscal year.

Employees are not eligible for incentive pay if the certification or license is listed as a minimum requirement in their job description, or the certificate or license is not currently designated by the City Council as part of the budgeted incentive program. Certifications and licenses must be directly related to an employee's present position, current job duties, profession and/or occupation.

Those certifications or licenses must be obtained from an accredited State college/university, State certification or licensing agency and/or a recognized professional association performing a similar certification or licensing function for employees in the applicable profession. The certification/license must be maintained in an *active status*.

However, where there exists no related State accredited college or university programs, no State certification or licensing agencies, or no recognized professional association program which offers a program for which the City has a specific need to provide an incentive for employee education and/or skill development, the Department may submit an alternative program to the City Manager during the budget process for consideration and approval. Use of alternative programs must be limited and based upon a critical City need for employee education and/or specialized skill development in an area for which no other qualifying program is available.

1. Incentive Pay Criteria.

Certifications and Licenses:

Employees must meet the following requirements in order to be eligible to receive certification incentive pay:

- Must be a regular full-time employee;
- Certification or license must be related to the respective position currently held by the employee;
- Certification or license must be maintained and renewed on an annual basis or otherwise, as required by the certification or licensing entity. Alternative programs must include specifications for continued education and competency.

2. Bilingual Pay.

Employees who are proven to speak, read and write fluently, based on job requirements, may be eligible for bilingual pay:

American Sign Language, Spanish, and/or Vietnamese

Bilingual Pay will be given for only one language. The Human Resources Department will administer an assessment test to determine if the employee meets the criteria for Bilingual Pay.

3. Certifications/Licenses/Bilingual Incentive Payment.
Employees eligible to receive Incentive Pay for certifications and licenses identified and approved by the Department Director and Human Resources will receive a dollar amount approved by the City Council. This amount will be added to the employee's annual base salary and distributed over 26 pay periods.
4. Certification/License Reimbursement.
Testing or renewal fees for certifications and licenses that are job related may be paid for by the City. If the employee fails the first test, additional testing fees will be the responsibility of the employee. Upon successful completion, the employee may receive reimbursement subject to City Manager approval.
5. Recordkeeping.
Each department is responsible for maintaining up-to-date records of their employees' certifications, licenses, renewal of Continuing Education Units, and for ensuring the proper documents are sent to the Human Resources Department for placement in the employee's personnel file.
6. Requesting Pay.
Requests for incentive pay or testing for certification pay must be approved by the appropriate Department Director, and submitted to the Human Resources Department. It is the employee's responsibility to submit certifications and licenses to their supervisor and Human Resources as soon as reasonably possible after receipt of the certification. Retroactive payment will not be granted.

800 TUITION REIMBURSEMENT

Tuition Reimbursement is offered to all regular full-time employees who have successfully completed their initial introductory period with the City, and who wish to enroll in courses for academic study from an accredited institution such as a college, university, technical or business school (not continuing education courses). Tuition reimbursement is offered to employees for both undergraduate and graduate courses (excluding doctoral studies) that are directly related to their job, and/or in the best interest of the City. Employees and their supervisor must agree on an approved degree plan. Requests for tuition reimbursement must be submitted to the employee's Department Director and the Human Resources Department on the City's Tuition Reimbursement Form.

ELIGIBILITY CRITERIA

1. The employee must:
 - a. Satisfactorily complete their introductory period of employment;
 - b. Maintain a satisfactory job performance level;
 - c. Take course(s) that fall within an approved degree plan that is related to the employee's job and/or advancement of employee's career in City government;

- d. Earn a grade of 'B' or better and provide evidence of such grade(s) and course(s) completed. Evidence must be a grade report or official transcript issued by the accredited college or university.
2. Courses qualifying for reimbursement must:
- a. Be completed in a state or nationally recognized accredited, educational institution;
 - b. Be part of a degree plan approved by the employee's Department Director and Human Resources as being related to the employee's job.

The availability of tuition reimbursement is subject to City Council approved funding levels. Eligible expenses for reimbursement include tuition up to a maximum of \$2,000 per calendar year, depending on funding approved in the City's annual budget. Monies paid for tuition reimbursement may be subject to Federal Income Tax withholding.

The City will not reimburse class fees, enrollment fees, test fees, books, laboratory fees, computer center fees, and similar fees required for completion of the course, nor ordinary supplies such as paper, notebooks, pens, copy fees, etc. Requests for Continuing Education Unit (C.E.U.) credits are not eligible for reimbursement under this program. Classes for required certifications and testing fees for certifications and licensures will not be reimbursed through the tuition reimbursement policy. Job-related seminars, workshops or other short-term courses are ineligible for tuition reimbursement. These short-term courses may be funded through a department's training fund and applied for through the respective departments. Reimbursement does not include program materials, transportation, mileage, or parking. The City will not reimburse education funded by other sources such as government assistance programs or grants.

Employees will not be paid for time spent in classes and/or studying. Employees must schedule classes so his/her attendance and coursework do not adversely interfere with normal work schedules or work performance at the City. Exceptions for unusual circumstances must have the written consent of the City Manager.

Tuition reimbursement Forms must be signed by the Department Director and returned to Human Resources no later than July 1 of each year. Requests will be considered based on earliest submission and in accordance with the approved budget. Within thirty (30) days of the last day of the approved semester, the employee must submit receipts for paid tuition to Human Resources.

Courses in progress at the time that this policy becomes effective are eligible for reimbursement in accordance with the terms of this policy. The City will not reimburse for courses completed prior to this policy's effective date.

Employees who voluntarily or involuntarily terminate employment with the City before completing a course are not eligible for tuition reimbursement. Employees receiving tuition reimbursement must commit to continued employment of one (1) year following the completion of the most recent course for which reimbursement was received. Employees who voluntarily terminate or are involuntarily terminated for cause within one (1) year following completion of a course for which reimbursement was received will be required to return all monies received for

tuition reimbursement within the previous 12 months. Employees involuntarily terminated as a result of a reduction in force or layoff will not be required to return all monies received for tuition reimbursement. As a recipient of tuition reimbursement, the employee authorizes the City to deduct the balance owed for tuition reimbursement from his/her paycheck or any other financial payments due the employee. If sufficient funds are not available to satisfy the tuition reimbursement owed to the City, the employee must pay the balance owed to the City by personal check, cash or money order.

808 L P

The City of Sachse provides longevity pay to regular full- and part-time employees.

Full-time employees will receive payment on an annual basis at the rate of \$4.00 per month for each year of service, up to a maximum of 25 years.

Part-time employees will receive payment on an annual basis at a pro-rated amount of \$2.00 per month based on the actual number of hours worked.

Non-benefitted, temporary and seasonal employees are not eligible for longevity pay.

Longevity pay begins after a regular full-time or part-time employee has completed one year of service. The first twelve months of service are included in longevity payments.

Longevity pay will be paid annually to all active, qualified employees on the first paycheck in December. In accordance with Texas Government Code, sworn personnel in the Police and Fire Departments must be paid longevity payments upon termination.

810 Mr Ad

The City Council establishes benchmark cities to serve as a resource to generate comparable data regarding employee compensation. To retain a skilled workforce and to remain competitive in the market, the City Council will periodically authorize a compensation market study and implement market adjustments specific to positions that are deemed below acceptable market levels. The City Council selected the following cities to serve as benchmarks for compensation analysis:

810 O-C d C B C N E

General. The City provides for after-hour service needs by allowing some departmental operations to designate certain nonexempt employees to be on-call. Employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by their Department.

Return to Work Provisions. After regularly scheduled working hours, on-call employees are free to pursue personal activities but must respond to a call back (via email, text, telephone or radio) within designated guidelines set by their Department. Employees designated as on-call must be fit, both mentally and physically, to accomplish on-call services needed within the time frame

required. An employee is considered officially scheduled and designated as on-call only when approved by the supervisor in accordance with procedures established by the Department.

Compensation. On-call status is not considered time worked and is not compensable unless the employee actually responds to a call back. On-call employees called back to the workplace will be guaranteed a minimum of two (2) hours pay for each call-back. If an employee is already in call-back status and receives an another call-back within that two (2) hour timeframe, the employee will not receive an additional two (2) hours of compensation. For example, if an employee receives an additional call-back while still working the initial call, the employee will not receive additional two-hour minimum but will receive pay for actual hours worked if it exceeds the two hours. Time worked immediately after regularly scheduled working hours at the request or approval of the supervisor will not be considered call-back and is paid at the employee's regular rate of pay until overtime requirements are met. Travel time between the primary residence and the workplace on a call-back is compensable under this policy. On-call employees who do not return to the workplace but who handle a workplace issue by telephone will be paid for actual time spent on the phone. In all cases, employees must report their actual hours worked on their time sheets.

Employees exempt from overtime are not eligible for compensation under the provisions of this policy.

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

811 On-Call and T/M

Overtime. Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour requirements. Exempt employees are not paid overtime compensation.

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

All nonexempt employees must receive their supervisor's and Department Director's prior authorization before performing any overtime work. This means employees may not begin work prior to their scheduled work day, and may not continue working beyond the end of their scheduled workday, without prior authorization from the appropriate supervisor. Similarly, employees may not work through their lunch break without prior authorization from the appropriate supervisor. On the employee's time sheet, the appropriate supervisor must also approve any overtime before the time sheet is submitted for processing and payment. Nonexempt employees shall not remain on the work premises without authorization unless they are on duty or are scheduled to begin work

within a short period of time. Nonexempt employees who work overtime without receiving proper authorization will likely be subject to disciplinary action, up to and including possible termination of employment.

Generally, except for Fire-Rescue Department shift employees, overtime pay for nonexempt employees is at the rate of 1.5 times the employee's regular hourly rate of pay for hours actually worked in excess of 40 in the City's workweek. (The City's workweek begins at 12:00 am on Monday and ends at 11:59 pm the following Sunday.) An employee's overtime hourly rate includes all pay incentives, such as longevity, certification pay, etc.

The City of Sachse Fire-Rescue Department follows Section 207(k) of the Fair Labor Standards Act (FLSA) provides that Fire-Rescue Department shift employees may be paid overtime on a "work period" basis. The City of Sachse Fire-Rescue Department shift employees work on a 28-day work period.

City recognized holidays are included as hours worked for purposes of determining eligibility for overtime pay. However, time off on account of paid vacation, sick leave, personal leave, compensatory leave, jury duty leave, bereavement leave, or any other leave of absence is not considered time worked for purposes of performing overtime calculations.

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

Exempt Employees. Exempt employees are those who are not covered by the overtime requirements of the FLSA. Accordingly, exempt employees are not entitled to overtime compensation for work performed beyond 40 hours in a workweek. Exempt employees are expected to put in the hours necessary to complete their assignments with an acceptable level of quality in a timely manner.

"Docking" an exempt employee's pay for a partial day's absence will be permitted only as authorized by law and approved by Human Resources.

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

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

812 Work Hours

Regular Work Hours. Non-exempt employees, except Fire and Police Department personnel, normally work 40 hours in a seven-day workweek. Exempt and non-exempt employees may be required to work in excess of 40 hours in certain weeks. The regular workday normally begins at 8:00 A.M. and ends at 5:00 P.M., although employees in some departments may have different work hours. In times of disaster or emergency, work hours will be determined by the City Manager. A workday is defined as a period of 24 hours, beginning at 12:00 a.m. and ending at 11:59 p.m.

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

813 Paid and Unpaid Days

The City has established workweeks and pay periods administer the payment of wages, salaries and overtime to comply with federal, state, and local laws and provide the employee with a reliable and responsive system.

- A workweek for all employees begins on Monday at 12:00 am and ends on Sunday at 11:59 pm.
- The pay period for all employees shall be bi-weekly with generally twenty-six pay periods per year.
- A workweek for certified firefighters/EMT-P working 24-hour shifts is based on nine or ten 24-hour shifts every four weeks.

The pay day is the first Friday following the end of a pay period. Employees are paid on a bi-weekly basis (every other week on Friday). If a regularly scheduled payday falls on a holiday, paychecks will be distributed on the day prior to the holiday. When an employee is terminated, the employee will be paid within six calendar days. For employees who voluntarily resigns from employment, the employee is paid on the next regular pay day.

ACKNOWLEDGMENT

I have received a copy of the City of Sachse Employee Policies Manual and I have read this policy and understand and agree to comply with the above described guidelines.

EMPLOYEE POLICIES AND PROCEDURES MANUAL RECEIPT FORM

I acknowledge receipt of the Employee Policies Manual and understand that it does not constitute a contract of employment. I understand that this manual provides the policies in effect on the date of publication and that these policies are continually evaluated and may be amended, modified or terminated at any time. The City Manager/City Council reserves the rights to interpret, change, suspend, or cancel, with or without notice, all or any part of the policies, procedures or benefits discussed herein. The City also reserves the right to make final decisions as to the interpretation and intent of all information contained in the Employee Policies Manual. I agree to become familiar with and abide by these policies. If I have any questions or need clarification on any section, I will contact Human Resources.

Signature: _____

Please print your name legibly: _____

Date: _____



City of Sachse, Texas

Legislation Details (With Text)

File #:	16-3619	Version:	1	Name:	Sachse Caboose Logo Discussion
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	11/29/2016	In control:		In control:	City Council Workshop
On agenda:	12/5/2016	Final action:		Final action:	
Title:	Discuss the logo on the City of Sachse's Caboose located at the intersection of Highway 78 and 5th Street.				

Sponsors:

Indexes:

Code sections:

Attachments: [Presentation](#)

Date	Ver.	Action By	Action	Result
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Title

Discuss the logo on the City of Sachse's Caboose located at the intersection of Highway 78 and 5th Street.

Background

The City of Sachse Caboose sits at the intersection of Highway 78 and 5th street. City Council discussed at the September 19th Workshop some improvements that they would like to see with the Caboose. One of those improvements is the logo that is painted on the Caboose. Staff is here tonight to discuss the options for the logo. In past meetings, the City Council discussed either using the current Sachse Shines logo, the City of Sachse logo, or waiting to see if something comes out of the Comprehensive Plan that is currently under revision. In further conversations with the comprehensive plan team in the last few weeks, no specific recommendations for logos will come out of the comprehensive plan process, but rather recommendations regarding a potential citywide branding campaign in the future. The only options to consider in tonight's meeting are the Sachse Shines or the City of Sachse logo. The City Council could choose a different logo eventually, should a branding campaign happen in the future.

Policy Considerations

Staff would like to receive direction on which logo to paint on the Caboose.

Budgetary Considerations

The budget for this project was approved at the November 7, 2016 City Council meeting.

Staff Recommendations

Staff recommends selecting either the Sachse Shines logo or the City of Sachse logo, since

the contractor is repainting the caboose now. Staff is seeking direction from the City Council for direction on which logo to use.



CABOOSE LOGO DISCUSSION
CITY COUNCIL WORK SESSION
DECEMBER 5, 2016

CURRENT LOGO



CITY LOGO





City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3618 **Version:** 1 **Name:** Police Volunteers
Type: Agenda Item **Status:** Agenda Ready
File created: 11/29/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Consider an ordinance amending Chapter 7 of the Code of Ordinances by adding Section 7-5 titled "Police Volunteers".

Sponsors:

Indexes:

Code sections:

Attachments: [Presentation](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
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Title

Police Volunteer Ordinance and Program Overview

Background

The police department desires to develop a formal police volunteer program. Volunteers will be selected from interested Sachse residents or persons who work in Sachse. Upon an appropriate background check, volunteers will assist the police department by performing clerical, administrative and designated field duties but will not perform any law enforcement function. Adoption of the proposed ordinance amendment creates the foundation for the program's implementation.

Policy Considerations

Appropriate department policy is being developed governing the volunteer program.

Budgetary Considerations

Expenditures for uniforms and equipment will be drawn from existing budgetary funds.

Staff Recommendations

Approve an ordinance amending Chapter 7 of the Code of Ordinances by adding Section 7-5 titled "Police Volunteers".

