AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, August 1, 2012,
Immediately Following the
CRA Board Meeting
Lake Park Town Hall
535 Park Avenue

James DuBois	—	**Mayor**
Kendall Rumsey	—	**Vice-Mayor**
Steven Hockman	—	**Commissioner**
Jeanine Longtin	—	**Commissioner**
Tim Stevens	—	**Commissioner**
Dale S. Sugerman, Ph.D.	—	**Town Manager**
Thomas J. Baird, Esq.	—	**Town Attorney**
Vivian Mendez Lemley, CMC	—	**Town Clerk**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. ***Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.***

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA

F. PRESENTATION:

1. **Proclamation in Honor of Lieutenant Pedro L. Palenzuela for his Services as Commanding Officer of the Palm Beach County Sheriff's Office District 10** **Tab 1**

2. **Request by the American Cancer Society to Hold the 2013 Relay for Life at Lake Shore Park** **Tab 2**

G. **PUBLIC and OTHER COMMENT:**

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

H. **PUBLIC HEARING:**
ORDINANCE ON SECOND READING:

******* OPEN PUBLIC HEARING*******

A. Staff Report

B. Public Comments

C. Commission Deliberation

3. Ordinance No. 09-2012 Text Amendment for the Campus Light Industrial and Commercial (CLIC) Zoning District – To expand the permitted area for educational facilities and requiring that these uses be approved as a Conditional Use. **Tab 3**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-75(2)(C)(4) OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "CLIC-1 CAMPUS LIGHT INDUSTRIAL / COMMERCIAL DISTRICT" TO ADD EDUCATION FACILITIES ~~AND TRAINING CENTERS~~ AS A PERMITTED USE ALONG THE ULTIMATE RIGHT OF WAY OF WATERTOWER ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

******* CLOSE PUBLIC HEARING*******

I. **RESOLUTIONS:**

4. Resolution No. 18-08-12 Palm Beach County League Supporting the County's Allocation of the $12.50 Funds to Enhance Municipal Intergovernmental Communications Plan **Tab 4**

J. **DISCUSSION AND POSSIBLE ACTION:**

5. Final Payment to Simmons and White for Engineering Services Associated with the Downtown Alleyway Improvements, Paving, Drainage, Lighting **Tab 5**

6. Continuing Landscape Maintenance Agreement with Chris Wayne and Associates, Inc. for the Lake Park Harbor Marina **Tab 6**

7. Review of Draft of Revised Handbook of Procedures and Policies for Employees of the Town of Lake Park (Employee Handbook) **Tab 7**

K. **COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:**

L. **ADJOURNMENT:**

Proclamations

TAB 1

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **August 1, 2012** **Agenda Item No.** Tab 1

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] ORDINANCE ON FIRST READING [ ] DISCUSSION/POSSIBLE ACTION

[ ] ORDINANCE ON SECOND READING [ ] BID/RFP AWARD

[ ] PRESENTATION/PROCLAMATION [ ] CONSENT AGENDA

[x] Other: Proclamation

SUBJECT: **Proclamation in Honor of Lieutenant Pedro L. Palenzuela for His Service as Commanding Officer of the Palm Beach County Sheriff's Office District 10**

RECOMMENDED MOTION/ACTION: **Approval**

Approved by Town Manager _____ **Date:** 7/26/12

Name/Title HUMAN RESOURCES DIRECTOR

7/26/12
Date of Actual Submittal

Originating Department: **Human Resources**	**Costs: $ -0-** Funding Source: Acct. #	**Attachments:** **Copy of Proclamation**
Department Review: [ ] Attorney_____ [ ] Community Development___ [ ] Finance _____ [ ] Fire Dept _____	[ ] Grants _____ [ ] Human Resources_____ [ ] Information Technology ____ [ ] Library _____ [ ] Marina _____	[ ] PBSO _____ [ ] Public Works_____ [ ] Recreation _____ [ ] Town Clerk _____ [ ] Town Manager _____
Advertised: Date: _____ Paper: _____ **[x] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	**Yes I have notified everyone** **BMT** or Not applicable in this case _____ **Please initial one.**

Summary Explanation/Background:

Since 2010, Lieutenant Pedro L. Palenzuela has served as the Commanding Officer overseeing the operations of the Palm Beach County Sheriff's Office District 10 for the Town of Lake Park. Lieutenant Palenzuela has accepted another assignment, and the purpose of this agenda item is to honor him for his service on behalf of the Lake Park community.

PROCLAMATION
IN HONOR OF LIEUTENANT PEDRO L. PALENZUELA

WHEREAS; Pedro L. Palenzuela is a law enforcement officer with more than fourteen years of experience with the Palm Beach County Sheriff's Office; and

WHEREAS; Pedro L. Palenzuela is a graduate of Florida Atlantic University with a Bachelor's Degree in Public Administration and Nova Southeastern University with a Master's Degree in Public Management; and

WHEREAS; Pedro L. Palenzuela commenced his law enforcement career with the Palm Beach County Sheriff's Office in 1998 assigned to District 7 in Boca Raton, Florida, as a Road Patrol Deputy, where he served until 2001; and

WHEREAS; Pedro l. Palenzuela then served from 2001 to 2005 as a Financial Crimes Detective, and while serving in that capacity he was awarded the Unit Commendation for Good Conduct and Achievement in 2002; and

WHEREAS; in 2005 he achieved the rank of Sergeant assigned to Road Patrol, Parks and Media Relations; and

WHEREAS; Pedro L. Palenzuela attained the rank of Lieutenant in 2009 and served as a Watch Commander, and in 2010 he was appointed as the Commanding Officer overseeing the operations of Palm Beach County Sheriff's District 10 in the Town of Lake Park; and

WHEREAS; through such service, Pedro L. Palenzuela has sought to foster and maintain strong partnerships within the community and improve the quality of life of the citizens of the Town of Lake Park; and

WHEREAS; the Commission of the Town of Lake Park wishes to publicly recognize Pedro L. Palenzuela for his service to this community and honor him for his achievement.

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend Lieutenant Pedro L. Palenzuela and express our gratitude for the services which he has rendered to this community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 1st day of August, 2012.