Sachse Police Department Volunteer Program



I n t e r n e t

- Ord e r s
- D e r P
- A r P r
- O r d T r P r
- U r / E



Ordinance Provisions

- Responsible to the Chief of Police
- Authorizes development of Rules/Regs
- Establishes volunteer criteria
 - Resident or Employee of Business in City
- Application process
- Duties provision
- Prohibition from taking law enforcement actions



Initial Proposed Duties

- In-Station Administrative Duties
- Assistance with fleet
- Select Field Duties
 - House Checks
 - Neighborhood Patrols
 - E-Watch/Lockbox Placement
- Participation in Special Events



Next Steps

- Final development of Policy/Forms
- Outfitting/Graphing of Vehicle
- Uniform Development
- Presentation of Program
- Acceptance of Applications

Spring 2017 Roll Out



ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 7 TITLED "PERSONNEL" BY ADDING A NEW SECTION 7-5 TITLED "POLICE VOLUNTEERS" TO PROVIDE REGULATIONS FOR POLICE VOLUNTEERS BY RENUMBERING SECTION 7-5 TITLED "MUNICIPAL COURT" TO SECTION 7-6, SECTION 7-6 TITLED "TEXAS MUNICIPAL RETIREMENT SYSTEM" TO SECTION 7-7, SECTION 7-7 TITLED "SOCIAL SECURITY" TO SECTION 7-8, SECTION 7-8 TITLED "DRUG ABUSE POLICY" TO SECTION 7-9, AND SECTION 7-9 TITLED "EMPLOYEE POLICY MANUAL ADOPTED BY REFERENCE" TO SECTION 7-10, PROVIDING FOR A REPEALING CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS:

SECTION 1. That the City of Sachse Code of Ordinances is amended by amending Chapter 7 titled "Personnel", by adding a new Section 7-5 titled "Police Volunteers", to read as follows:

"Chapter 7

PERSONNEL

[REDACTED]

SECTION 7-5. POLICE VOLUNTEERS.

A. *Purpose.* An auxiliary to the police force to be known as the police volunteers is hereby established, such auxiliary to be separate and distinct from the police department.

B. *General powers of the chief of police.*

- (1) The chief of police shall be the head of the police volunteers, and members of the police volunteers shall be under the authority, control and command of the chief of police subject to this article.
- (2) The police volunteers shall be composed of personnel who have volunteered to join the auxiliary whose application for membership has been approved by the chief of police. The police volunteers shall be composed of members appointed by the chief of police.
- (3) The chief of police may, establish rules and regulations to govern the police volunteers.

(4) The chief of police may terminate membership in the police volunteers at any time for any cause; and a member may resign at any time by written notice to the chief of police.

(5) A list of eligible applicants shall be maintained by the chief of police from which the chief of police shall make appointments to the police volunteers.

C. *Application; qualifications.*

(1) Application for membership in the police volunteers shall be filed with the police chief on a form provided by the police department.

(2) Each applicant for membership in the police volunteers shall either be a resident of the city, or an employee of a business located in the city who works in the city. An applicant for membership shall furnish satisfactory proof of good moral character and physical ability to perform the duties of the position.

D. *Duties.*

(1) The duties of the members of the police volunteers shall at all times be under the direction and control of the chief of police.

(2) The police volunteers shall not assist the regular members of the police department in the enforcement of the law but shall assist the regular members of the police department in nonlaw enforcement duties including administrative, clerical and designated field duties, as may be assigned by the chief of police, from time to time.

S 6 M r

S T r

S 8 S r

S Dr

S 10 E d r

...”

SECTION 2 □ That all ordinances of the City of Sachse, Dallas County, Texas, in conflict with the provisions of this ordinance be, and the same are hereby repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3 □ That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4 □ That this ordinance shall take effect immediately from and after its passage, and publication of the caption, as the law and charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the 5th day of December, 2016.

APPROVED:

Mike J. Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(09-27-2016/79584)



City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3620 **Version:** 1 **Name:** Sachse Rod Shop PD 12-05-16 CC
Type: Agenda Item **Status:** Agenda Ready
File created: 11/29/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Conduct a public hearing to consider and act on a request by Frank Millsap, to rezone approximately 9.87 acres of land from AG (Agriculture) and Special Use Permit (Ord. #802 & #3052) to Planned Development district (PD) to allow for an expansion of the existing facility using similar construction materials, located at 3904 Miles Road, generally north of Hudson Middle school.

Sponsors:

Indexes:

Code sections:

Attachments: [Staff Presentation](#)
[Location Map](#)
[Concept Plans](#)
[Proposed PD Ordinance](#)

Date	Ver.	Action By	Action	Result
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Title

Conduct a public hearing to consider and act on a request by Frank Millsap, to rezone approximately 9.87 acres of land from AG (Agriculture) and Special Use Permit (Ord. #802 & #3052) to Planned Development district (PD) to allow for an expansion of the existing facility using similar construction materials, located at 3904 Miles Road, generally north of Hudson Middle School.

Project Information

- PD allows the existing business to expand
- Applicant/Owner: Frank Millsap
- Size: Approximately 9.87 acres
- Current Zoning: AG (Agriculture) and SUP (Ord. #802 & #3052)
- FLUP: Low density residential since 2001 plan
- Site Attributes: Existing Sachse Rod Shop / single family residence / open land
- 323+ property owners noticed @ 1,000' (no negative responses received)

Sachse Rod Shop

- The Sachse Rod Shop opened for business in 1982 and predates all surrounding land

uses

- It received its first SUP from Council in 1982 that allowed for a home based business (the mechanic shop) with certain restrictions (no outdoor display, only 1 monument sign, etc.)
- The 2008 SUP was written to better clarify the owner's rights to the mechanic shop and associated land uses
- The applicant now desires to add another metal building and associated concrete parking
- The front of the subject property is predominantly mature trees with an existing single family residence setback from the road
- Visibility into the mechanic shop portion of the property is limited
- The rear majority of the property is undeveloped, raw land
- The tract has residential adjacency to the north and east

PD Overview

- The PD allows the owner to add an approximate 2,000 square foot metal building in the rear of the facility along with additional concrete parking
- Continues existing performance based restrictions from previous SUPs on outdoor display, signage, storage, etc.
- The applicant could apply for a building permit with no additional discretionary reviews if the owner were willing to use masonry construction
- The property is required to comply with all codes and obtain all necessary permits

Policy Considerations

- The current business predates adjacent land uses and does not have a known history of being a bad neighbor
- The proposed expansion is in the rear of the property, with limited sight visibility from Miles Road (low impact)
- The proposed PD allows a unique local business to expand
- The applicant had an associated application considered by the Board of Adjustment on November 29th

Staff Recommendation

- √ - The Planning & Zoning Commission unanimously recommended approval of the proposed PD at its November 14th regular meeting.
- √ - Staff recommends approval of the proposed PD with the special ordinance provisions discussed herein.



SACHSE ROD SHOP PD

CITY COUNCIL

DECEMBER 5, 2016

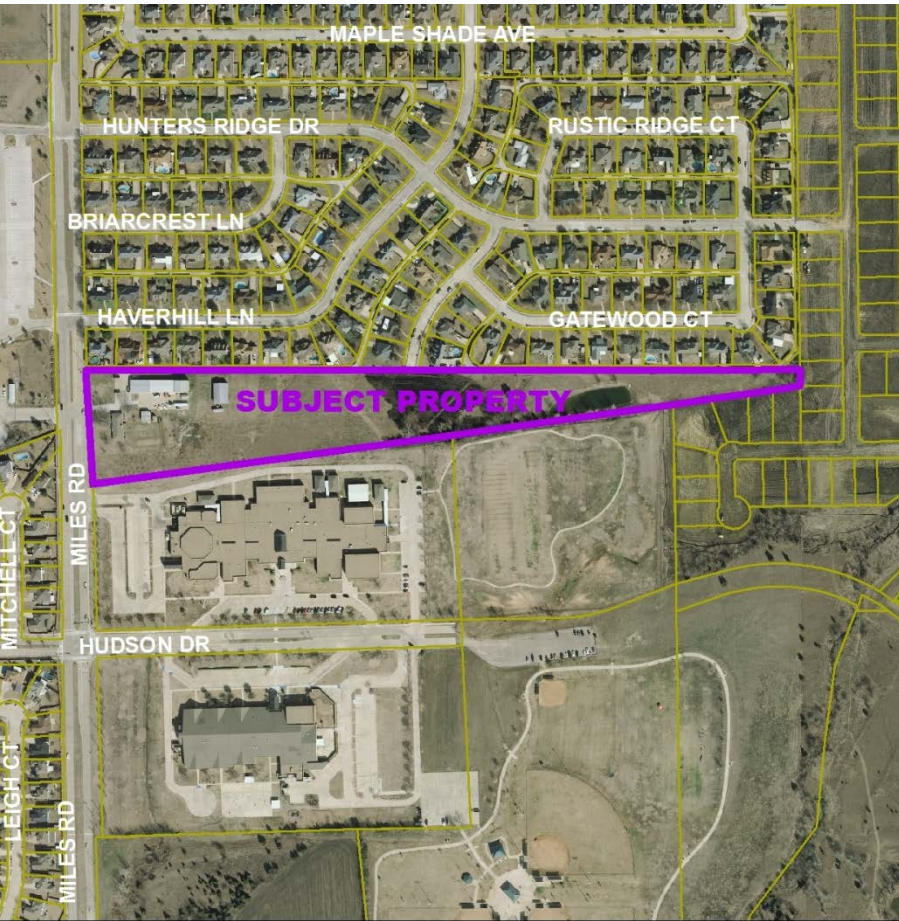
APPLICANT'S REQUEST

Conduct a public hearing to consider and act on a request by Frank Millsap, to rezone approximately 9.87 acres of land from AG (Agriculture) and Special Use Permit (Ord. #802 & #3052) to Planned Development district (PD) to allow for an expansion of the existing facility using similar construction materials.

PROJECT INFORMATION

- ❑ PD allows the existing business to expand
- ❑ Applicant/Owner: Frank Millsap
- ❑ Size: Approximately 9.87 acres
- ❑ Current Zoning: AG (Agriculture) and SUP (Ord. #802 & #3052)
- ❑ FLUP: low density residential since 2001 plan
- ❑ Site Attributes: existing Sachse Rod Shop / single family residence / open land
- ❑ 323+ property owners noticed @ 1,000' (no negative responses received)

AERIAL MAP



- ☐ The subject property is located at 3904 Miles, generally north of Hudson Middle school and east of Miles Road with residential adjacency to the north and east.
- ☐ The rear majority of the property is undeveloped, raw land.

STREET VIEW



- ☐ The front of the subject property is predominantly mature trees with an existing single family residence setback from the road.
- ☐ Visibility into the mechanic shop portion of the property is limited.

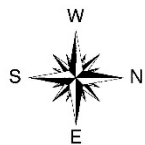
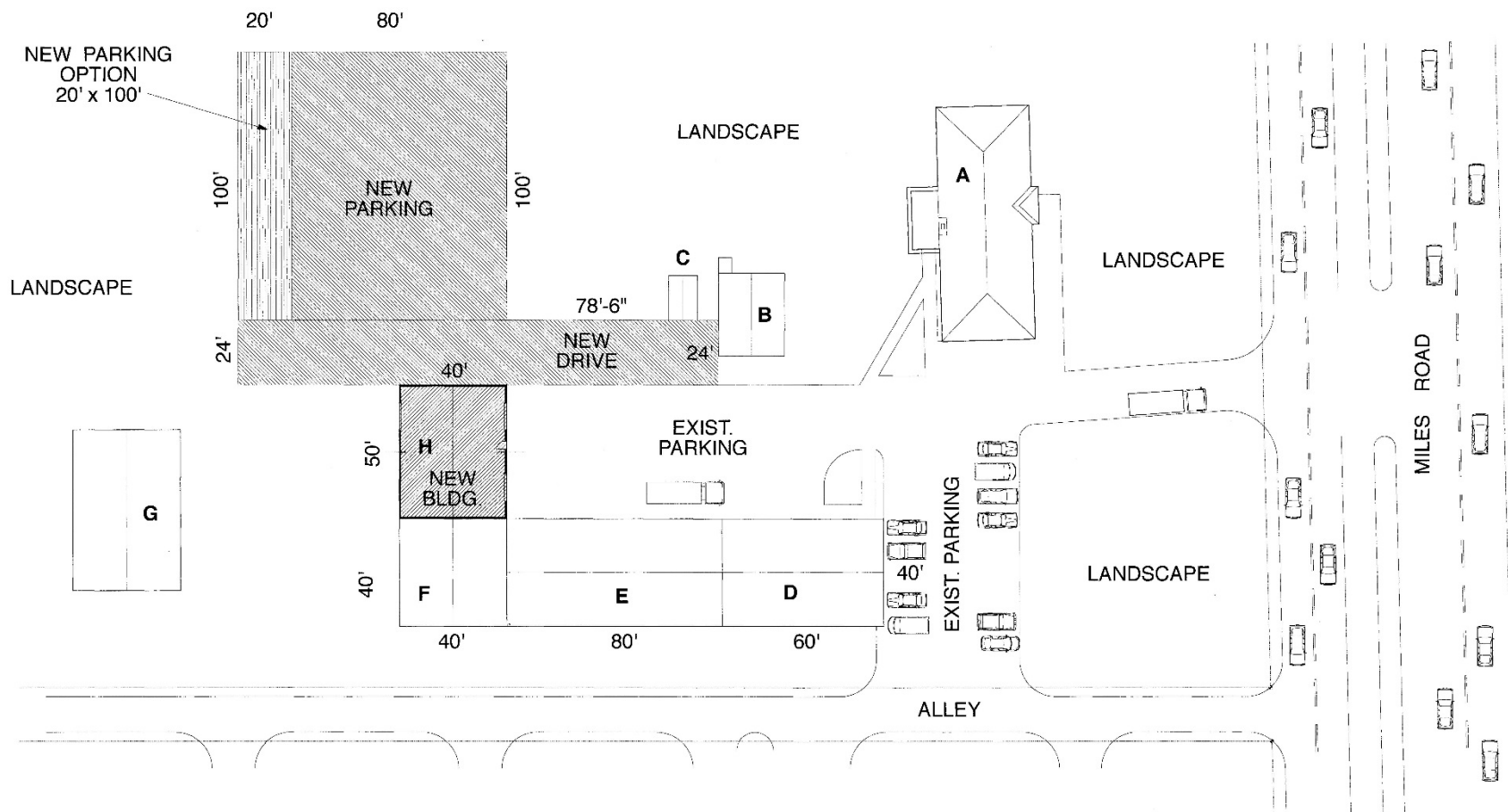
SACHSE ROD SHOP

- The Sachse Rod Shop opened for business in 1982 and predates all surrounding land uses
- It received its first SUP from Council in 1982 that allowed for a home based business (the mechanic shop) with certain restrictions (no outdoor display, only 1 monument sign, etc.)
- The 2008 SUP cleaned up the first to better clarify the owner's rights to the mechanic shop and associated land uses
- The applicant now desires to add another metal building and associated concrete parking



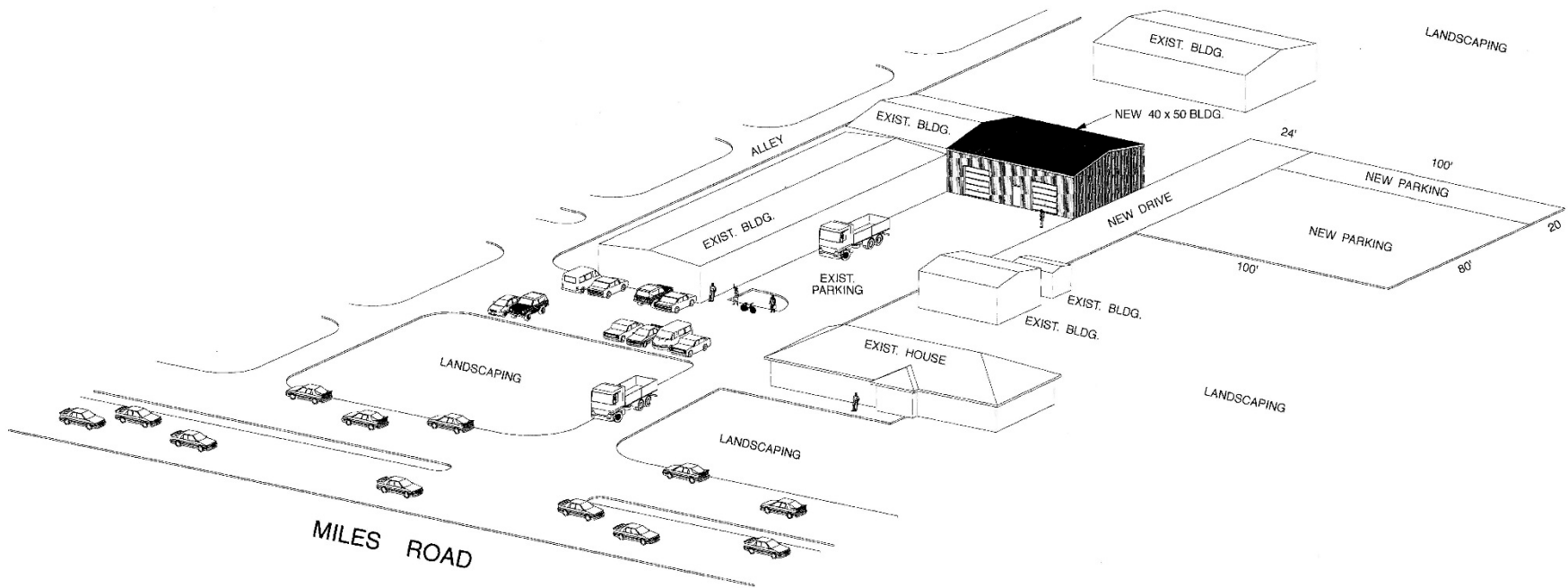
PD OVERVIEW

- ❑ The PD allows the owner to add an approximate 2,000 square foot metal building in the rear of the facility along with additional concrete parking
- ❑ Continues existing performance based restrictions from previous SUPs on outdoor display, signage, storage, etc.
- ❑ The applicant could apply for a building permit with no additional discretionary reviews if the owner were willing to use masonry construction
- ❑ The property is required to comply with all codes and obtain all necessary permits



NEW SITE PLAN

SCALE: 1/8" = 1'-0"



NEW SITE PLAN



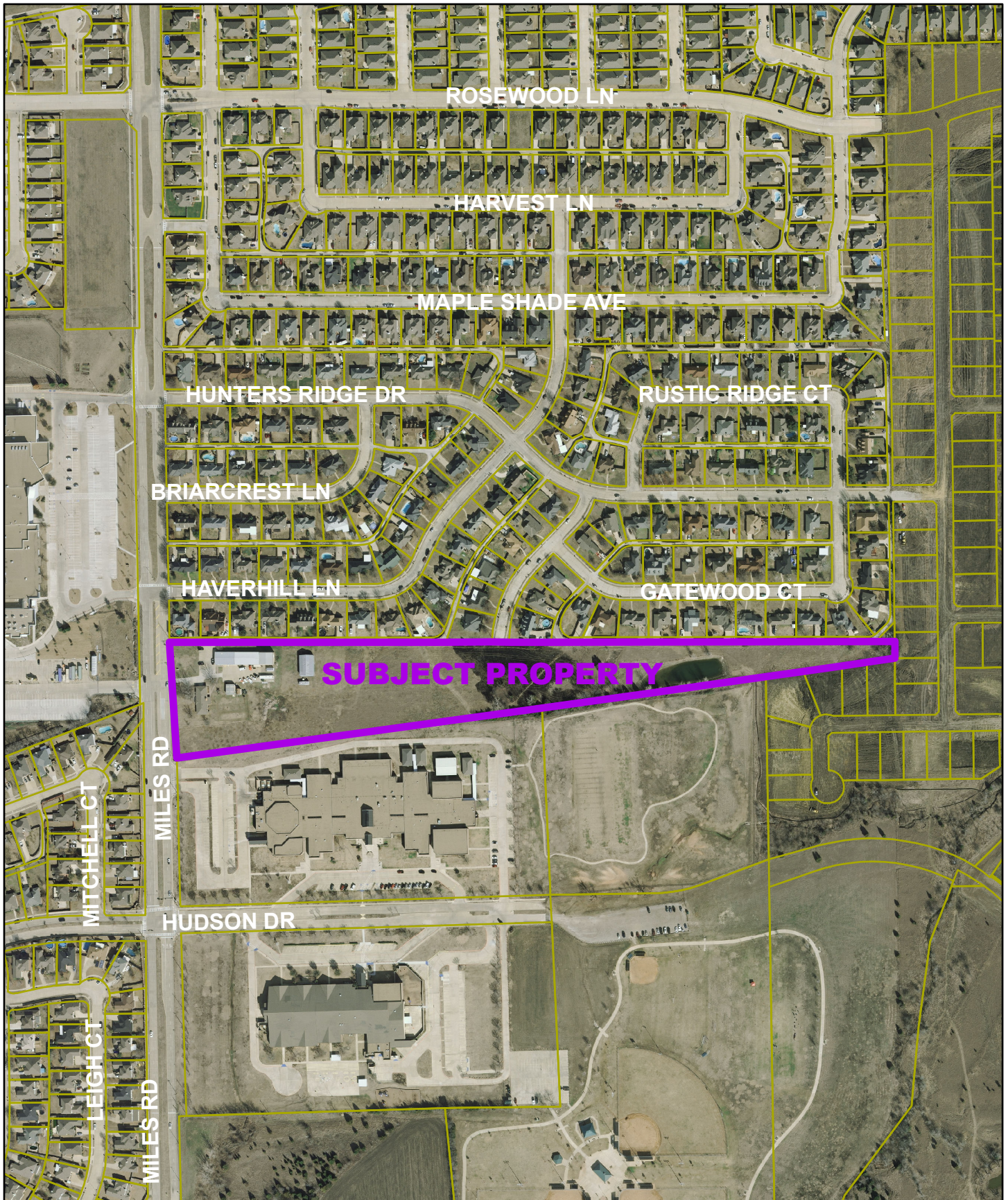
POLICY CONSIDERATIONS

- ☐ The current business predates adjacent land uses and does not have a known history of being a bad neighbor
- ☐ The proposed expansion is in the rear of the property, with limited sight visibility from Miles Road (low impact)
- ☐ The proposed PD allows a unique local business to expand
- ☐ The applicant had an associated application considered by the Board of Adjustment on November 29th.

RECOMMENDATION

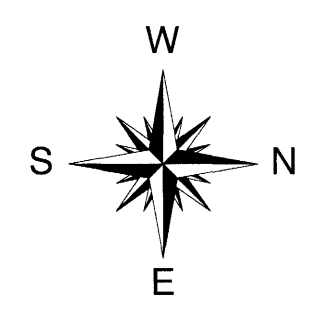
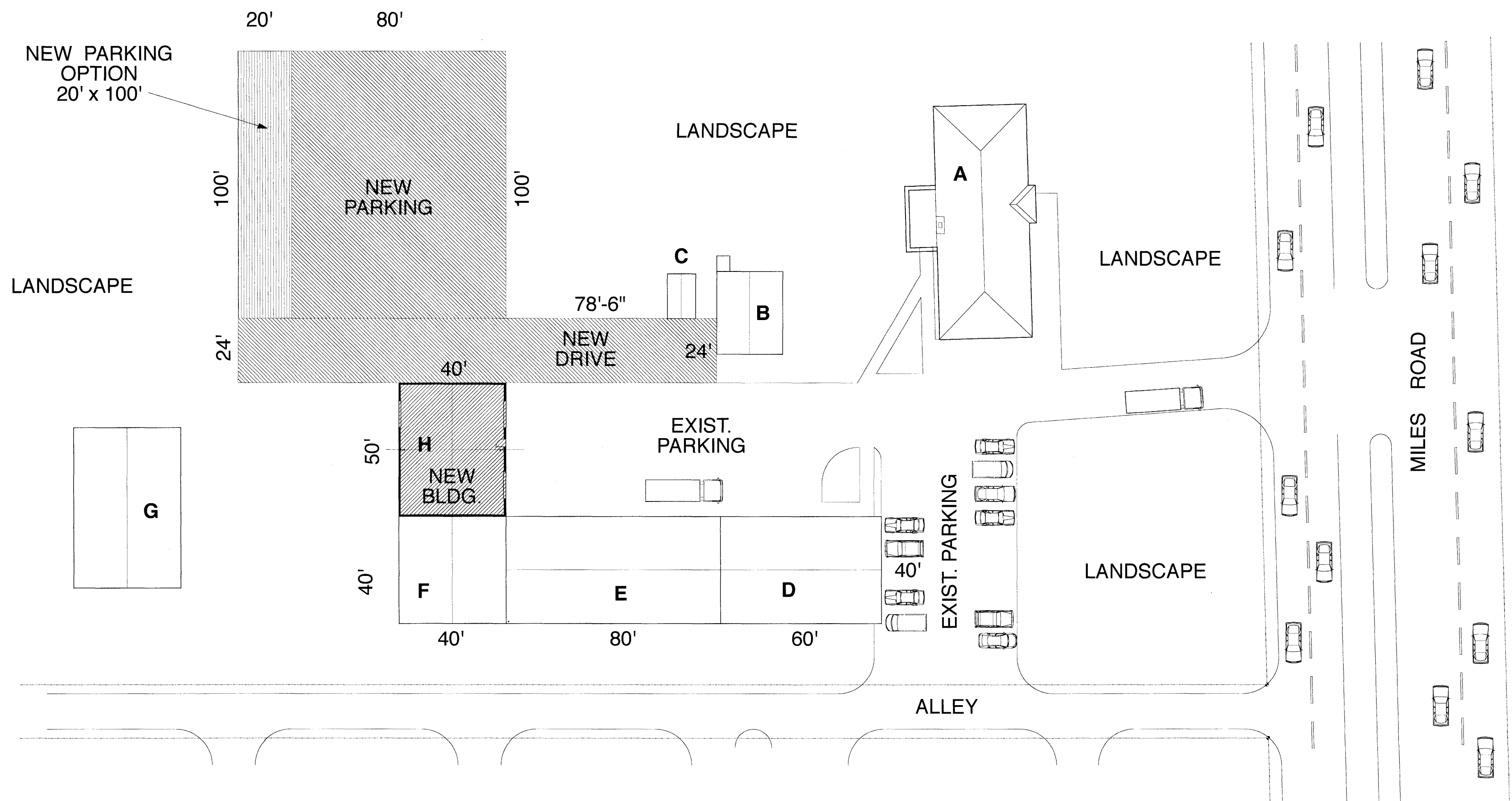
✓ - The Planning & Zoning Commission unanimously recommended approval of the proposed PD at its November 14th regular meeting.

✓ - Staff recommends approval of the proposed PD with the special ordinance provisions discussed herein.



0 150 300 600
Feet

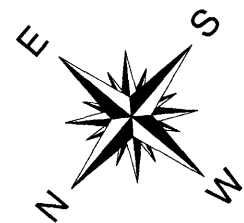
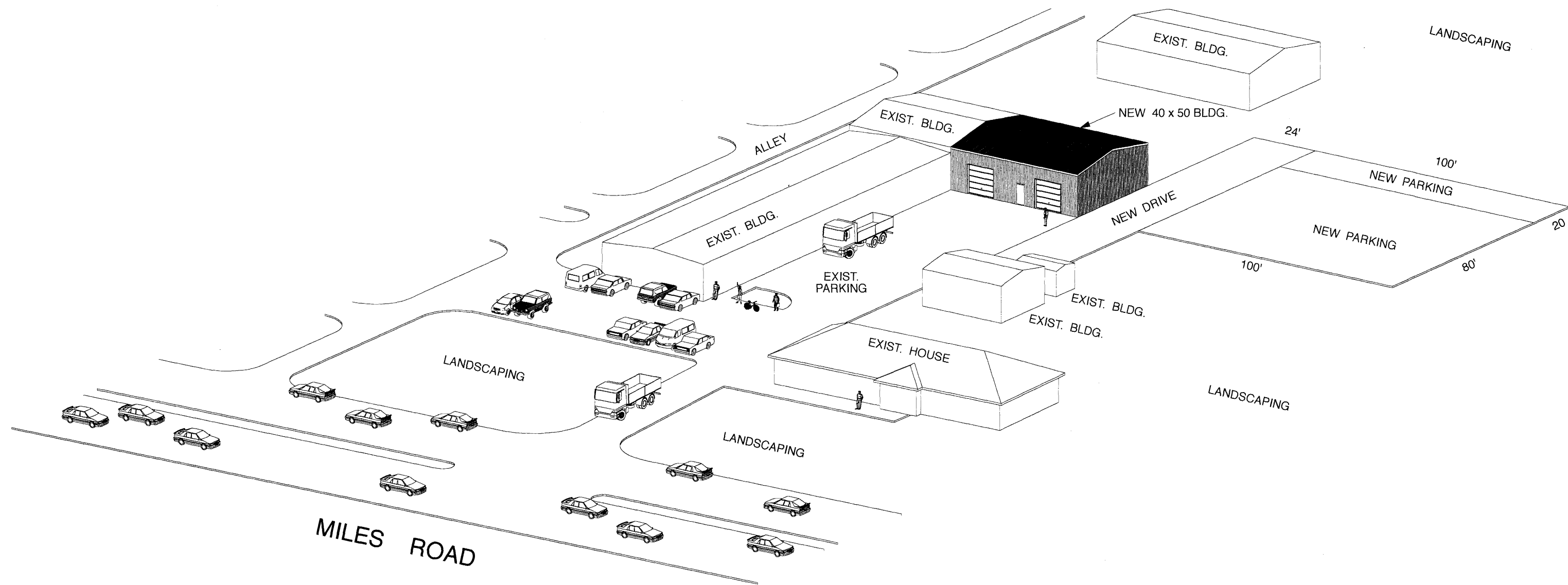
AERIAL LOCATION MAP
SACHSE ROD SHOP, 3904 MILES ROAD
FILE: ZO 16-04, TO PD
Map Created: October 21, 2016



NEW SITE PLAN

SCALE: 1/16" = 1'-0"

PROJECT NO.		DATE	
DESIGNING BUILDINGS WITH ART AND SCIENCE		FEB 4, 2015	
DRAWN BY		CHECKED BY	
COY FITE		COY FITE	
1828 MAYFLOWER DRIVE		1828 MAYFLOWER DRIVE	
DALLAS, TEXAS 75208		DALLAS, TEXAS 75208	
214-943-1985		214-943-1985	
AN ADDITION TO			
SACHSE ROD SHOP			
3904 MILES ROAD			
SACHSE, TEXAS			
COPYRIGHT ©			
REVISIONS			
SHEET NUMBER			
A100			
OF SHEETS			



NEW SITE PLAN

PROJECT NO.
DATE
FEB. 4, 2015
DRAWN BY
COY FITE
CHECKED BY

DESIGNING BUILDINGS WITH ART AND SCIENCE

COY FITE
1925 MAYFLOWER DRIVE
DALLAS, TEXAS 75208
214-943-1985

AN ADDITION TO

SACHSE ROD SHOP
3904 MILES ROAD
SACHSE, TEXAS

COPYRIGHT ©
REVISIONS

SHEET NUMBER

3D
SITE
OF SHEETS

ORDINANCE NO. 0000

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, REPEALING IN THEIR ENTIRETY SPECIAL USE PERMIT ORDINANCE NO. 802 PASSED ON JULY 3, 1981 AND SPECIAL USE PERMIT ORDINANCE NO. 3052 PASSED ON APRIL 21, 2008 AND CREATING PLANNED DEVELOPMENT NO. 35 (PD-35) WITH A BASE ZONING OF AGRICULTURAL DISTRICT (AG) TO ALLOW THE ADDITIONAL USE OF THE FABRICATION AND RESTORATION OF SPECIALTY, CUSTOM, AND/OR CLASSIC VEHICLES ON AN APPROXIMATE 10.00-ACRE TRACT OF LAND LOCATED AT 3904 MILES ROAD, CITY OF SACHSE, DALLAS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" PROVIDING FOR THE APPROVAL OF THE SITE PLANS ATTACHED AS EXHIBIT "B" PROVIDING A REPEALING CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE, PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Sachse and the governing body of the City of Sachse, in compliance with state laws applying to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said comprehensive Zoning Ordinance should be amended as provided herein;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS:

SECTION 1 That the Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby further amended by creating Planned Development No. 35 ("PD-35") with a base zoning of Agricultural District ("AG") to allow for the additional use of the fabrication and restoration of specialty, custom, and/or classic vehicles, on an approximate 10.00-acre tract of land located at 3904 Miles Road, City of Sachse, Dallas County, Texas (the "Property"), being more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2 That the property shall be developed and used only in accordance with the following development standards:

- A. **Purpose** The purpose of this Planned Development District is to allow for the additional use of the fabrication and restoration of specialty, custom, and/or classic vehicles.

B. **B** ☐ ☐ ☐ ☐ ☐ **D** ☐ ☐ ☐ ☐ ☐ The Property shall be used and developed in accordance with the Agricultural District (“AG”) regulations of the Comprehensive Zoning Ordinance, except as otherwise provided herein:

1. Repair of vehicles outside the building is prohibited;
2. Outside storage of vehicles or excessive parts shall not exceed seventy-two (72) hours;
3. As provided on the Site Plan, one residential dwelling unit shall be permitted, to be occupied by the business owner or employee of the business owner;
4. Business shall be conducted entirely within the out buildings, including the new building expansion labeled “H” on the Site Plan;
5. Only the direct selling of parts and accessories for classic or specialty vehicles shall be permitted;
6. No equipment or materials associated with the business can be displayed or stored where visible from anywhere off the premises;
7. A monument sign for the purpose of designating the location of the shop shall be permitted on the property;
8. The Site Plans with the new building expansion “H” (max 20’ in height) shall be allowed to be constructed with like material (metal). A concrete parking surface as shown on the Site Plan shall be installed prior to the issuance of any building permits.
9. The existing storage shed may be replaced with a similar sized metal building; and
10. The applicant shall comply with all Fire, Building, Subdivision, Zoning, Engineering, and Health codes and obtain all necessary permits.