By: _____
Mayor James DuBois

ATTEST:

_____
Vivian Mendez Lemley, Town Clerk

TAB 2

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 1, 2012 **Agenda Item No.** Tab 2

[ ] PUBLIC HEARING
[ ] ORDINANCE ON FIRST READING
[ ] ORDINANCE ON SECOND READING
[ ] PRESENTATION/PROCLAMATION
[ ] Other:

[ ] RESOLUTION
[x] DISCUSSION/POSSIBLE ACTION
[ ] BID/RFP AWARD
[ ] CONSENT AGENDA

SUBJECT: **Request by the American Cancer Society to Hold the 2013 Relay for Life at Lake Shore Park**

RECOMMENDED MOTION/ACTION: **Approval**

Approved by Town Manager _____ **Date:** 7/25/12

Name/Title Human Resources Director

7/24/12
Date of Actual Submittal

Originating Department: **Human Resources**	**Costs: $ -0-** Funding Source: Acct. #	**Attachments:** **None**
Department Review: [ ] Attorney_____ [ ] Community Development___ [ ] Finance _____ [ ] Fire Dept _____	[ ] Grants _____ [ ] Human Resources_____ [ ] Information Technology ____ [ ] Library _____ [ ] Marina _____	[ ] PBSO _____ [ ] Public Works_____ [ ] Recreation _____ [ ] Town Clerk _____ [ ] Town Manager _____
Advertised: Date: _____ Paper: _____ **[x] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	**Yes I have notified everyone** **BMT** or Not applicable in this case _____ **Please initial one.**

Summary Explanation/Background:

The purpose of this agenda item is to advise the Commission of the 2013 American Cancer Society Relay for Life, and to request approval for holding this event at Lake Shore Park on April 27 and 28, 2013.

In April of 2009, the Town of Lake Park participated in the Riviera Beach Lake Park American Cancer Society Relay for Life. In May of 2010, the Town of Lake Park participated in the Singer Island Lake Park Relay for Life. In May of 2011 and in April of 2012, the Town of Lake Park hosted the Relay for Life of Lake Park both of which took place at Lake Shore Park. If approved, the 2013 Relay for Life of Lake Park will constitute the third consecutive year that the Town will have hosted this event.

The American Cancer Society is a nationwide, community-based, voluntary organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing the effects of this horrible disease. It is a 501(c)(3) tax exempt organization and only 7.2 percent of its funds raised goes towards administrative expenses. The balance of its funds is used for research, education, advocacy and service in the fight against cancer. Since 1946, the American Cancer Society has raised $3.6 billion and has funded 46 Nobel Prize Winners in the field of cancer research.

Ordinance on Second Reading

TAB 3

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 1, 2012 **Agenda Item No.** Tab 3

[X]	**PUBLIC HEARING**	[ ]	RESOLUTION
[ ]	ORDINANCE ON FIRST READING	[ ]	DISCUSSION/POSSIBLE ACTION
[X]	**ORDINANCE ON SECOND READING**	[ ]	BID/RFP AWARD
[ ]	PRESENTATION/PROCLAMATION	[ ]	CONSENT AGENDA
[ ]	Other:		

SUBJECT: **Text Amendment to the Campus Light Industrial and Commercial (CLIC-1) Zoning District - To expand the permitted area for educational facilities and requiring that these uses be approved as a Conditional Use.**

RECOMMENDED MOTION/ACTION: **APPROVAL WITH CONDITIONS.**

Approved by Town Manager DSS **Date:** 7/26/12

Name/Title: **Nadia Di Tommaso,** ***Community Development Director*** Date of Actual Submittal **07/23/2012**

Originating Department: Community Development	Costs: **Legal Ad $165.12** Funding Source: **Project Cost Recovery.** Acct. **# 4552**	**Attachments:** **→Staff Report** **→Ordinance 09-2012** **→Legal Ad** **→Applicant application**
Department Review: [X] Attorney **TJB** [X]Community Development ND [X] Finance DR [ ] Fire Dept	[ ] Grants [ ] Human Resources [ ] Information Technology [ ] Library [ ] Marina	[ ] PBSO [ ] Public Works [ ] Recreation [ ] Town Clerk [ ] Town Manager
Advertised: Date: **7/22/12** Paper: **Palm Beach Post** [✓] Other. Town Calendar and bulletin board.	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone – or Not applicable in this case **Please initial one.** ***ND***

Please refer to the Staff Report.

Town of Lake Park
Community Development Department

Nadia Di Tommaso, *Community Development Director*

Meeting Date: August 1, 2012
Staff Report Date: July 6, 2012, updated July 23, 2012

To: TOWN COMMISSION

Re: TEXT AMENDMENT - Amending the permitted use language in Section 78-75 (2)(C)(4) of the Town of Lake Park Code of Ordinances

Applicant: Community Learning Outreach Center, LLC
Location: **Campus Light Industrial and Commercial (CLIC) – Zoning District Text Amendment**

PLANNING & ZONING RECOMMENDATION – JULY 2, 2012: Approval based on a 5-0 vote.

TOWN COMMISSION 1st READING MOTION – JULY 18, 2012: Approval 5-0, with a condition to eliminate the term "training centers".

SUMMARY

The Applicant, Community Learning Outreach Center, LLC ("Applicant") is proposing to develop an educational facility on a parcel of property located within the CLIC zoning district. The Town of Lake Park Code of Ordinances (the Code), section 78-75(2)(c)(4) allows educational facilities and schools in the CLIC zoning district, but only along parcels which front the ultimate right-of-way of Park Avenue as extended. The Applicant met with staff to discuss an amendment to this section of the Code so that it may develop the property for its educational facility. The Applicant proposes a text amendment to this section of the Code as shown below (*proposed language is Bold and Underlined*):

78-75 (2)(c)(4)

PROPOSED TEXT AMENDMENT.

c.

The following uses are permitted on parcels which front on the ultimate right-of-way of Park Avenue as extended:

4.