C. **S** ☐ ☐ ☐ **P** ☐ ☐ ☐ ☐ The Property shall be developed and used substantially in accordance with the Site Plans attached as Exhibit “B”, and which are hereby approved.

SECTION 3 ☐ That the above Property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and as amended herein.

SECTION 4 ☐ That Special Use Permit Ordinance 802, passed on July 3, 1989, and Special Use Permit Ordinance No. 3052, passed on April 21, 2008, shall be repealed in their entirety.

SECTION 5 ☐ That all provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed.

SECTION 6 ☐ That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not

affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION ☐ That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8 ☐ That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION ☐ This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the _____ day of _____, 2016.

APPROVED:

Mike J. Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(11-10-2016/81327)

EXHIBIT A

ATTACHMENT A

BEING all that certain lot, tract or parcel of land lying and being situated in the County of Dallas, State of Texas, and being a survey of 10.00 acres of land net in the MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1000 Dallas County, Texas; and being out of a 44.49 acre tract and said 10.00 acre tract being more particularly described as follows:

BEGINNING at a point in the East line of Miles Road (60 feet wide) that is 1681.0 ft. South, 117.7 feet South 0 Deg. 44 min. East and 30.0 ft. South 89 deg. 31 min. East from the Northwest corner of said McKinney & Williams Survey;

THENCE South 89 deg. 31 min. East, along a line 752 ft. South of and parallel to the North line of said 44.49 acre tract, 2139.9 ft. to a point in the East line of said 44.49 acre tract; same being the East line of said survey;

THENCE South along said survey line, 50.3 ft. to the Southeast corner of said 44.49 acre tract;

THENCE South 82 deg. 18 min. West 2154.7 ft. to the southwest corner of said 44.49 acre tract, a point in the East Line of Miles Road;

THENCE North 0 deg. 44 min. West, along said East line of Miles Road, 357.1 ft. to the point of beginning and containing 10.00 acres of land.

EXHIBIT B SITE PLAN

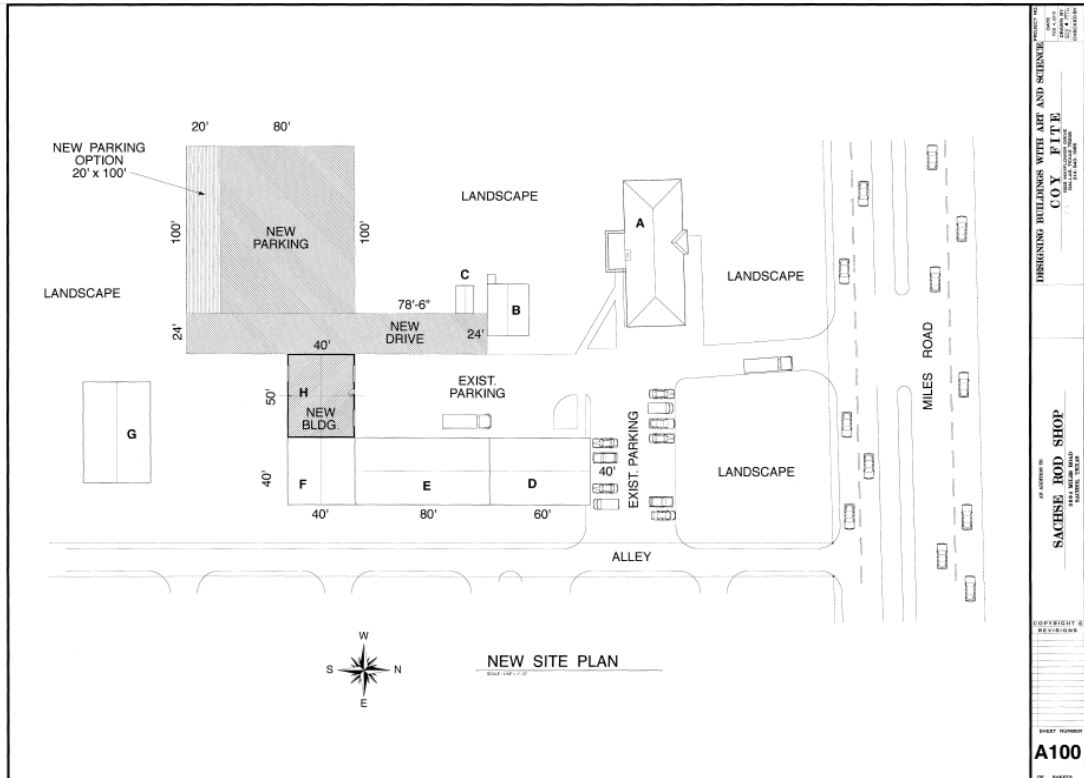
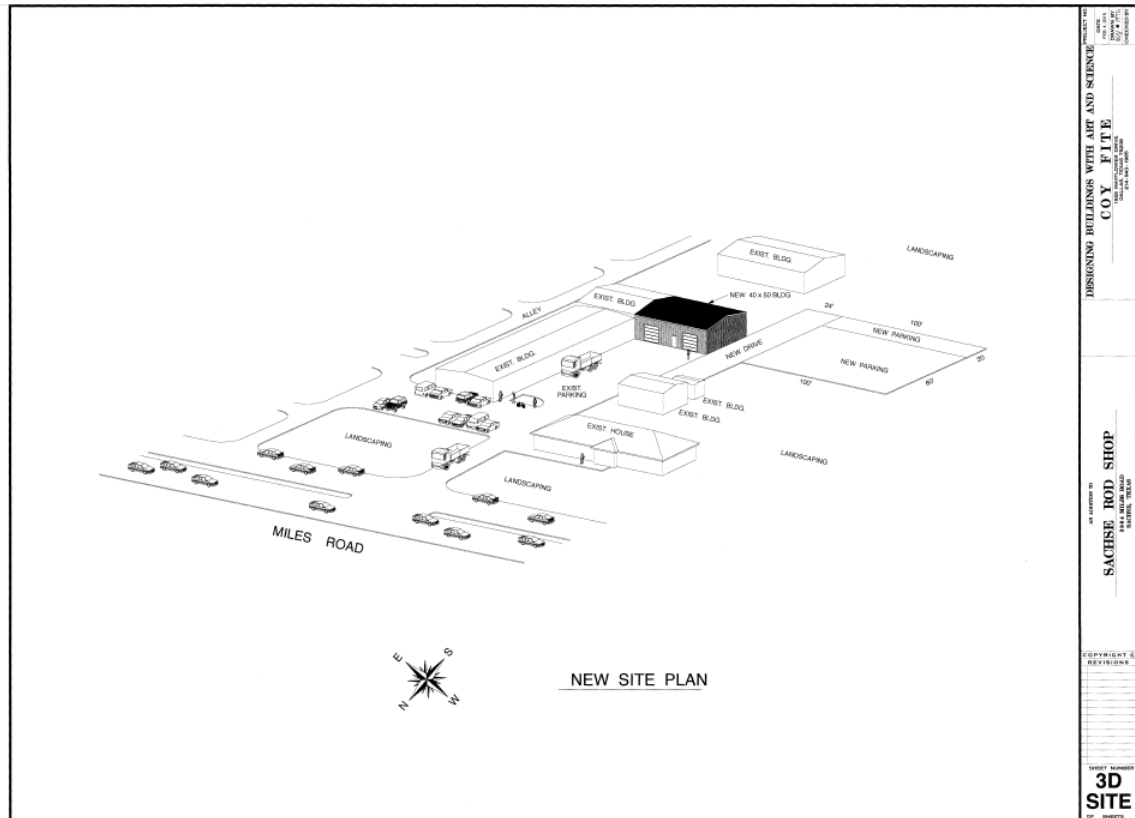


EXHIBIT B SITE PLAN





City of Sachse, Texas

Legislation Details (With Text)

File #:	16-3621	Version:	1	Name:	Trepex senior housing PD 12-05-16 CC
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	11/29/2016	In control:		In control:	City Council
On agenda:	12/5/2016	Final action:		Final action:	
Title:	Conduct a public hearing to consider and act on a request by Trepex, to rezone approximately 9.82 acres of land from C2 (Commercial) with Turnpike Overlay (Transition Zone) to Planned Development district (PD) to allow for a senior housing complex, generally located south of Sewell Elementary and east of Mile Road, within Sachse city limits.				

Sponsors:

Indexes:

Code sections:

Attachments: [Staff Presentation](#)
[Location Map](#)
[Site Plan](#)
[Building Elevations](#)
[Proposed PD Ordinance](#)

Date	Ver.	Action By	Action	Result
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Title

Conduct a public hearing to consider and act on a request by Trepex, to rezone approximately 9.82 acres of land from C2 (Commercial) with Turnpike Overlay (Transition Zone) to Planned Development district (PD) to allow for a senior housing complex, generally located south of Sewell Elementary and east of Mile Road, within Sachse city limits.

Project Information

- PD for a senior housing complex
- Applicant: Trepex
- Owner: Children's Medical Center
- Size: Approximately 9.82 acres
- Current Zoning: Commercial (C2) Turnpike Overlay (Transition zone)
- Site Attributes: Undeveloped land
- 142+ property owners noticed @ 1,000' (no negative responses received)

Senior Housing Overview

- Typically, uses for the aged fall into 3 categories: independent living (IL), assisted living (AL), and nursing home (or other acute care)
- Assisted living tends to generate more EMS service calls than independent living due to differences in ambulatory ability, health, etc.
- Assisted living (likely 1 story): \$5-8 million (prop value)

- Assisted living + independent living: \$17 million (value)
- Some cities prefer independent living due to strong property value, zero children impact on the local ISD, disposable income, lower vehicle trip counts, and lower service calls than assisted living
- Senior housing also tends to have fewer police service calls than typical multi-family

Entitlements

- Proposed use would be a mix of assisted living (61 units), independent living (120 units), and memory care (24 units)
- Assisted Living is currently allowed “by right” in all zoning districts (Trepex could pull a building permit for AL without discretionary approvals)
- Multi-Family (including independent living) is not
- Nursing Homes require an SUP
- PD’s purpose would be to incorporate independent living and memory care into senior housing project
- The Transition Zone was intended as a transitional use between intense commercial on Bush and residential neighborhoods beyond
- The subject property is not in the Turnpike TIF
- FLUP (2001) categorizes the tract as Public / Institutional

PD Overview

- PD allows for a senior housing complex with a mix of independent living, assisted living, and memory care
- Shall generally develop per the attached plans
- On-site amenities include pool, fitness center, activity rooms, salon, dining venues, etc.
- PD reviewed by Fire, Engineering, Building, Planning, Police, & EDC
- Layout proposes 2 entrances off Miles, each with decorative paving
- Provides 2 trail head connections into Heritage Park
- Architecture will be 100% brick and stone
- Large canopy trees required along the perimeter at 1:50
- Trees required at the terminus of each parking row and in each parking island
- Large canopy trees required along the ROW at 1:40
- Evergreen screening hedge along Miles ROW
- Perimeter fencing not required nor appropriate when adjacent to park & school
- Bike rack provided

Fiscal Impact Analysis

- \$130,000 utility (water & sewer) impact fees
- \$92,000 roadway impact fees
- \$72,000 parkland dedication fees
- \$80,000 building permit & planning fees

- \$130,000 annual estimated property tax
- \$20,000 sales tax from new residents
- **Total Revenue: \$374,000 one-time**
\$150,000 recurring

Policy Considerations

- What is the true highest & best use of the property? If retail, would it be worth waiting for? If not retail, then what and how soon?
- Fiscal impact (positive impact on tax base)
- Added densities assist EDC efforts
- Diversifies Sachse's housing inventory (under-served product in local market; not an over-concentration)
- No adjacent land uses that are incompatible
- Does the proposed senior housing complex fit the vision for Sachse in this location?

Staff Recommendation

- ✓ - The Planning & Zoning Commission unanimously recommended approval of the proposed PD at its November 14th regular meeting. During the public hearing, no public commentary was provided.
- ✓ - Staff recommends approval of the proposed PD with the special ordinance provisions discussed herein.



TREPEX SENIOR HOUSING PD

CITY COUNCIL

DECEMBER 5, 2016

APPLICANT'S REQUEST

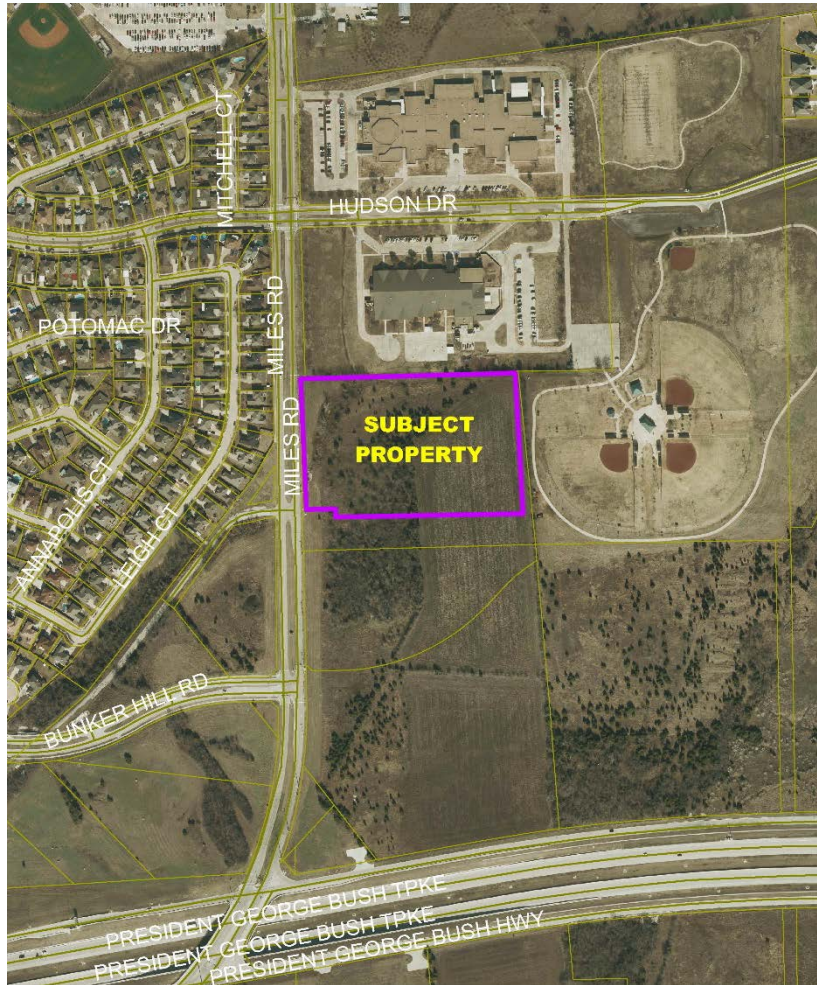
Conduct a public hearing to consider and act on a request by Trepex, to rezone approximately 9.82 acres of land from C2 (Commercial) with Turnpike Overlay (Transition Zone) to Planned Development district (PD) to allow for a senior housing complex.

Please also note that the City Council previously received a work session presentation from the applicant and staff in July, 2016 on this project.

PROJECT INFORMATION

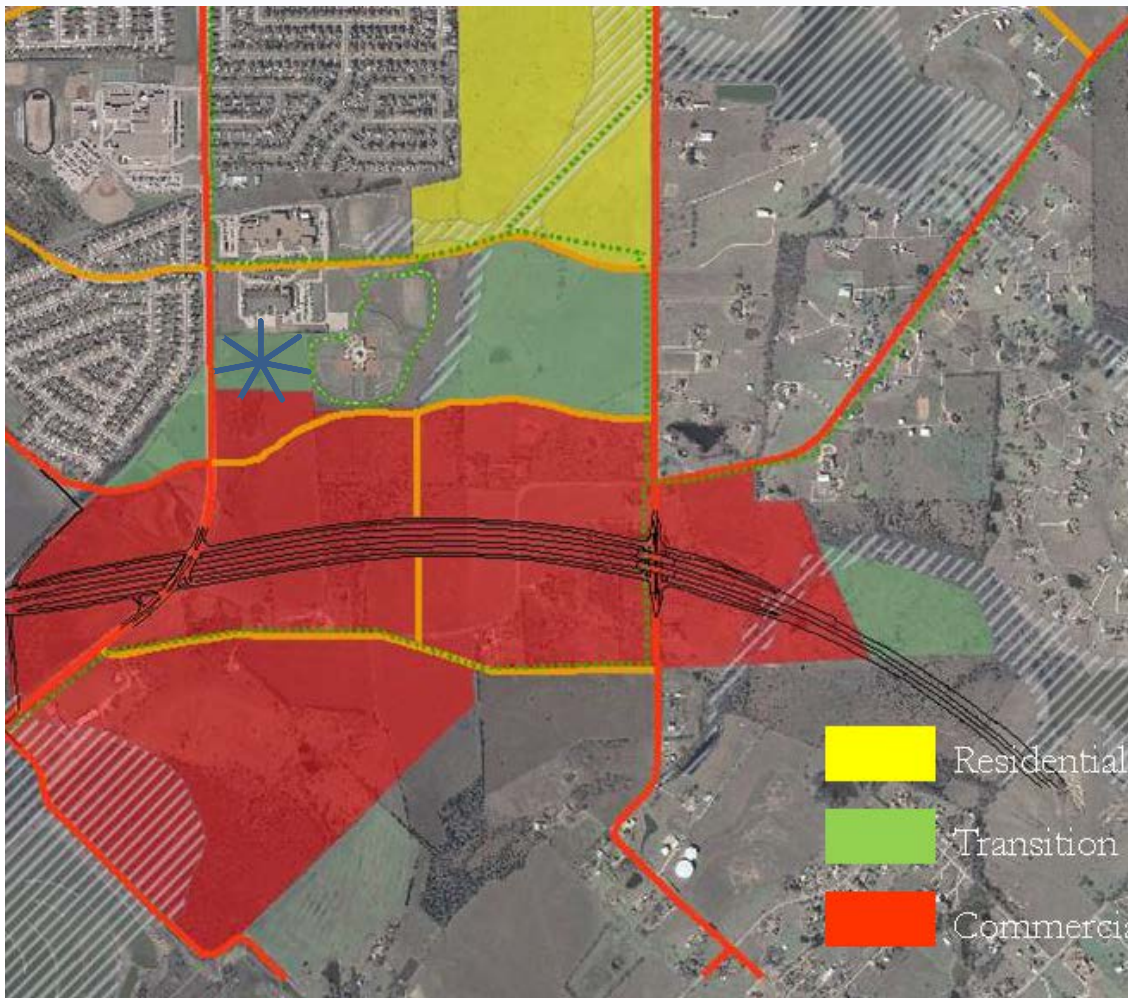
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- ❑ Current Zoning: C2 (Commercial) with Turnpike overlay (Transition zone)
- ❑ Site Attributes: Undeveloped land
- ❑ 142+ property owners noticed @ 1,000' (no negative responses received)

AERIAL MAP



- The subject property is located south of Sewell Elementary, east of Miles Road and west of Heritage Park with no residential adjacency.

TURNPIKE OVERLAY MAP



- ☐ Tract is located in “Transition Zone” of Turnpike Overlay district
- ☐ The subject property is not in the Turnpike TIF
- ☐ Base zoning of C-2 (Commercial)

TURNPIKE CONCEPT PLAN

FOR ICSC (MAY 2016)



- Tract's retail potential is slightly challenged due to distance off Bush and being mid-block

SENIOR HOUSING OVERVIEW

- Typically, uses for the aged fall into 3 categories: independent living (IL), assisted living (AL), and nursing home (or other acute care)
- Assisted living tends to generate more EMS service calls than independent living due to differences in ambulatory ability, health, etc.
- Assisted living (likely 1 story): \$5-8 million (prop value)
- Assisted living + independent living: \$17 million (value)
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- Senior housing also tends to have fewer police service calls than typical multi-family

ENTITLEMENTS

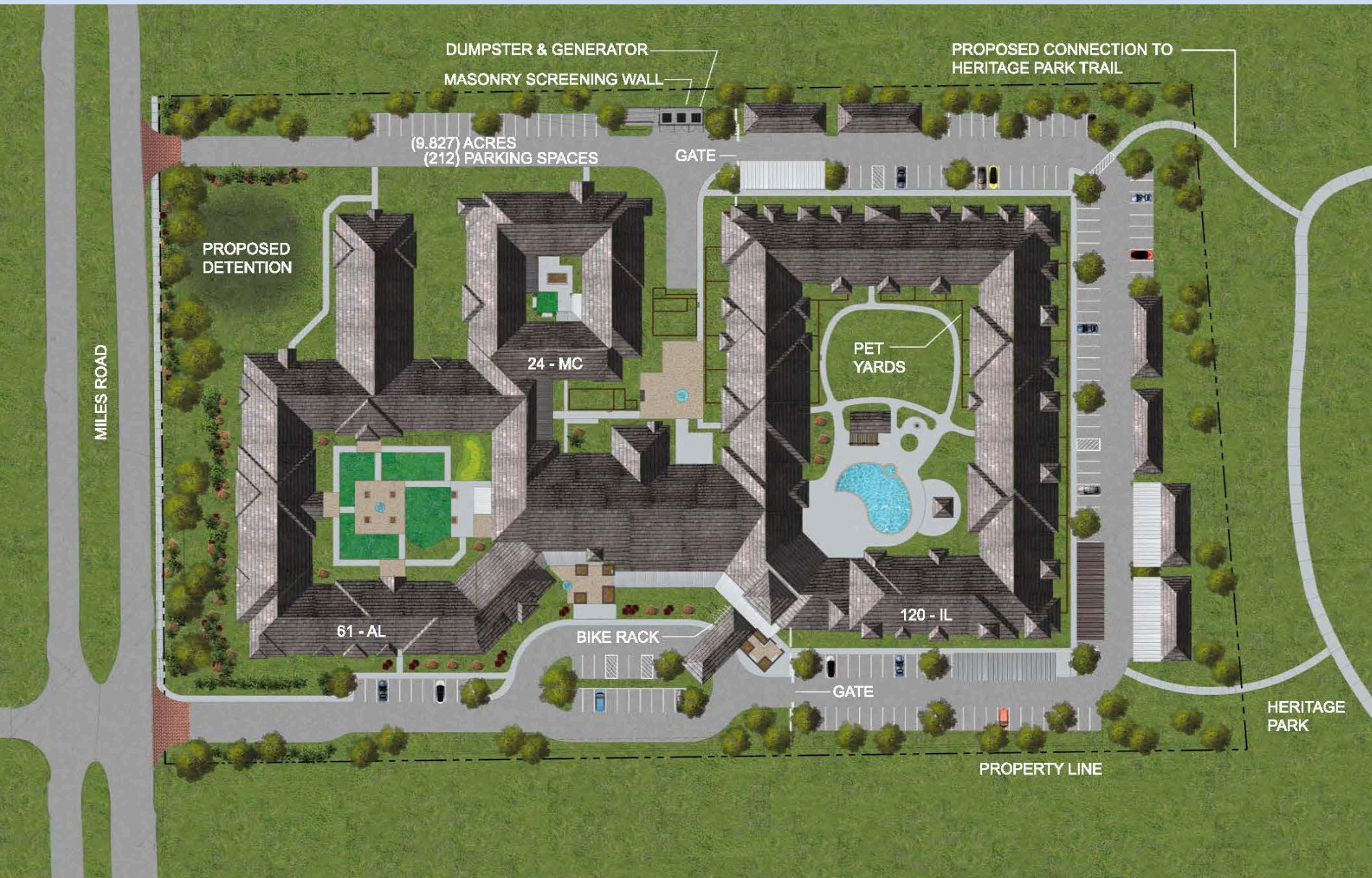
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- ☐ Multi-Family (including independent living) is not
- ☐ Nursing Homes require an SUP
- ☐ PD’s purpose would be to incorporate independent living and memory care into senior housing project
- ☐ The Transition Zone was intended as a transitional use between intense commercial on Bush and residential neighborhoods beyond
- ☐ FLUP (2001) categorizes the tract as Public / Institutional

PD OVERVIEW

- ☐ PD allows for a senior housing complex with a mix of independent living, assisted living, and memory care (age restricted via deed restrictions)
- ☐ Shall generally develop per the attached plans
- ☐ On-site amenities include pool, fitness center, activity rooms, salon, dining venues, etc.
- ☐ PD reviewed by Fire, Engineering, Building, Planning, Police, Legal, & EDC
- ☐ Layout proposes 2 entrances off Miles, each with decorative paving
- ☐ Provides 2 trail head connections into Heritage Park

PD OVERVIEW

- ☐ Architecture will be 100% brick and stone
- ☐ Large canopy trees required along the perimeter at 1:50
- ☐ Trees required at the terminus of each parking row and in each parking island
- ☐ Large canopy trees required along the ROW at 1:40
- ☐ Evergreen screening hedge along Miles ROW
- ☐ Perimeter fencing not required nor appropriate when adjacent to park & school
- ☐ Bike rack provided











FISCAL IMPACT ANALYSIS

(ALL FIGURES APPROXIMATE)

- ☐ \$130,000 utility (water & sewer) impact fees
- ☐ \$92,000 roadway impact fees
- ☐ \$72,000 parkland dedication fees
- ☐ \$80,000 building permit & planning fees
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- ☐ \$20,000 sales tax from new residents
- ☐ **Total Revenue: \$374,000 one-time**
\$150,000 recurring



POLICY CONSIDERATIONS

- ☐ What is the true highest & best use of the property? If retail, would it be worth waiting for? If not retail, then what and how soon?
- ☐ Fiscal impact (positive impact on tax base)
- ☐ Added densities assist EDC efforts
- ☐ Diversifies Sachse's housing inventory (underserved product in local market; not an over-concentration)
- ☐ No adjacent land uses that are incompatible
- ☐ Does the proposed senior housing complex fit the vision for Sachse in this location?

RECOMMENDATION

✓ - The Planning & Zoning Commission unanimously recommended approval of the proposed PD at its November 14th regular meeting. During the public hearing, no public commentary was provided.

✓ - Staff recommends approval of the proposed PD with the special ordinance provisions discussed herein.