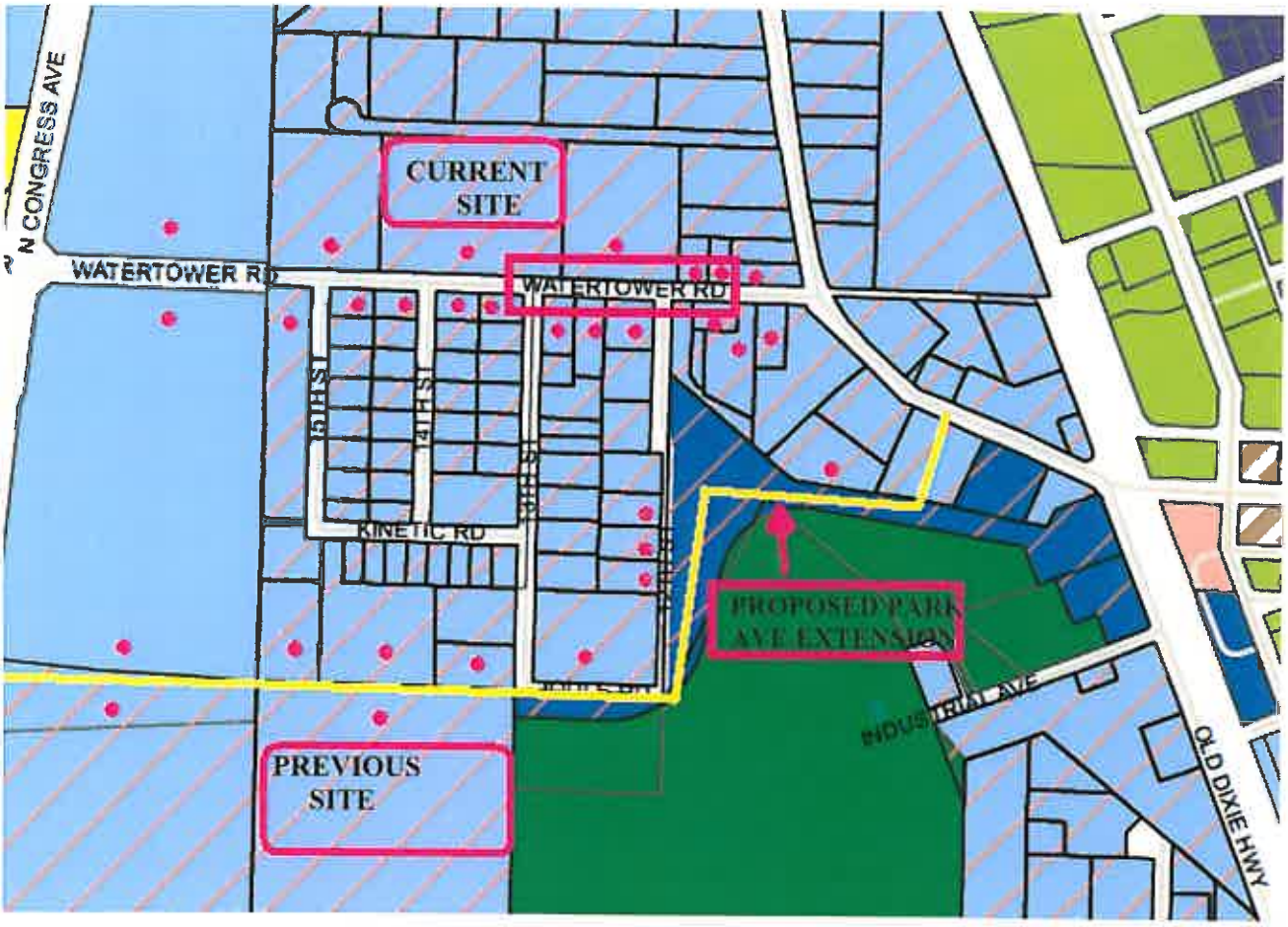
Educational facilities and schools. **Shall also be permitted along parcels which front the ultimate right-of-way of Watertower Road. Conditional use approval is required by the Town Commission.**

Staff reviewed the request to amend the permitted use language using the following criteria:

(1) Compatibility with underlying land use designation
(2) Economic impacts
(3) Compatibility with BioScience Research Protection Overlay

ANALYSIS:

The underlying land use designation remains the same for parcels fronting the ultimate right-of-way of Park Avenue as extended, as well as for parcels fronting Watertower Road as shown on the following excerpt from the Town of Lake Park Future Land Use Map. The dotted areas below represent the parcels fronting Park Avenue as extended, as well as Watertower Road:



The land use designation is Commercial/Light Industrial and the Future Land Use Element in the Town's Comprehensive Plan designates commercial uses as compatible with this land use. Furthermore, the Comprehensive plan also states that the permitted uses are those uses specifically outlined in the Town's Zoning Code.

The text amendment is also requesting that the proposed use be approved as a conditional use by the Town Commission. By providing for a conditional use stipulation, the educational facilities and schools would be subject to Town Commission approval with conditions that are specific to the project and are in the best interest of the Town. By definition, a *Conditional Use* is a use that is generally compatible with the other uses permitted in the district, but which requires individual review as to its location, design, configuration, intensity and/or density of use, buildings and structures, *and may require the imposition of conditions in order to ensure the appropriateness of the use at a particular location*. The conditional use review process can also include discussions on ad valorem taxes and preserving the existing tax base in order to abide by Policy 1.5 of the Town's Comprehensive Plan which states the Town shall encourage development and redevelopment activities which will substantially increase the tax base.

Staff engaged in several discussions with the Property Appraiser's Office. It seems charter schools are growing in demand given the recent funding mechanisms available and the overall community needs. Staff has been advised that a charter school is eligible for a tax exemption. Currently, the parcel lies vacant and has a market value of $ 1,219,244, generating $ 32,525 in ad valorem taxes. Depending on the market value after the Phase I and Phase II improvements, this amount can rise to approximately $50,000, if the new market value is approximately $ 1.7 million, to as much as $ 66,000 in taxes if the taxable value is approaching $ 2 million, or even $ 132,000 in taxes if the taxable value approaches $ 4 million (will vary slightly depending on the millage rate). The Property Appraiser's office explained that there are certain partial or full exemptions that are available to charter schools, although they must be applied for and if they are, a full exemption would mean the Town can only collect the non-Ad Valorem assessments: Garbage, Stormwater and Solid Waste Authority of Palm Beach County. The non ad-valorem would be minimal and may range from $ 3,000 - $ 5,000 as determined by the municipality.