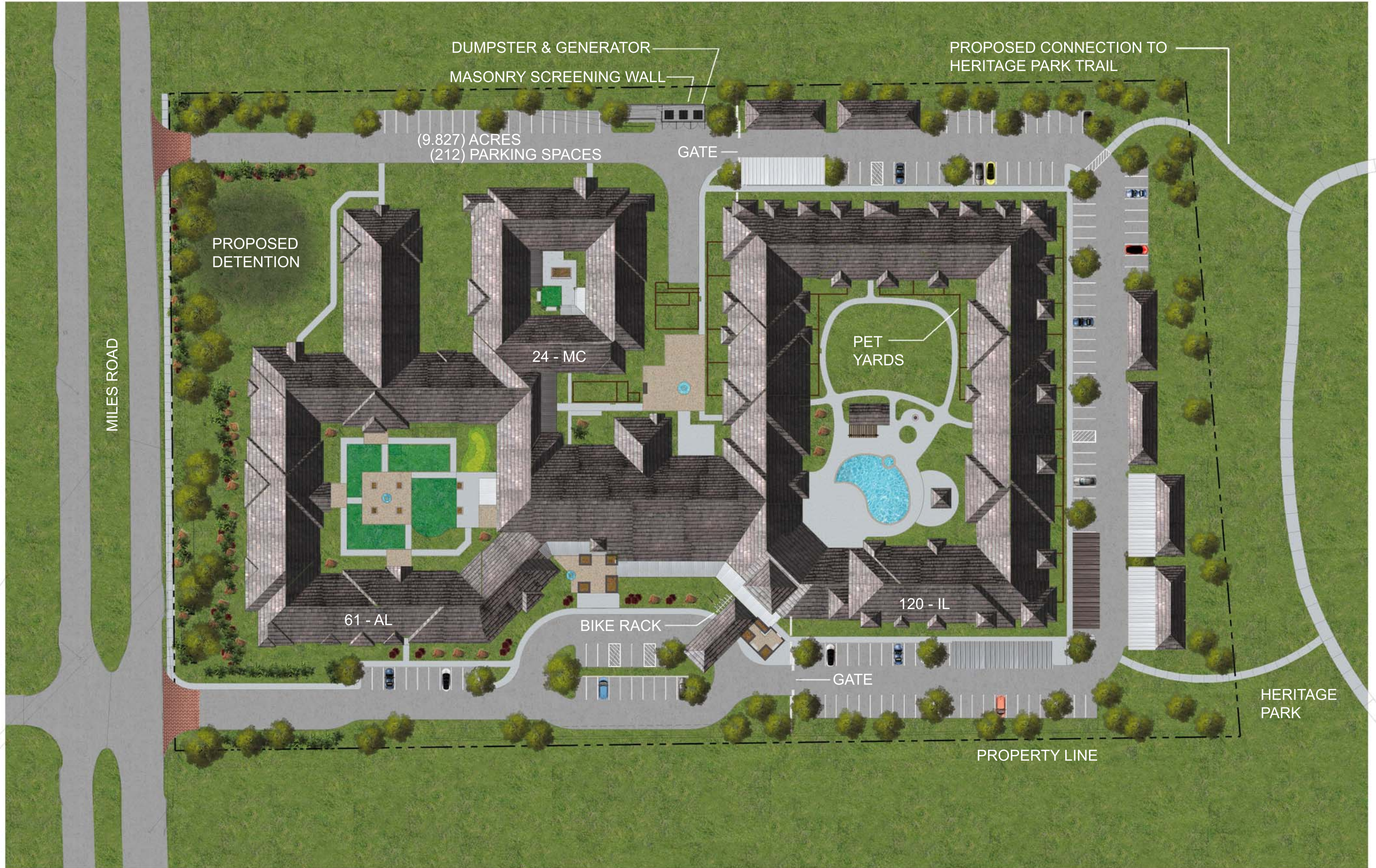
0 150 300 600
Feet

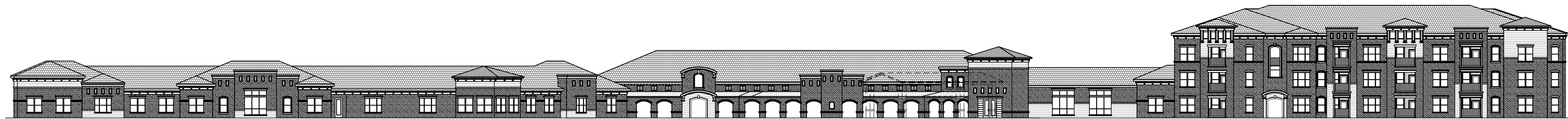
AERIAL LOCATION MAP

TREPEX SENIOR HOUSING

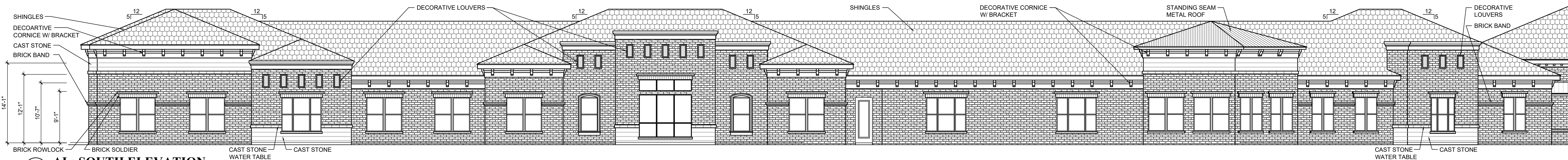
FILE: ZO 16-03, TO PD

Map Created: October 21, 2016

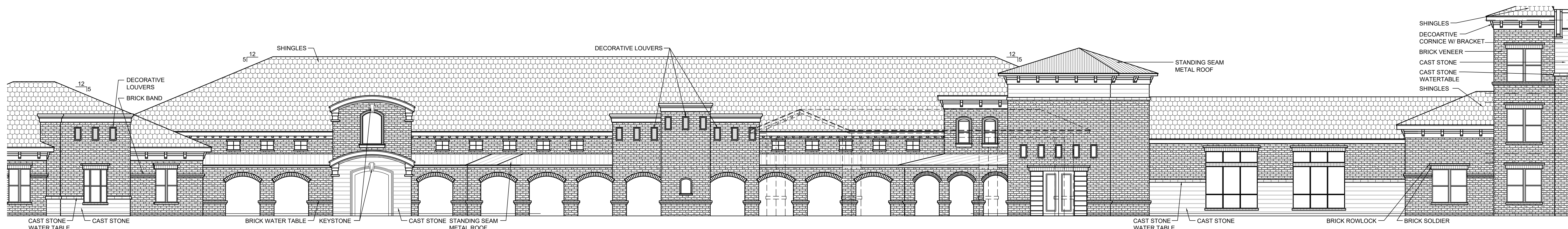




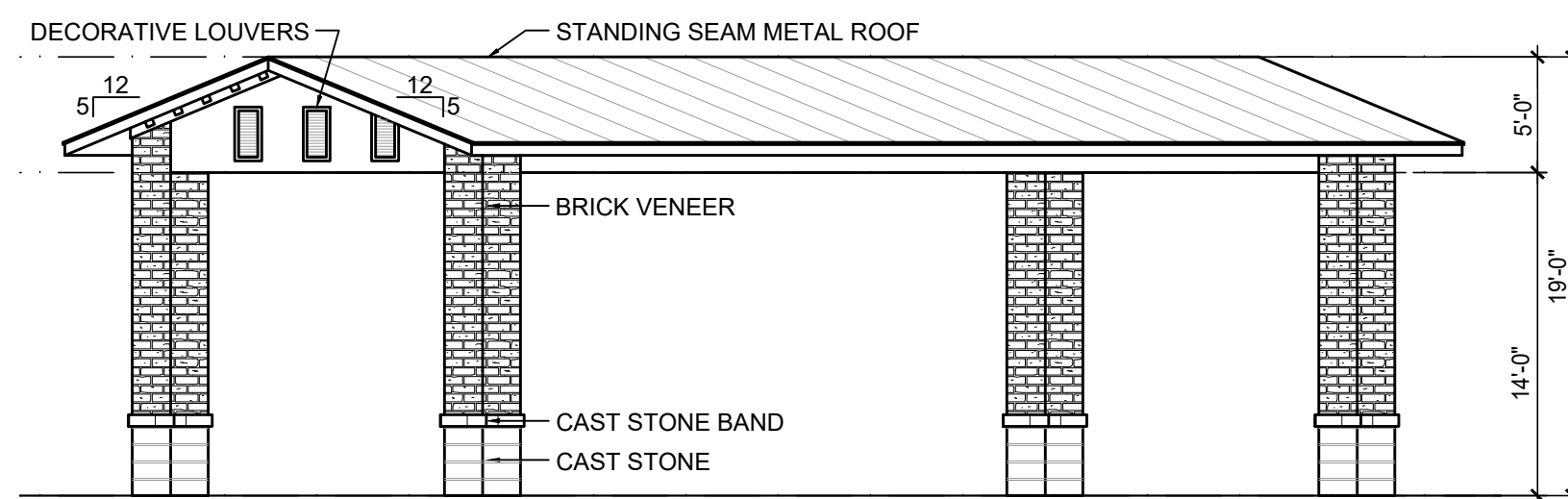
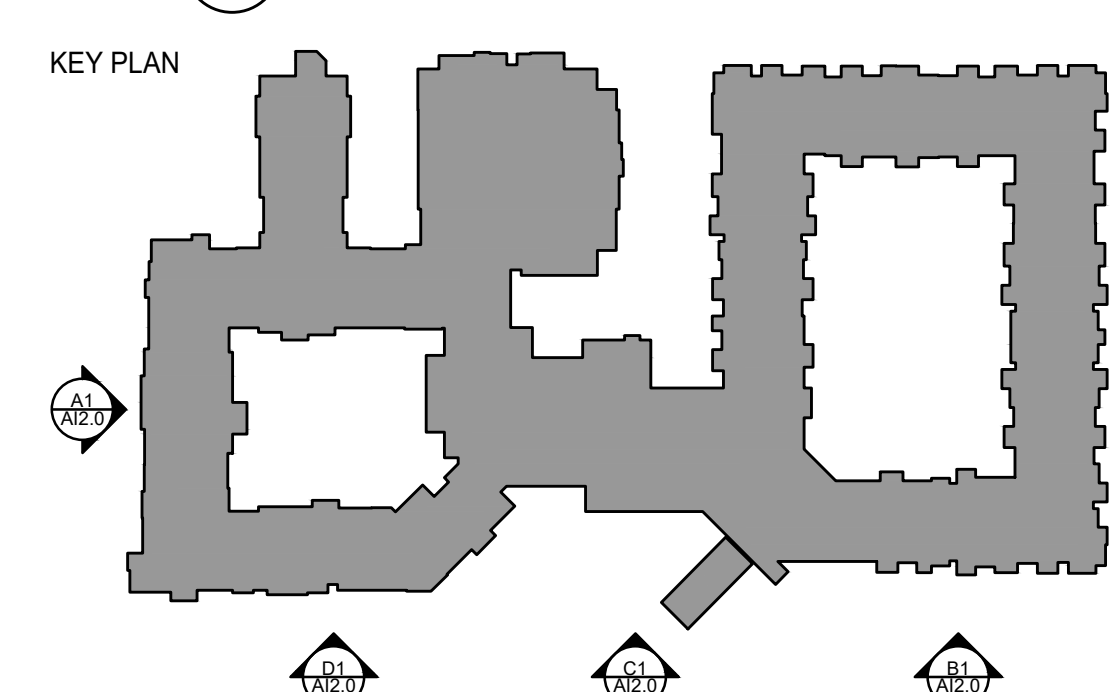
E1 AL IL: SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



D1 AL: SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



C1 AL IL: COMMUNITY CLUB ELEVATION
SCALE: 1/8" = 1'-0"



B2 AL IL: PORTE COCHERE
SCALE: 1/8" = 1'-0"



B1 IL: SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



A1 AL: WEST ELEVATION
SCALE: 1/8" = 1'-0"







SENIOR
LIVING
COMMUNITY



ORDINANCE NO. 34

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED BY CREATING PLANNED DEVELOPMENT NO. 34 ("PD-34") LOCATED IN THE TURNPIKE OVERLAY ZONE ("TRANSITION ZONE") WITH A BASE ZONING OF C-2 GENERAL COMMERCIAL DISTRICT ("C-2") TO ALLOW FOR THE DEVELOPMENT OF A SENIOR HOUSING COMPLEX ON ±10.538 ACRES, BEING PART OF THE THOMAS D. JAMES SURVEY, ABSTRACT NO. 477 AND LOCATED SOUTH OF SEWELL ELEMENTARY, EAST OF MILES ROAD AND WEST OF HERITAGE PARK, CITY OF SACHSE, DALLAS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" PROVIDING FOR THE APPROVAL OF THE SITE PLAN ATTACHED AS EXHIBIT "B" PROVIDING FOR THE APPROVAL OF THE ELEVATIONS PLAN ATTACHED AS EXHIBIT "C" PROVIDING A REPEALING CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE, PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Sachse and the governing body of the City of Sachse, in compliance with state laws applying to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said comprehensive Zoning Ordinance should be amended as provided herein;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS:

SECTION 1 That the Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby further amended by creating Planned Development No. 34 ("PD-34") located in the Turnpike Overlay Zone ("Transition Zone") with a base zoning of C-2 General Commercial District ("C-2") to allow for the development of a senior housing complex on ±10.538 acres of land, being part of the Thomas D. James Survey, Abstract No. 477, and located south of Sewell Elementary, east of Miles Road and West of Heritage Park, City of Sachse, Dallas County, Texas (the "Property"), being more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2 That the property shall be developed and used only in accordance with the following development standards:

- A. **Purpose.** The purpose of this Planned Development District is to allow for the development of a senior living complex.
- B. **Boundaries and District.** The Property shall be used and developed in accordance with the Turnpike Overlay Zone (“Transition Zone”) and C-2 General Commercial District (“C-2”) regulations of the Comprehensive Zoning Ordinance, except as otherwise provided herein:
- C. **Permitted Uses.** The Property shall be developed and used only for a senior living complex, with a mix of assisted living, independent living, and memory care units, for persons fifty-five (55) years of age or older.
- D. **Deed Restrictions.** No certificate of occupancy for the any building located on the Property shall be approved until the owner(s) of the Property has signed and recorded in the Real Property Records of Dallas County, Texas, a restrictive covenant in a form approved by the City Attorney restricting use of the senior living facility to residential uses by people fifty-five (55) years of age or older to the extent such restriction is consistent with the Federal Fair Housing Act and other applicable law.
- E. **Development Standards for Senior Living Area and Mixed-Use**

- (1) Dwelling Units/Acre. Senior housing shall be allowed a density of 13 living units per acre, with a mix of sixty-one (61) units for assisted living; one hundred and twenty units (120) units for independent living and twenty-four (24) units for memory care.
- (2) Maximum Building Height. The maximum building height shall be forty feet (40’).
- (3) Access and Layout. The developer shall provide two (2) pedestrian connections into Heritage Park, and decorative paving at the development’s two (2) entrances off Miles Road.
- (4) Parking. A minimum of two hundred (200) parking spaces shall be provided with a minimum of one (1) bike rack provided on-site near the building’s entrance.
- (5) Architectural Design. The architecture design for the primary buildings shall be 100% brick and stone.
- (6) Accessory Buildings. Detached garages are allowed and shall be constructed with the same masonry as the primary buildings.

(7) Landscaping.

- (a) Large canopy trees shall be provided at 1:50 around the perimeter of the site.
- (b) Large canopy trees shall be provided at 1:40 along the Miles Road right-of-way frontage.
- (c) A continuous evergreen hedge shall be provided on areas adjacent to Miles Road.
- (d) The terminus of each parking row and each parking island shall have a large canopy tree.

F. **S** ☐ ☐ ☐ **P** ☐ ☐ ☐ The Property shall be developed and used substantially in accordance with the Site Plan attached as Exhibit “B”, and which is hereby approved.

G. **E** ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ **P** ☐ ☐ ☐ The buildings shall be designed and constructed substantially in accordance with the elevation and renderings attached as Exhibit “C,” and which is hereby approved ☐

SECTION 3 ☐ That the above Property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and as amended herein.

SECTION 4 ☐ That all provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed.

SECTION 5 ☐ That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6 ☐ That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION ☐ That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8 □ This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the _____ day of _____, 2016.

APPROVED:

Mike J. Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(11-10-2016/81549)

EXHIBIT B - ZONING EXHIBIT
 10,538 Acres, 459,037 Sq. Ft.
 Situated in
 CITY OF SACHSE, TEXAS
 DALLAS COUNTY
 RICHARD COPEL AND SURVEY, ABSTRACT 228
 City of Dallas

AG
 Agriculture District
 (FLUP: Public/Semi-Public/Institutional)

Existing C-2
 General Commercial
 (FLUP: Public/Semi-Public/Institutional)

C-2
 General Commercial
 (FLUP: Business Park)

AG
 Agriculture District
 (FLUP: Park/Open Space)

OWNER:
 Richard Copel and Survey
 10,538 Acres, 459,037 Sq. Ft.
 Situated in
 CITY OF SACHSE, TEXAS
 DALLAS COUNTY
 RICHARD COPEL AND SURVEY, ABSTRACT 228
 City of Dallas

DEVELOPER:
 Richard Copel and Survey
 10,538 Acres, 459,037 Sq. Ft.
 Situated in
 CITY OF SACHSE, TEXAS
 DALLAS COUNTY
 RICHARD COPEL AND SURVEY, ABSTRACT 228
 City of Dallas

ENGINEER:
 Rindley & Associates, Inc.
 201 E. Commerce
 Suite 200
 Sachse, Texas 75082
 Phone: (972) 442-4471
 Fax: (972) 442-4472

SUBMITTER:
 Richard Copel and Survey
 10,538 Acres, 459,037 Sq. Ft.
 Situated in
 CITY OF SACHSE, TEXAS
 DALLAS COUNTY
 RICHARD COPEL AND SURVEY, ABSTRACT 228
 City of Dallas

DATE:
 10/10/2008

SCALE:
 1" = 100'

LEGEND:
 AG - Agriculture District
 C-2 - General Commercial
 Existing C-2 - General Commercial
 (FLUP: Business Park)

NOTES:
 1. The boundary lines of the subject property are as shown on the plat of the subject property, as recorded in the public records of Dallas County, Texas.
 2. The dimensions of the site are as shown on the plat of the subject property, as recorded in the public records of Dallas County, Texas.
 3. The location of the site is as shown on the plat of the subject property, as recorded in the public records of Dallas County, Texas.

EXHIBIT B **SITE PLAN**



CROSS
TREPEX
TREPEX ASSISTED LIVING, MEMORY CARE, & INDEPENDENT LIVING Serving the Triad
DATE: 08/08/2024
PROJECT: TREPEX
OWNER: TREPEX
DESIGNER: TREPEX
SCALE: 1" = 100'

The architectural drawings for the ALH (Assisted Living Home) are presented in a series of elevations and a section. The drawings are labeled A through E. A is the West Elevation, B is the South Elevation, C is the Community Club Elevation, D is the South Elevation, and E is the South Elevation. A section drawing is also shown, labeled 'ALH, SECTION'.

A. ALH, WEST ELEVATION
 Scale: 1/4" = 1'-0"

B. ALH, SOUTH ELEVATION
 Scale: 1/4" = 1'-0"

C. ALH, COMMUNITY CLUB ELEVATION
 Scale: 1/4" = 1'-0"

D. ALH, SOUTH ELEVATION
 Scale: 1/4" = 1'-0"

E. ALH, SOUTH ELEVATION
 Scale: 1/4" = 1'-0"

ALH, SECTION
 Scale: 1/4" = 1'-0"

The drawings show a long, multi-story building with a complex roofline, including a central gable and a large dormer. The facade features numerous windows, some with shutters, and a central entrance. The section drawing shows the internal structure, including the roof, walls, and floor levels.



City of Sachse, Texas

Legislation Details (With Text)

File #:	16-3624	Version:	1	Name:	Bunker Hill Turn Lane Improvements Project
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	12/1/2016	In control:		In control:	City Council
On agenda:	12/5/2016	Final action:		Final action:	
Title:	Consider a resolution awarding the bid for the construction of the Bunker Hill Turn Lane Improvements Project to McMahon Contracting, L.P., in an amount not to exceed one hundred six thousand six hundred thirty-seven dollars and forty cents (\$106,637.40).				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Presentation Exhibit 1 - Project Layout Exhibit 2 - Bid Tabulation Resolution				

Date	Ver.	Action By	Action	Result
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Title

Bunker Hill Turn Lane Improvements Project

Background

Bunker Hill Road is a minor arterial in the City of Sachse that connects State Highway 78 to Miles Road. During peak traffic times, there is an increasing amount of congestion at the intersection of Bunker Hill Road and State Highway 78, especially in the left turn lane.

During the 2016-2017 budget process, the City Council approved the inclusion of a CIP project to construct an additional left turn lane in this location. Staff completed the engineering design, and TxDOT has reviewed the plans. The project layout is attached as Exhibit 1.

Staff publicly bid the construction project in accordance with local ordinances and State Law. Three bids were recieved. The lowest qualified bid was received from McMahon Contracting, L.P. The bid tabulation is attached as Exhibit 2. Staff is now seeking approval of a resolution awarding the bid for the project to McMahon Contracting, L.P.

Once approved, City staff will work with McMahon to schedule the project to begin as soon as their schedule allows.

Policy Considerations

The project is shown in the 2016-2017 Capital Improvement Plan for the City of Sachse. The project was publicly advertised and bid in accordance with local ordinances and State Law.

Budgetary Considerations

The project budget for the Bunker Hill Turn Lane Project is \$125,000.00, as shown in the 2016-2017 CIP.

Staff Recommendations

Approve a resolution awarding the bid for the construction of the Bunker Hill Turn Lane Improvements Project to McMahon Contracting, L.P., in an amount not to exceed one hundred six thousand six hundred thirty-seven dollars and forty cents (\$106,637.40).



Bunker Hill Turn Lane Project

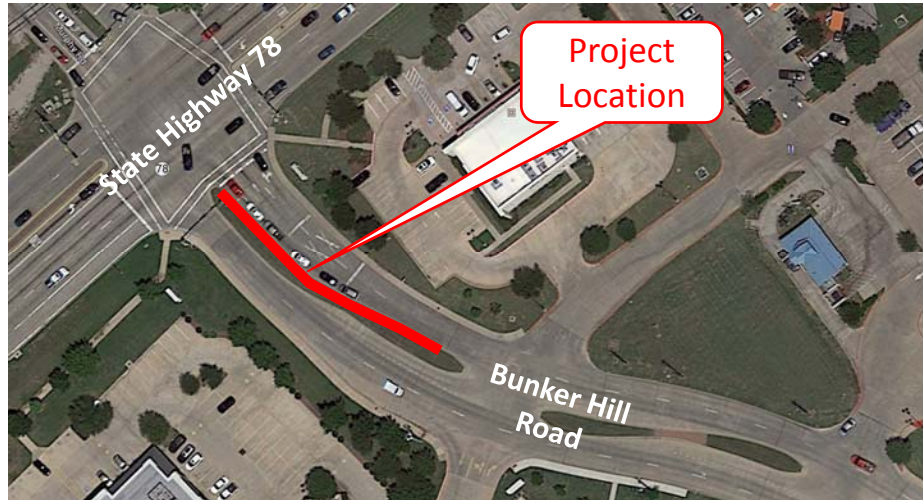
City Council
December 5, 2016

Overview

- ☐ Project Scope
- ☐ Engineering Design and TxDOT Review
- ☐ Bid Process & Project Budget
- ☐ Staff Recommendations & Next Steps

Project Scope

- ☐ Construct an additional left turn lane from Bunker Hill Road onto southbound State Highway 78
- ☐ Install conduit and foundations (for future extension of street lighting)



Engineering Design & TxDOT Review

- ☐ The Sachse Engineering Department completed the engineering design for the project
- ☐ The design also included the design of a retaining wall along the sidewalk, near Bunker Hill Road and Concord Drive, where significant erosion is occurring. This retaining wall was bid as "Bid Alternate 1."
- ☐ City staff submitted the plans to TxDOT. TxDOT completed their review and had only minor comments. The project is ready to move forward into construction.

Bid Process & Project Budget

- ☐ The project budget was \$125,000.00, as shown in the 2016-17 CIP. Funds for the project are allocated from the General Fund.
- ☐ The project was advertised in the Sachse News on November 17th and 24th, and posted on www.civcast.com, an online plan room, for prospective bidders to view and download project plans and materials
- ☐ Staff held a pre-bid meeting on November 22nd, which was attended by 1 construction company
- ☐ Staff opened bids and read them aloud on November 30th. Three bids were received.
- ☐ The low bid was received from McMahon Contracting, L.P., in the amount of \$106,639.40 for the turn lane.
- ☐ Bid Alternate 1 (retaining wall) was bid at \$165,312.62. Due to cost, staff will not be including the alternate bid in the construction project. Staff will seek an alternate method of addressing the erosion problems in this location.
- ☐ McMahon's references were found to be satisfactory, and they have successfully completed roadway construction projects in the City of Sachse (Haverhill Lane re-construction, Bryan Street panel replacement, Ranch Road widening)

Staff Recommendations & Next Steps

- ☐ Staff recommends the City Council approve a resolution of the City Council of the City of Sachse, Texas, awarding the bid for the construction of the Bunker Hill Turn Lane Improvements Project to McMahon Contracting, L.P., in an amount not to exceed one hundred six thousand six hundred thirty-seven dollars and forty cents (\$106,637.40); authorizing the City Manager to execute such agreement in a form approved by the City Attorney; and providing an effective date.
- ☐ If approved, staff will work with the contractor to schedule construction to begin as soon as the contractor's schedule allows.

TRANSLATION

rrRdTrLS

CITY OF SAC, SE, TEXAS

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11/10/2016

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				IT P C d C r I	P P W r LP		M M C r LP			
ITEM NO	EST	UNIT	DESCRIPTION / UNIT PRICE	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	
1	1	LS	Mobilization							
			DOLLARS							
			CENTS	\$20,000.00	\$20,000.00	\$7,350.00	\$7,350.00	\$16,550.00	\$16,550.00	
per Lump Sum										
2	260	LF	Sawcut and remove 260 LF of concrete curb and gutter							
			DOLLARS							
			CENTS	\$50.00	\$13,000.00	\$18.55	\$4,823.00	\$31.76	\$8,257.60	
per Linear Feet										
3	75	SF	Sawcut and remove 75 SF of 8” concrete pavement							
			DOLLARS							
			CENTS	\$50.00	\$3,750.00	\$9.70	\$727.50	\$44.08	\$3,306.00	
per Square Feet										
4	1	LS	Locate and abandon exiting irrigation system in median. Remove necessary for new paving.							
			DOLLARS							
			CENTS	\$5,000.00	\$5,000.00	\$5,420.00	\$5,420.00	\$4,060.00	\$4,060.00	
per Lump Sum										
5	1	LS	Grind and remove existing striping and traffic buttons on Bunker Hill Road as required for new lane configuration							
			DOLLARS							
			CENTS	\$5,000.00	\$5,000.00	\$800.00	\$800.00	\$2,511.40	\$2,511.40	
per Lump Sum										
6	2,050	SF	Construct 2020 SF of 8” thick reinforced concrete pavement with subgrade							
			DOLLARS							
			CENTS	\$27.00	\$55,350.00	\$37.40	\$76,670.00	\$12.51	\$25,645.50	
per Square Feet										
7	235	LF	Construct 235 LF of 6” concrete curb							
			DOLLARS							
			CENTS	\$5.00	\$1,175.00	\$10.00	\$2,350.00	\$2.34	\$549.90	
per Linear Feet										
8	1	EA	Construct 1- 24” diameter concrete light pole foundation							
			DOLLARS							
			CENTS	\$1,500.00	\$1,500.00	\$1,265.00	\$1,265.00	\$1,218.00	\$1,218.00	
per Each										
9	1	EA	Construct solid concrete sloped median nose per detail on sheet C-6							
			DOLLARS							
			CENTS	\$2,500.00	\$2,500.00	\$1,880.00	\$1,880.00	\$1,276.00	\$1,276.00	
per Each										
10	1	EA	Install one concrete illumination junction box. Adjust existing PVC conduit to new box location							
			DOLLARS							
			CENTS	\$2,000.00	\$2,000.00	\$1,232.00	\$1,232.00	\$1,189.00	\$1,189.00	
per Each										
11	1,600	SF	Construct 1600 SF of brick pavers							
			DOLLARS							
			CENTS	\$15.00	\$24,000.00	\$11.50	\$18,400.00	\$11.15	\$17,840.00	
per Square Feet										
12	2	EA	Install concrete illumination junction box. Connect abandoned irrigation sleeve to new box.							
			DOLLARS							
			CENTS	\$1,500.00	\$3,000.00	\$1,232.00	\$2,464.00	\$1,185.00	\$2,370.00	
per Each										
13	10	LF	Install 10 LF of 2” PVC conduit							
			DOLLARS							
			CENTS	\$20.00	\$200.00	\$17.00	\$170.00	\$16.12	\$161.20	
per Linear Feet										
14	1	LS	Proposed white thermoplastic striping per sheet C-7							
			DOLLARS							
			CENTS	\$7,500.00	\$7,500.00	\$8,500.00	\$8,500.00	\$6,704.80	\$6,704.80	
per Lump Sum										
15	1	LS	Project Contingency							
			Fifteen Thousand DOLLARS							
			And Zero CENTS	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	
(\$15,000.00 per Lump Sum)										
Base Bid Total						\$158,975.00		\$147,051.50		\$106,639.40

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ITEM NO	EST TY	UNIT	DESCRIPTION / UNIT PRICE	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	
1	1,450	SF	Mobilization							
			<u>DOLLARS</u>							
			<u>CENTS</u>	\$55.00	\$79,750.00	\$52.15	\$75,617.50	\$83.76	\$121,452.00	
			per Square Feet							
2	400	CF	Sawcut and remove 260 LF of concrete curb and gutter							
			<u>DOLLARS</u>							
			<u>CENTS</u>	\$10.00	\$4,000.00	\$11.40	\$4,560.00	\$12.24	\$4,896.00	
			per Cubic Feet							
3	6,000	SF	Sawcut and remove 75 SF of 8” concrete pavement							
			<u>DOLLARS</u>							
			<u>CENTS</u>	\$3.00	\$18,000.00	\$6.00	\$36,000.00	\$3.25	\$19,500.00	
			per Square Feet							
4	6,000	SF	Locate and abandon exiting irrigation system in median. Remove necessary for new paving.							
			<u>DOLLARS</u>							
			<u>CENTS</u>	\$1.50	\$9,000.00	\$1.50	\$9,000.00	\$0.70	\$4,200.00	
			per Square Feet							
5	550	CF	Grind and remove existing striping and traffic buttons on Bunker Hill Road as required for new lane configuration							
			<u>DOLLARS</u>							
			<u>CENTS</u>	\$35.00	\$19,250.00	\$47.45	\$26,097.50	\$25.63	\$14,096.50	
			per Cubic Feet							
6	53	SF	Construct 2020 SF of 8” thick reinforced concrete pavement with subgrade							
			<u>DOLLARS</u>							
			<u>CENTS</u>	\$35.00	\$1,855.00	\$30.15	\$1,597.95	\$22.04	\$1,168.12	
			per Square Feet							
Bid Alternate 1 Total						\$131,855.00		\$152,872.95		\$165,312.62

RESOLUTION NO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS, AWARDED THE BID FOR THE CONSTRUCTION OF THE BUNKER HILL TURN LANE IMPROVEMENTS PROJECT TO MCMAHON CONTRACTING, L.P. IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIX THOUSAND SIX HUNDRED THIRTY-SEVEN DOLLARS AND FORTY CENTS (\$106,637.40) AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT IN A FORM APPROVED BY THE CITY ATTORNEY AND PROVIDING AN EFFECTIVE DATE

WHEREAS it is necessary for a contractor to construct turn lane improvements to Bunker Hill Road at State Highway 78 in the City of Sachse Texas; and

WHEREAS, the project is listed as a project in the 2016-2017 City of Sachse Capital Improvement Plan;

WHEREAS, the project funding sources include the City of Sachse General Fund; and

WHEREAS the City has taken sealed bids and City staff is recommending award to the lowest responsible bidder meeting the specifications; and

WHEREAS the City Council of the City of Sachse, Texas desires to award the contract.

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

Section 1: That the Bid for the construction of the Bunker Hill Turn Lane Improvements project is hereby awarded to McMahon Contracting, L.P., in an amount not to exceed one hundred six thousand six hundred thirty-seven dollars and forty cents (\$106,637.40).

Section 2: That the City Manager is authorized to execute an agreement with McMahon Contractors, Incorporated, in a form approved by the City Attorney.

Section 3: That this resolution shall take effect immediately from and upon its adoption and it is so resolved.

RESOLVED this 5th day of December, 2016. CITY OF SACHSE, TEXAS

Mike J. Felix, Mayor

ATTEST:

Michelle Lewis Sirianni, City Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3622 **Version:** 1 **Name:** Subdivision Waiver request
Type: Agenda Item **Status:** Agenda Ready
File created: 12/1/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Consider the application of the Skoburg Company requesting a waiver from the Code of Ordinances, Chapter 8 Subdivisions, to permit the design and construction of a non-standard roadway in the City of Sachse, Texas.

Sponsors:

Indexes:

Code sections:

Attachments: [Presentation](#)
[Attachment 1 - Letter of Intent](#)
[Attachment 2 - Sable Hills Estates Plat](#)
[Attachment 3 - Requested Street Section](#)
[Attachment 4 - City Standard Street Section](#)

Date	Ver.	Action By	Action	Result
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Title

Consider the application of the Skoburg Company requesting a waiver from the Code of Ordinances, Chapter 8 Subdivisions, to permit the design and construction of a non-standard roadway in the City of Sachse, Texas.

Background

The Applicant, the Skoburg Company, is seeking to develop the Sable Hills Estates Subdivision in Sachse, Texas. They have submitted a letter of intent, as shown in Attachment 1. The Sable Hills Subdivision was platted as a single family subdivision with 1/4 to 1/3 acre lots in the 1960's. The original developer sold the lots to individuals, but never constructed the necessary public improvements. Since this time, the individual lots in the subdivision have been owned by individuals who have been unable to use or build a home on the property, since the necessary infrastructure was never constructed by the developer. The original plat of the subdivision is shown in Attachment 2.

The Applicant has been coordinating with existing property owners of the platted lots and purchasing the lots with the intent of developing the subdivision. The Applicant seeks to construct public streets within the existing platted right-of-way, with an alternative street section. The Applicant is seeking to generally match the street section of the surrounding streets, which have bar ditches instead of an underground storm system. The proposed streets would be concrete, with no curbs. If approved, the applicant intends to construct Vicuna Circle as Phase 1 of the development, and Ermine as Phase 2.

Staff informed the applicant that their proposed street would require a variance because it differs from the standards as outlined in Sachse's Ordinances. The applicant is seeking a remedy under the waiver provision of the Code of Ordinances whereby the City Council may grant waivers. Staff

evaluated the waiver request within the parameters included in Section 8-8 of the Subdivision Ordinances. That evaluation is included below.

Applicant's Requested Street

- Shown in Attachment 3
- 24-foot wide concrete street with concrete and subgrade to City standard
- No curbs
- No sidewalks
- Bar ditch on both sides of the street, minimum 18-inches deep (ditch size designed to match runoff)

City of Sachse Standard Street

- Shown in Attachment 4
- 31-foot wide concrete street
- Concrete curbs
- 4' sidewalks
- Underground storm system

Policy Considerations

Intent and Purpose of the Ordinance

Sec. 8-3 Intent and Purpose.

- A. Intent. In the interpretation and application of the provisions of these regulations, it is the intention of the City Council that the principles, standards and requirements provided for herein shall be minimum requirements for the platting and developing of subdivisions in the City of Sachse and, where other ordinances of the city are more restrictive in their requirements, such other ordinances shall control.
- B. Purpose.
 - (1) Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the adopted plans and regulations of the City of Sachse;
 - (2) Guide and assist the developers in the correct procedures to be followed and to inform them of the standards which shall be required;
 - (3) Protect the public interest by supervising the location, design, class and type of streets, sidewalks, utilities and essential areas and services required; and
 - (4) Protect and promote the public health, safety and general welfare.

Waiver Process

Sec. 8-8. Waivers.

Authorization. The City Council may authorize a waiver from these regulations when in its opinion undue hardship will result from requiring strict compliance. In granting waiver, the City Council shall prescribe only conditions that it deems necessary or desirable to the public interest and making the findings herein below required. The City Council shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed Subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No waiver will be granted unless the City Council finds:

- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the

reasonable use of their land.

- (2) That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area.
- (3) That the granting of the waiver will not have the effect of preventing the orderly Subdivision of other lands in the area in accordance with the provisions of this chapter. Such finding of the City Council together with the specific facts on which such findings are based shall be incorporated under the official minutes of the City Council meeting at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the sub-divider, standing alone, shall not be deemed to constitute undue hardship.

Staff Evaluation

Staff evaluated the waiver application under the specific criteria outlined in Section 8-8. In the analysis included below, the Section 8-8 tests are repeated and staff's opinion is included below each test.

- (1) Staff finds that there are special circumstances affecting the land. The original developer of the property platted and subdivided the land without constructing the public improvements. This created a situation where individuals purchased property that was subsequently un-useable for the intended purpose of single family homes.
- (2) Staff finds that approval of the waiver would cause the construction of a public road in a difficult situation, providing access to private property that currently has no public access. Access to property from a public street is a substantial property right.
- (3) Staff finds that approval of the waiver would not prevent the orderly subdivision of other lands in the area. Staff finds that approval of the waiver would allow for the construction of public streets to a standard consistent with the surrounding streets, with a higher standard pavement surface (concrete pavement instead of asphalt pavement).

It is also important to note that the requested street section matches existing streets in the City:

- Getha Lane
- the street section used in the recent Kensington Park Planned Development located adjacent to Pleasant Valley Road

Budgetary Considerations

There are no budgetary implications for the City at this time. The development of the property would result in increased property tax values for the subdivision.

Staff Recommendations

Staff finds that the special circumstances created by the original developer, the surrounding street systems, and the hardships placed on all property owners of lots within Sable Hills Estates do create a special condition that affects the subdivision and use of land. Staff finds that the requested street

section is consistent with the surrounding streets (Coral Lane, Sable Lane, Anthony Lane, Bailey Road, Williford Road), with a higher standard pavement surface. Staff recommends approval of the waiver request for the requested street section.



WAIVER REQUEST SABLE HILLS ESTATES

CITY COUNCIL
DECEMBER 5, 2016

APPLICANT'S REQUEST

Conduct a public hearing to consider and act on a request by the Skorburg Company, to grant a waiver to the Subdivision Ordinance in regards to the street cross section for Sable Hills Estates.

Local ordinance outlines a waiver process to regulations within the Subdivision Ordinance. City Council is the final approval authority for requested waivers.