For the purposes of this request, the Applicant has agreed to a payment in lieu of taxes as well as a deed restriction, as a condition of approval for their Phase I and eventual Phase II site plan approval. Phase I site plan approval was presented separately and approved with a 5-0 vote at the July 18, 2012 Town Commission meeting. The Town will require a case-by-case review for applications proposing educational facilities and schools which are tax-exempt.

Finally, the proposed site is also located within the BioScience Overlay, as noted in the hatched area on the zoning map above. This text amendment is directly linked to the BioScience Overlay as it is proposing to increase the available parcels for educational facility use. The BioScience Overlay was created on the basis of incorporating science, technology and engineering-related educational uses within the Overlay to promote BioScience in its various capacities. The proposal to increase the available land area for the creation of educational uses retains the intent of the Overlay and is consistent with the Interlocal Agreement between the Town, Palm Beach County and the other northern county municipalities which comprise the BioScience Land Protection Advisory Board (the Board). The Town presented the Applicant's proposed text amendment along with the Phase I site plan application to the Board on May 17, 2012 and the Board voted unanimously to support the Applicant's proposal.

CONCLUSION: Staff recommends **APPROVAL** of the text amendment to Section 78-75(2)(c)(4).

ORDINANCE NO. 09-2012

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-75(2)(C)(4) OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "CLIC-1 CAMPUS LIGHT INDUSTRIAL / COMMERCIAL DISTRICT" TO ADD EDUCATION FACILITIES AND SCHOOLS AS A PERMITTED USE ALONG THE ULTIMATE RIGHT OF WAY OF WATERTOWER ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to land development and zoning, which have been codified in Chapter 78 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, the Town's Community Development Department has recommended to the Town Commission that Section 78-75(2)(C)(4) of Chapter 78 of the Code, pertaining to the CLIC-1 zoning district, be amended; and

WHEREAS, the Town's Planning and Zoning Board has reviewed the proposed amendments to the Town Code and has provided its recommendations to the Town Commission; and

WHEREAS, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 78, Article III, Section 78-75(2)(C)(4) is hereby amended to read as follows:

Sec. 78-75. CLIC-1 Campus light industrial/commercial district.

(2) Uses permitted. Within the CLIC- zoning district, no building, structure or land or water use shall be permitted and no building shall be erected, structurally altered or enlarged, except for the following uses:

c. The following uses are permitted on parcels which front on the ultimate right-of way of Park Avenue as extended:

1. Retail and commercial stores and shops.
2. Mixed-use projects which include a residential component and at least two other types of land use, such as retail stores and studios.
3. Residential multifamily to a density of 15.78 units per acre.
4. Education facilities and schools. Shall also be permitted along parcels which front the ultimate right-of-way of Watertower Road. Conditional use approval is required by the Town Commission.

Section 3. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. **Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. **Codification**. The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Section 6. **Effective Date**. This Ordinance shall take effect immediately upon adoption.

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter **Ordinance 09-2012** was published in said newspaper in the issues of **July 22, 2012**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.

NO. 6819365
LEGAL NOTICE OF
PROPOSED ORDINANCE
TOWN OF LAKE PARK

Please take notice that on Wednesday, August 1, 2012 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

Ordinance No. 09-2012

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-252(C)(4) OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "CLIC-1 CAMPUS LIGHT INDUSTRIAL / COMMERCIAL DISTRICT" TO ADD EDUCATION FACILITIES AS A PERMITTED USE ALONG THE ULTIMATE RIGHT OF WAY OF WATERTOWER ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez Lemley, Town Clerk at 561-881-3311.

Vivian Mendez Lemley, Town Clerk
Town of Lake Park, Florida
PUB: The Palm Beach Post
July 22, 2012

Sworn to and subscribed before 23rd day of July, A.D. 2012.
Who is personally known to me.

NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
Commission #DD832672
Expires: NOV. 15, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

Community
MAY 07 2012
Development

APPLICATION FOR TEXT AMENDMENT
TOWN OF LAKE PARK
Department of Planning and Zoning
535 Park Avenue, Lake Park, Fl. 33403
Phone. (561) 881-3318 Fax (561) 881-3323

Check all that apply ☒ Town Code/Zoning Code ☐ Comprehensive Plan

General Information

General description of request (include name of project or development Community Facility

Applicant Information

Applicant, if other than owner(s) Community Learning Outreach Center

Address 1617 Silver Beach Road City Riviera Beach State FL Zip 33404
Phone (561) 844-2173 Fax (561) 844-2177 E-mail vince.kendrick@live.com
☒ Check here if applicant is contract purchaser. Written consent is required from the property owner if a contract is pending to purchase the property

Agent Information

A statement of authority is required. All correspondence, invoices and refunds will be addressed to the agent

Agent Vince Kendrick Name of Fire
Address 1617 Silver Beach Road City Riviera Beach State FL Zip 33404
Phone (561) 844-2173 Fax (561) 844-2177 E-Mail vince.kendrick@live.com

Required Information

Two (2) Copies of this application and each of the following shall be provided in sets.

Specific code section or comprehensive plan policy proposed for amendment Section 78-75, Subsection (2)(c)

Proposed wording of amended text. Attach additional sheets if necessary. The following uses are permitted on parcels which front on the ultimate [illegible] of Park Avenue * and Water Tower Road as extended", including training facilities. Approved * add underlined "and Water Tower Road" as conditional use requiring Town Commission approval.

Required Information (Continued)

Reason/justification for amended text Where applicable, this section should include a discussion of how the proposed amendment is consistent with the Comprehensive Plan Attach additional sheets if necessary

The parcel on the north side of Water Tower Road between 13th & 14th Street Parcel Control Number 36-43-42-20-26-001-0000, Comprising 6.22 Acres is proposed to be developed for an educational facility that is consistent with Section 78-75(2)(c). The educational facility is My Choice Academy, a charter school that received approval November 22, 2011 from the Palm Beach County School District.

My Choice Academy Charter School will have a Core Curriculum and a Science, Technology, Engineering, and Mathematics (STEM) curriculum

Required Signatures

My signature on this document affirms that I understand and have complied with the provisions and regulations of the Code of the Town of Lake Park, Florida I further certify that all the information contained in this application and all documentation submitted herewith is true to the best of my knowledge and belief Further, I understand that the application, attachments and review fees become part of the official records of the Town of Lake Park and are not returnable

[signature]	Vince Kendrick	4/30/12
Signature(s) of applicants(s)	Print Name(s)	Date
Signature of Agent	Print Name(s)	Date
Signature(s) of property owner(s) required (if statement of authority is not attached)	Print Name(s)	Date

Resolution

TAB 4

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **August 1, 2012** **Agenda Item No.** Tab 4

[ ]	PUBLIC HEARING	[X]	**RESOLUTION**
[ ]	ORDINANCE ON FIRST READING	[ ]	DISCUSSION/POSSIBLE ACTION
[ ]	ORDINANCE ON SECOND READING	[ ]	BID/RFP AWARD
[ ]	PRESENTATION/PROCLAMATION	[ ]	CONSENT AGENDA
[ ]	Other:		

SUBJECT: **Palm Beach County League Supporting the County's Allocation of the $12.50 Funds to Enhance Municipal Intergovernmental Communications Plan**

RECOMMENDED MOTION/ACTION: **Approval**

Approved by Town Manager _____ **Date:** 7/13/12

Vivian Lemy
Name/Title

July 11, 2012
Date of Actual Submittal

Originating Department: **Town Clerk**	Costs: $ 0.00 Funding Source: Acct. #	**Attachments:** **Palm Beach County E-mail**
Department Review: [ ] Attorney_____ [ ] Community Development___ [ ] Finance _____ [ ] Fire Dept _____	[ ] Grants _____ [ ] Human Resources_____ [ ] Information Technology ____ [ ] Library _____ [ ] Marina _____	[ ] PBSO _____ [ ] Public Works_____ [ ] Recreation _____ **[X] Town Clerk** VM [ ] Town Manager _____
Advertised: Date: _____ Paper: _____ **[X] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case VM **Please initial one.**

Summary Explanation/Background: **On June 27, 2012 the Board of Directors of the Palm Beach County League of Cities unanimously approved creating a resolution (2012-01),**

"strongly supporting the County's continued allocation of the $12.50 funds to the Municipalities pursuant to county resolution No. R-2002-0192, which serves to enhance the County's intergovernmental communications plan; and strongly supporting the disbursement of the $12.50 funds to cover expenses for all Municipalities that have radio systems that are functionally interoperable with the county's radio system without arbitrary distinctions being made".

The Board of Directors requests that each city adopt the resolution or a similar one in support of the League's position on this very important issue which is critical to the continued safety and well being of all citizens. The adopted resolutions will be forwarded to Palm Beach County prior to August 21,2012, when the Board of County Commissioners will consider this matter.

Vivian Lemley

From: Janet Perry
Sent: Monday, July 09, 2012 8:17 AM
To: Dale Sugerman
Cc: Vivian Lemley
Subject: FW: $12.50 Funds Resolution
Attachments: $12 50 Funds-Resolution (Individual City).doc

FYI

Janet Perry
Administrative Assistant
to the Town Manager
TOWN OF LAKE PARK
535 Park Avenue
Lake Park, FL 33403
561-881-3304
561-881-3314 (fax)
www.lakeparkflorida.gov

** Please note: Florida has a very broad public records law. Written communication regarding Town business are public records available to the public upon request. Your e-mail communications are therefore subject to public disclosure. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entry, instead contact this office by phone. Section 668.6076, F.S.*

From: Richard Radcliffe C. [mailto:RRadcliffe@pbcgov.org]
Sent: Friday, July 06, 2012 2:19 PM
To: Jeriise Hansen
Cc: Kristen Puhalainen
Subject: $12.50 Funds Resolution

Dear League Member,

On June 27th the Board of Directors of the Palm Beach County League of Cities unanimously approved creating a resolution (2012-01), "strongly supporting the County's continued allocation of the $12.50 funds to the Municipalities pursuant to county resolution No. R-2002-0192, which serves to enhance the County's intergovernmental communications plan; and strongly supporting the disbursement of the $12.50 funds to cover expenses for all Municipalities that have radio systems that are functionally interoperable with the county's radio system without arbitrary distinctions being made".

The Board of Directors requests that each city adopt the resolution or a similar one in support of the League's position on this very important issue which is critical to the continued safety and well being of all citizens. The resolutions should be forwarded to Palm Beach County after adoption and prior to August 21, when the Board of County Commissioners will consider this matter. A sample resolution is included for your convenience.

If you have any questions or comments please don't hesitate to call.
Have a great weekend,

Richard

Richard C. Radcliffe
Executive Director
rradcliffe@pbcgov.org
The Palm Beach County League of Cities, Inc.
P.O. Box 1989, Governmental Center
West Palm Beach, Florida 33402
Tel. 561-355-4484; Fax 355-6545
www.leagueofcities.org

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

RESOLUTION NO. 18-08-12

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, STRONGLY SUPPORTING THE COUNTY'S CONTINUED ALLOCATION OF THE $12.50 FUNDS TO THE MUNICIPALITIES PURSUANT TO COUNTY RESOLUTION NO. R-2002-0192, WHICH SERVES TO ENHANCE THE COUNTY'S INTERGOVERNMENTAL COMMUNICATIONS PLAN; AND STRONGLY SUPPORTING THE COUNTY'S DISBURSEMENT OF THE $12.50 FUNDS TO COVER EXPENSES FOR ALL MUNICIPALITIES THAT HAVE RADIO SYSTEMS THAT ARE FUNCTIONALLY INTEROPERABLE WITH THE COUNTY'S RADIO SYSTEM WITHOUT ARBITRARY DISTINCTIONS BEING MADE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 318.21(9), *Florida Statutes*, authorizes Palm Beach County to receive twelve dollars and fifty cents (the "$12.50 Funds") from each moving traffic violation written by municipal law enforcement officers under limited circumstances in order to fund the county's participation in an intergovernmental radio communication program approved by the State Department of Management Services; otherwise those monies must be distributed to the municipality in which the violations occurred; and