PROJECT INFORMATION

- ☐ Waiver to Subdivision Ordinance
- ☐ Applicant: Skorburg Company
- ☐ Owner:
 - ☐ Public ROW – City of Sachse
 - ☐ Subdivision lots – multiple owners
- ☐ Status: Plat filed in 1960s (developer did not construct the needed public infrastructure)
- ☐ Current Zoning: R-2A (Residential)
- ☐ Site Attributes: Undeveloped land
- ☐ A newspaper notice was published to inform citizens (Not required by State law or local ordinance)



AERIAL MAP



- ☐ The subject property is generally located north of Williford Road and west of Bailey Road.
- ☐ Two streets were never originally constructed (Vicuna Circle & Ermine Circle).
- ☐ Purple lots remain undeveloped



SUBDIVISION HISTORY

- ☐ The plat for the subdivision was approved by the City and filed by the original developer in the 1960s
- ☐ The lots were sold to individuals, however the developer never built the necessary roads and utilities
- ☐ Infrastructure must be installed prior to homes being constructed (this is cost prohibitive for an individual property owner)
- ☐ End result: The platted lots have been sitting empty for decades, with property owners unable to use their property
- ☐ The situation has also led to problems related to maintenance and mowing of the properties



APPLICANT'S EFFORTS

- ☐ Skorborg is a residential development company that has taken an interest in developing Sable Hills Estates
- ☐ They have worked with staff for more than a year on this project, and have been working with the landowners to assemble as many lots as possible (putting them under contract)
- ☐ Skorborg believes that no additional lots are willing to sell at this time
- ☐ In order for the project to move forward, the revenue from developing the lots must be more than the cost of installing the needed infrastructure
- ☐ Skorborg is proposing to construct Vicuna Circle as Phase 1, pending the waiver request before Council
- ☐ Many lots fronting onto Ermine Circle are owned by property owners of the homes that front onto Bailey Road
- ☐ At this time, Ermine Circle is not profitable enough to construct in Phase 1. However, if more owners choose to sell, it would be constructed as a second phase.

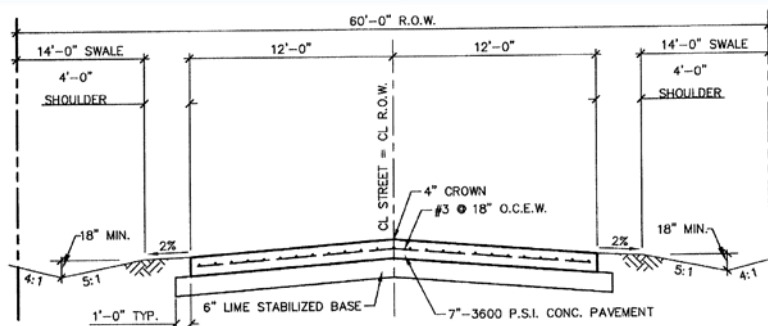


WAIVER REQUEST

- ☐ Skorburg is requesting a variance to allow for a street section that is different from the City standard.
- ☐ The requested street section is similar to the nearby streets (Sable Lane, Coral Lane, Anthony Lane, Williford Road, Bailey Road), except with concrete pavement instead of asphalt.



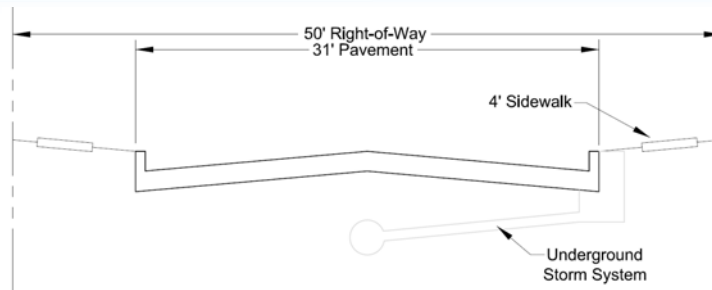
REQUESTED STREET SECTION



- ☐ 60' Right-of-way (per platted subdivision)
- ☐ 24' wide concrete street
- ☐ No curbs, bar ditch on both sides
- ☐ No sidewalks



CITY STANDARD STREET SECTION



- ☐ 50' right-of-way
- ☐ 31' concrete street with curb & gutter
- ☐ Underground storm system
- ☐ 4' sidewalks



SUBDIVISION ORDINANCE - WAIVER PROCESS

Sec. 8-8. Waivers.

Authorization. The City Council may authorize a waiver from these regulations when in its opinion undue hardship will result from requiring strict compliance. In granting waiver, the City Council shall prescribe only conditions that it deems necessary or desirable to the public interest and making the findings herein below required. The City Council shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed Subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No waiver will be granted unless the City Council finds:

- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of their land.
- (2) That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area.



WAIVER PROCESS (CONT.)

Sec. 8-8. Waivers.

...No waiver will be granted unless the City Council finds:

(3) That the granting of the waiver will not have the effect of preventing the orderly Subdivision of other lands in the area in accordance with the provisions of this chapter. Such finding of the City Council together with the specific facts on which such findings are based shall be incorporated under the official minutes of the City Council meeting at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the sub-divider, standing alone, shall not be deemed to constitute undue hardship.



POLICY CONSIDERATIONS

- ☐ Does the City desire to see this vacant land developed?
- ☐ Is the variance request due to a unique situation or special circumstances?
- ☐ Is the variance request (for ditch drainage) detrimental to the public health, safety, or welfare?
- ☐ Are the increased property values and densities that arise from activating the area a benefit to Sachse?
- ☐ How would traffic patterns change? Since the plat is already filed, a future developer could install per Code without any discretionary approvals.



BUDGETARY IMPACTS

(ALL FIGURES APPROXIMATE)

- ☐ The lots range between 1/4 acre and 1/3 acre in size
- ☐ Skorburg plans to construct 30 new homes on the properties they have under contract
- ☐ An additional 10-15 new homes may be built by those property owners that are not selling to the developer
- ☐ Some existing property owners on Bailey Road & Vicuna Circle purchased the undeveloped lots behind their home. They may choose to sell these lots when they become developable
- ☐ A conservative estimate of \$350,000 per home for the 30 lots that Skorburg intends to develop generates over **\$80,000** in annual tax revenue for the City

This estimate does not account for impact fees, property tax to other local entities, nor sales tax generated by new residents



STAFF REVIEW

Staff evaluated the waiver application under the specific criteria outlined in Section 8-8. In the analysis included below, the Section 8-8 tests are repeated and staff's opinion is included below each test.

- (1) Staff finds that there are special circumstances affecting the land. The original developer of the property platted and subdivided the land without constructing the public improvements. This created a situation where individuals purchased property that was subsequently un-useable for the intended purpose of single family homes.
- (2) Staff finds that approval of the waiver would cause the construction of a public road in a difficult situation, providing access to private property that currently has no public access. Access to property from a public street is a substantial property right.
- (3) Staff finds that approval of the waiver would not prevent the orderly subdivision of other lands in the area. Staff finds that approval of the waiver would allow for the construction of public streets to a standard consistent with the surrounding streets, with a higher standard pavement surface (concrete pavement instead of asphalt pavement).



STAFF RECOMMENDATION

- ✓ - Staff finds that the special circumstances created by the original developer, the surrounding street systems, and the hardships placed on all property owners of lots within Sable Hills Estates do create a special condition that affects the subdivision and use of land.
- ✓ - Staff recommends approval of the waiver request for the requested street section.





November 14, 2016

City of Sachse
Attn: Greg Peters
3815 Sachse Road
Sachse, Texas 75048

Skorburg Company
8214 Westchester, Suite 710
Dallas, TX 75225

Subject: Sable Hills Estates – Vicuna Circle Roadway Section Waiver Request

Dear Mr. Peters,

Skorburg Company would like to formally request a waiver from the City of Sachse Standards for Vicuna Circle which is located within the future Sable Hills Estates subdivision. This roadway will begin at the west side of Bailey Road and terminate at the North side of Williford Road (see Exhibit A).

The proposed variance would include and allow the following (see Exhibit B):

- 60' right-of-way
- Undivided 2 lane road
- 24' of paving
- Open swale drainage design

We are requesting a waiver because constructing Vicuna Circle to City standards would result in a roadway that is unlike the surrounding neighborhoods, especially the original phase of Sable Hills Estates to the west (on Sable Lane and Coral Lane). In addition, the property was originally platted with a 60' right-of-way allowing for open swale drainage. This street cross section with an open swale drainage design stays consistent with both Williford Road and Bailey Road.

We appreciate the opportunity to present this waiver request to City Council during their December 5th, 2016 meeting and look forward to working with you and the City of Sachse on this project.

Cordially Yours,

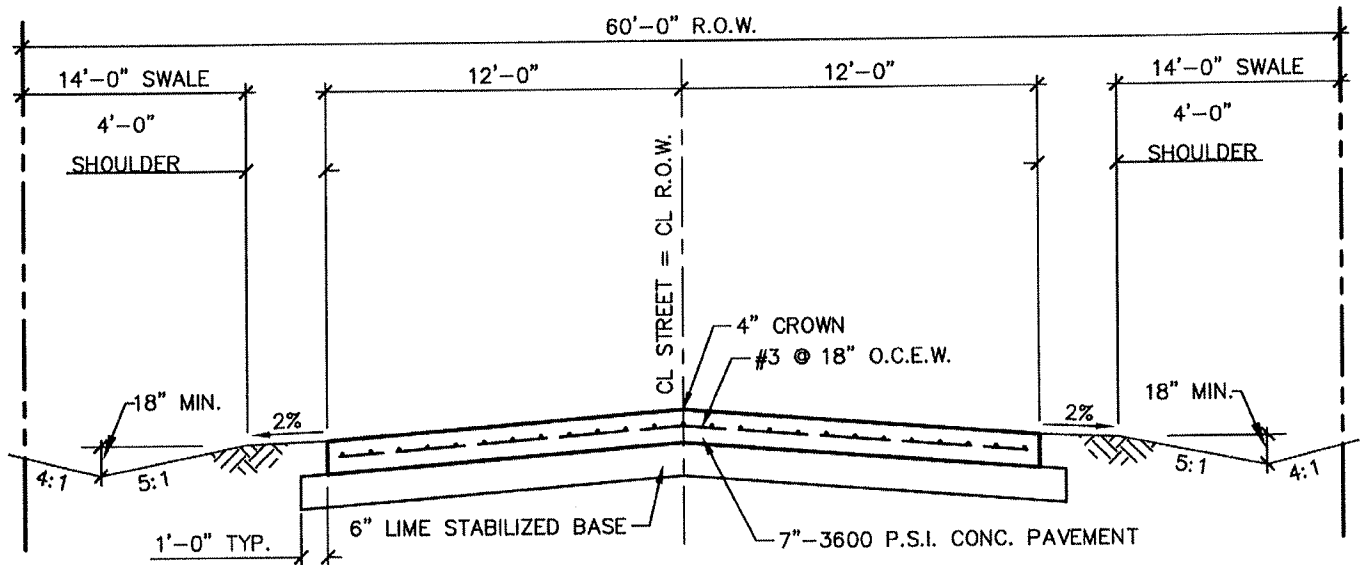
John Arnold
Development Partner



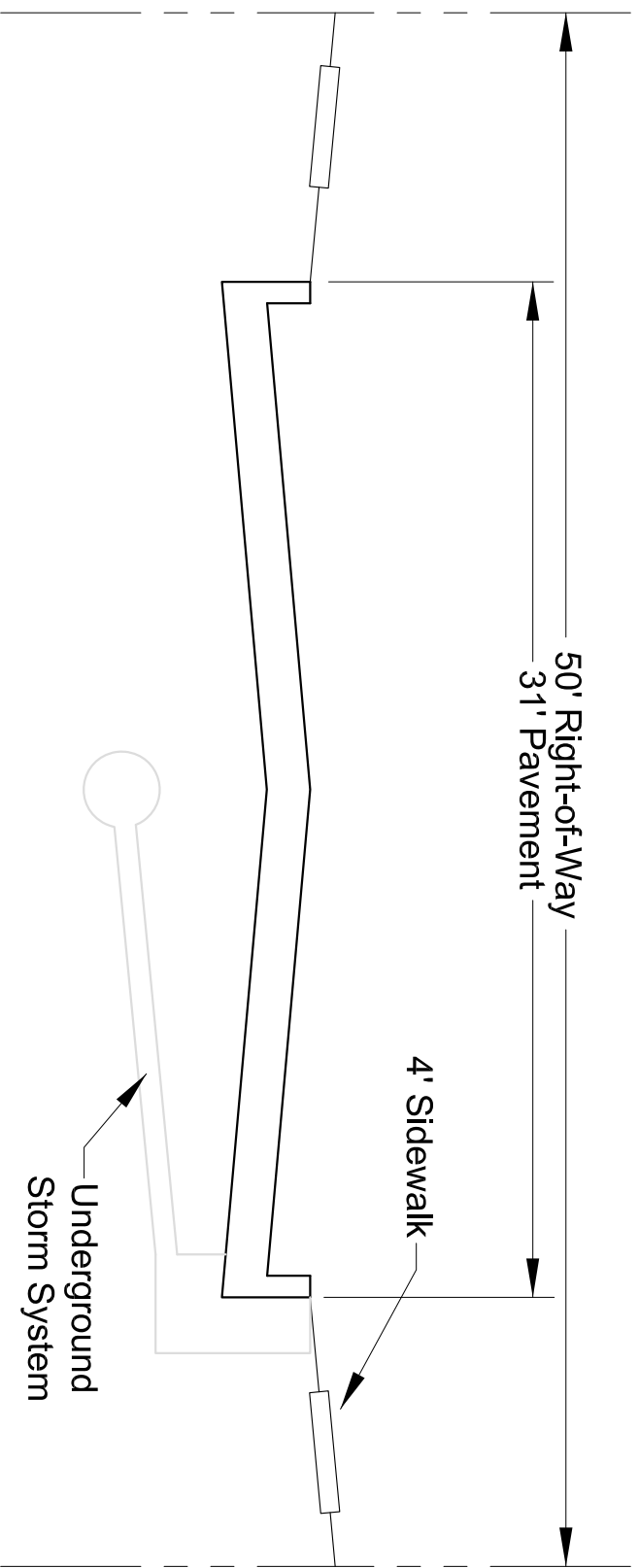
CURVE DATA

	A	B	D	T	L
INNER	41° 35'	174.63	32.810	55.31	156.14
OUTER	41° 35'	201.65	28.000	11.70	143.51
INNER	41° 35'	231.65	24.120	89.09	170.26
OUTER	41° 35'	174.63	32.810	31.40	152.31
INNER	41° 35'	201.65	28.000	95.33	170.51
OUTER	41° 35'	231.65	24.120	109.37	204.50
INNER	41° 35'	417.40	12.305	154.50	354.21
OUTER	41° 35'	417.40	20.000	101.52	340.52
INNER	41° 35'	507.16	11.231	152.54	350.29
OUTER	41° 35'	174.63	32.810	31.40	152.31
INNER	41° 35'	201.65	28.000	95.33	170.51
OUTER	41° 35'	231.65	24.120	109.37	204.50
INNER	41° 35'	174.63	32.810	31.40	152.31
OUTER	41° 35'	201.65	28.000	95.33	170.51
INNER	41° 35'	231.65	24.120	109.37	204.50
OUTER	41° 35'	174.63	32.810	31.40	152.31
INNER	41° 35'	201.65	28.000	95.33	170.51
OUTER	41° 35'	231.65	24.120	109.37	204.50

Exhibit B



City Standard Local Street Section





City of Sachse, Texas

Legislation Details (With Text)

File #: 16-3610 **Version:** 1 **Name:** Citizen Steering Committee appointments.
Type: Agenda Item **Status:** Agenda Ready
File created: 11/17/2016 **In control:** City Council
On agenda: 12/5/2016 **Final action:**
Title: Consider appointments to the Citizen Steering Committee for the Sachse Stormwater Utility Study.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Title

Appointments to the Citizen Steering Committee for the Sachse Stormwater Utility Study.

Background

The City of Sachse is currently working on a stormwater utility study related to drainage concerns in the City. As a part of the process, a Citizen Steering Committee will be created. This Committee will assist staff and the consultant in reviewing and ranking stormwater capital improvement needs, and providing feedback to the City Council on potential policy recommendations related to the possible creation of a stormwater utility.

Staff is requesting for each City Councilmember to make an appointment to the Citizen Steering Committee. Once the Steering Committee is created, staff will work with the committee members and the consultant to put together a timeline for committee meetings. It is anticipated that the Committee will meet 4-5 times, beginning in January of next year.

Policy Considerations

None.

Budgetary Considerations

None.

Staff Recommendations

City Council to make appointments to the Citizen Steering Committee for the Sachse Stormwater Utility Study.