WHEREAS, the intent and spirit of Section 318.21(9), *Florida Statutes*, is for the $12.50 Funds to be used to create and maintain interoperability of agencies within a countywide intergovernmental radio communications program which includes all municipalities; and

WHEREAS, on February 5, 2002, the Board of County Commissioners adopted Resolution No. R-2002-0192, which allocated the $12.50 Funds generated by the municipal law enforcement officers to the municipalities in order to encourage the interoperability of municipal communications systems with the countywide public safety communications system and to enhance the Palm Beach County's Intergovernmental Radio Communications Plan; and

WHEREAS, the municipalities in Palm Beach County have been working diligently to build and enhance their own communications systems to become interoperable with that of Palm Beach County; and

WHEREAS, this program has resulted in all municipalities being interoperable with Palm Beach County's system; and

WHEREAS, the Town of Lake Park has learned that County Staff intends to recommend that the Board of County Commissioners rescind County Resolution R-2002-0192, terminate all future disbursements of the municipal $12.50 Funds to the municipalities and sweep all

remaining balances currently in the "Municipal Org" to the "County Org" so that those moneys will no longer be available to municipalities for their communications systems even though several municipalities have considerable sums of money in their allocation column and have relied on those funds in constructing extensive communication systems to connect with that of Palm Beach County; and

WHEREAS, the Town of Lake Park has also learned that County Staff is refusing to disburse $12.50 Funds to municipalities that have chosen to utilize the Municipal Public Safety Communication Consortium's (the "MPSCC") system to become interoperable with Palm Beach County's system, which include but are not limited to the Town of Jupiter, the City of Palm Beach Gardens and the City of Atlantis, even though the MPSCC's system enables those municipalities to be interoperable with Palm Beach County's radio system; and

WHEREAS, the continuation of this program has been endorsed by the Criminal Justice Commission and the Palm Beach County Association of Chiefs of Police and is proposed to be endorsed by the Law Enforcement Planning Council on August 2, 2012, indicating the recognition by those agencies that the $12.50 Fund allocation is necessary for the maintenance and enhancements of the countywide communications system to provide for the well being of all citizens of Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, THAT:

SECTION 1: The Town of Lake Park strongly supports the continued allocation of the $12.50 Funds to all municipalities pursuant to Resolution No. 2002-0192. Such continued allocation is essential to maintaining the interoperability of all municipal communications systems with the countywide public safety communications system. Such continued allocation further enhances participation in the Palm Beach County Intergovernmental Communications Plan. Therefore, the Town of Lake Park strongly requests that the Board of County Commissioners deny any requests to rescind Resolution No. 2002-0192 and/or to terminate the $12.50 Funds allocation program.

SECTION 2: The Town of Lake Park strongly supports the County's approval of requests for reimbursement from the $12.50 Funds made by all municipalities including those

utilizing the MPSCC system to become interoperable with Palm Beach County's system, which include, but are not limited to, the Town of Jupiter, the City of Palm Beach Gardens and the City of Atlantis. All municipal radio systems are functionally interoperable with Palm Beach County's radio system and the Town of Lake Park believes that County Staff has rejected certain requests for disbursement based on arbitrary and unsupported distinctions.

SECTION 3: The Town Commission of the Town of Lake Park, Florida, believes the $12.50 allocation is necessary for the maintenance and enhancements of the countywide communications system to provide for the well being of all citizens of Palm Beach County.

SECTION 4: This Town Commission directs the Town Clerk to transmit the executed Resolution to each of the Palm Beach County Commissioners, and to County Administrator Robert Weisman, at Palm Beach County Governmental Center, 301 North Olive Avenue, Suite 1101, West Palm Beach, FL 33401, prior to August 21, 2012, when the Board of County Commissioners will consider this matter.

SECTION 5: This resolution shall become effective immediately upon its adoption.

Discussion And Possible Action

TAB 5

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 1, 2012 **Agenda Item No.** Tab 5

[ ]	PUBLIC HEARING	[ ]	RESOLUTION
[ ]	ORDINANCE ON FIRST READING	**[X]**	**DISCUSSION/POSSIBLE ACTION**
[ ]	ORDINANCE ON SECOND READING	[ ]	BID/RFP AWARD
[ ]	PRESENTATION/PROCLAMATION	[ ]	CONSENT AGENDA

SUBJECT: Final Payment to Simmons & White for Engineering Services Associated with the Downtown Alleyway Improvements, Paving, Drainage, Lighting.

RECOMMENDED MOTION/ACTION: Approve Final Payment to Simmons & White in the Amount of $4,538.74.

Approved by Town Manager _____ **Date:** 7/25/12

Richard Pittman/CRA Project Manager
Name/Title

July 25, 2012
Date of Actual Submittal

Originating Department: Public Works	**Costs: $4,538.74** **Funding Source: Acct. No. 402-63100, Seacoast National Bank Loan.**	**Attachments:** **Agenda Item Oct. 19, 2011** **Simmons & White Proposal** **Attachment "A"** **March 7, 2012 Correspondence** **April 4 & May 2 Correspondence** **July 18 Correspondence-Final**
Department Review: [ ] Attorney_____ [ ] Community Development___ [X] Finance _____ [ ] Fire Dept _____	[ ] Grants _____ [ ] Human Resources_____ [ ] Information Technology ____ [ ] Library _____ [ ] Marina _____	[ ] PBSO _____ [ ] Public Works_____ [ ] Recreation _____ [ ] Town Clerk _____ [ ] Town Manager _____
Advertised: Date: _____ Paper: _____ **[X] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case ____ **Please Initial one.**

Summary Explanation/Background: The Town Commission is being asked to approve an additional $4,538.74 for services performed by Simmons & White associated with construction phase services for the Downtown Alleyway Improvements, 7th to 8th Streets. Payments made to date total $4,025.90.

On October 19, 2011 the Town Commission approved a construction contract with Rosso Paving and Drainage to construct Downtown Alleyway Improvements, Paving, Drainage, & Lighting, 7th to 8th Streets. The agenda item identified $4,050.00 for Simmons & White and their electrical consultant to perform construction phase services ($3,500 + $550).

On July 18, 2012 the Town Commission was advised that the Downtown Alleyway Improvement project, 7th to 8th Streets exceeded the original construction contract amount by $27,949.20. The agenda item identified adjustments in the work required to complete the project.

Simmons & White originally detailed their construction phase services in their design proposal dated February 9, 2011 (see Attachment "A"). During the construction Simmons and White were asked to be involved with the following tasks not described in Attachment "A":

None-Issues Requiring Additional Services:

1. Pre-Construction coordinate with Seacoast Utilities regarding their requirements and inspection during construction.
2. Respond to a contractor issued RFI associated with the air release vent for the exfiltration trench.
3. Measure quantities in the field.

Construction Plan/Quantity Issues Addressed During Construction:

4. Respond to a quantity take-off error associated with fence quantities.
5. Review and comment on a concern associated with the elevation difference between the ground level of the Community Garden property and the asphalt parking area adjacent to the Community Garden entrance. This condition remains and the Town should consider this condition as a design oversight.
6. Observe conditions and participate in decision and cost estimate to reconstruct the west end of the alley not originally designated for reconstruction. Simmons & White regards this as an unforeseen condition.
7. Observe an area prior to the contractor claiming an extra for asphalt build-up.
8. Review and comment on a Contractor and Town concern of x-slopes at the high point of the alley being shallower than shown on the construction plans. The design presented a construction challenge.
9. Review, respond and negotiate contractor provided information as justification for increase in quantities, recalculation of quantities, and determination of limits and scope of work for individual line items. This item became a major and complicated issue as field measurements and the bid quantities differed.
10. Provide opinion on contractor's request for compensation of asphalt and base removal where dumpster enclosures were constructed. Engineer's plans and specifications lacked clarity for compensation for construction of the concrete slabs at the dumpster enclosures.

Simmons & White claim a total of $9,830.80 in construction phase services. The fees were contested resulting in a reduction of $1,266.16. The final engineering consultant fees associated with the construction phase of the project will be $8,564.64. The Town has paid to date $4,025.90. The final payment will be $4,538.74.

The payment will be made from the Seacoast National Bank Loan, account 402-63100. The loan balance after the payment will be sufficient to complete the final phase of the project which is irrigation and landscaping. The bids for the irrigation and landscaping are due August 15th.

Recommendation:

Approve final payment to Simmons & White in the amount of $4,538.74 for engineering services associated with the Downtown Alleyway Improvements, 7th to 8th Streets.

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **October 19, 2011** **Agenda Item No.** Tab 18

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] ORDINANCE ON FIRST READING [ ] DISCUSSION/POSSIBLE ACTION

[ ] ORDINANCE ON SECOND READING [X] **BID/RFP AWARD**

[ ] PRESENTATION/PROCLAMATION [X] **CONSENT AGENDA**

SUBJECT: **Award of Bid of Downtown Alleyway Improvements, 7th to 8th Street, Drainage, Paving & Lighting, Town Bid No. 106-2011, to Rosso Paving & Drainage, Inc. in the amount of $269,457.15.**

RECOMMENDED MOTION/ACTION: **Approve**

Approved by Town Manager Duane M. Castello for M. Davis **Date:** 10/13/11

Richard Pittman/CRA Project Manager
Name/Title

October 12, 2011
Date of Actual Submittal

Originating Department: Administration	**Costs: $ 269,457.15** Funding Source: **Acct. # 402-63100**	**Attachments:** **Bid Tabulation** **Project Advertisement** **Contract Bid Documents**
Department Review: [ ] Attorney_____ [ ] Community Development___ [ ] Finance _____ [ ] Fire Dept _____	[ ] Grants _____ [ ] Human Resources_____ [ ] Information Technology ____ [ ] Library _____ [ ] Marina _____	[ ] PBSO _____ [ ] Public Works_____ [ ] Recreation _____ [ ] Town Clerk _____ [ ] Town Manager _____
Advertised: **Date: June 26, 2011** **Paper:Palm Beach Post** [ ] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case **RP** RP **Please initial one.**

Summary Explanation/Background: Approximately two and one half years ago the Downtown alleyways were under construction to accomplish drainage, paving, dumpster enclosure construction and landscaping improvements. The alleyway south of Park Avenue between 7th and 8th Streets was omitted from the project due to pending property acquisition and demolition of apartment buildings adjacent to the alley. The vacant properties adjacent to the alley are now being used as a community garden.

On June 26, 2011 the Town advertised for bid a project to construct paving, drainage and lighting improvements including dumpster enclosures. A copy of this advertisement is attached. Fourteen bid packages were issued through the Town Clerk's office. Bids were opened on August 2, 2011

with five bids having been received. Rosso Paving & Drainage submitted the lowest responsive bid in the amount of $269,457.15 (see attached bid tabulation).

The alleyway between 7th and 8th Streets has major problems with standing water days after a rainfall event. The Downtown Alleyway Improvements 7th to 8th Streets will widen the pavement width, recontour and resurface the alley from four feet north of the south right-of-way to the buildings on the north side of the alley. A concrete valley gutter will be constructed the length of the alley to aid in drainage flow and eliminate ponding of storm water. Two storm water catch basins will be installed along with 56 feet of drainage pipe and exfiltration trench. The construction of six dumpster enclosures and installation of 13 decorative LED light fixtures on decorative concrete poles are included in the construction. Landscaping and irrigation is not included in the contract and will be accomplished through a separately solicited bid. The contract allows 90 calendar days for completion. This drainage, paving, lighting project is expected to be complete in February, 2012 at which time the landscaping and irrigation installation contractor would commence work.

Simmons & White Engineers prepared the design and construction drawings at a cost of $20,080. The remaining alley improvement project construction totals $340,452.87 which includes construction plus a ten percent contingency ($296,402.87), construction phase services performed by Simmons & White ($4,050.00) and landscaping/irrigation budgeted at $40,000. Sanitation will fund $32,500 for the cost of the dumpster enclosures. The loan issuance cost is $19,750. The storm water utility will fund the remaining $327,702.87. These amounts are itemized below:

Bid Submitted By Rosso Paving & Drainage	$269,457.15	
10% Construction Contingency	26,945.72	
Subtotal	$296,402.87	$296,402.87
Budget For Landscaping & Irrigation	$ 40,000.00	
Consultant Construction Phase Services	4,050.00	
Subtotal	$ 44,050.00	$ 44,050.00

TOTAL ESTIMATED CONSTRUCTION COST W/ CONTINGENCY	**$340,452.87**
LESS CONTRIBUTION BY SANITATION FUND FOR DUMPSTER ENCLOSURES	($ 32,500.00)
LOAN ISSUANCE COST	19,750.00
ESTIMATED TOTAL FUNDING BY STORM WATER UTILITY	**$327,702.87**

Rosso Paving & Drainage, Inc. has been in business for more than twenty-five years. The business is located in West Palm Beach, Florida. The company has years of experience in performing municipal projects. Award of the Downtown Alleyway Improvement project to Rosso Paving & Drainage, Inc. is recommended.

SIMMONS WHITE

ENGINEERING | PLANNING | CONSULTING | SINCE 1982

February 9, 2011

Town of Lake Park
535 Park Avenue
Lake Park, Florida 33403

Attention: Ms. Maria Davis
Town Manager

Reference: PROPOSAL FOR ENGINEERING DESIGN SERVICES
DOWNTOWN ALLEY IMPROVEMENTS
7TH STREET TO 8TH STREET
Town of Lake Park, Florida

Dear Ms. Davis:

We are pleased to submit the following proposal for professional services in connection with the site improvement of the above referenced alley located on the south side of Park Avenue between 7th and 8th Street in the Town of Lake Park, Florida. Simmons & White, Inc., hereinafter referred to as the Consultant, proposes to furnish professional services for Town of Lake Park, hereinafter referred to as the Client of the scope outlined below for the fees stipulated herein.

Scope of Services

The Consultant will perform the following:

1. Coordinate with Surveyor to obtain detailed field survey of existing alley improvements and elevations (see attached proposal from Lidberg Land Surveying in the amount of $2,550.00).

2. Based on the final Survey, prepare preliminary layout/conceptual plan for alley design including layout of parking spaces, dumpsters, landscape islands and proposed curbing, valley gutters and drainage. Submit to the Town of Lake Park for review and comments. Incorporate comments and prepare finalized Conceptual Engineering Plan/Base Plan for the preparation of final Engineering Plans.

Simmons & White, Inc.
5601 Corporate Way Suite 200 West Palm Beach Florida 33407
T: 561.478.7848 F: 561.478.3738 www.simmonsandwhite.com
Certificate of Authorization Number 3452

Items to be Furnished by the Client at No Expense to the Consultant

Assist the Consultant by placing at his disposal all available pertinent information relative to the project.

Furnish at no cost to the Consultant:

1. All permit application and governmental fees.

2. Construction testing.

3. All surveying not specifically identified in the Scope of Services such as but not limited to soft –dig as-builts, if required.

4. "Soft-dig" report showing horizontal and vertical location of existing utilities within off-site utility routed and connection locations, if required.

5. Any groundwater modeling and/or analysis required for water use and/or de-watering permitting with South Florida Water Management District (not anticipated to be required).

6. Complete landscape and irrigation plans, showing landscape and irrigation details.

   NOTE: These items are anticipated to be required following the completion of the Conceptual Engineering Plan and Engineering Drawings and may be provided by Town staff via the design-build process.

7. Details regarding required conduit locations for irrigation and utilities, etc. (if any). It is anticipated the Town will request a conduit for SUA water for backup irrigation if the Town well should be out of service.

In addition to the above, other special data, all of which the Consultant will rely upon in performing services.

It is agreed and understood that the accuracy and veracity of said information and data may be relied upon by the Engineer without independent verification of the same.

Int.

Time of Performance

The Scope of Services will be completed within a time frame to be mutually agreed upon except for delays beyond the control of the Consultant.

Fees to be Paid

The Consultant shall be paid a lump sum fee for the following Items in the Scope of Services:

Item 1	=	$2,550.00
Items 2 – 4	=	$14,000.00 (NOTE: This Item does not include services during construction outlined in Item 7 and budgeted at $3,500.00)
Item 5	=	$700.00
Item 6	=	$2,500.00 (plus $550.00 for contract administration/ services during construction following the design phase)
Item 7	=	Hourly Budget $3,500.00 (see below)

For Items 7 through 9, the Consultant shall be paid an hourly rate of $160 for Principal, $185 for Traffic Principal, $250 for Expert Testimony, $135 for Senior Engineer, $110 for Engineer, $100 for Senior Technician, $80 for Technician, $50 for Clerical, plus reimbursement for direct non-salary expenses including, but not limited to, automobile travel at $.60 per mile, long distance telephone, printing, postage, courier and reproduction. Any applicable Florida State Sales Tax will be added to the above amounts. We estimate the cost of Item 7 to be $3,500.00. It should be emphasized that this estimate is for budget purposes only and should not be considered a guaranteed amount. The above fees are subject to increase one year from the date of this proposal.

Payments shall be made upon monthly billing, payable within 21 days from the date of invoice. Any billing dispute or discrepancy shall be set forth in writing and delivered to Simmons & White, Inc. prior to the due date for payment. Any matter not set forth in writing and delivered prior to the due date shall be deemed waived and the invoice shall be deemed correct and due in full. Past due payments shall include interest from the date of invoice at a simple interest rate of 1-1/2 percent per month.

Int.

Fees to be Paid (Continued)

In the event any invoice or any portion thereof remains unpaid for more than forty-five (45) days following the invoice date, the Consultant may initiate legal proceedings to collect the same and recover, in addition to all amounts due and payable, including accrued interest, its reasonable attorney's fees and other expenses related to the proceeding. Such expenses shall include, but not be limited to the cost, determined by the Consultant's normal hourly billing rates, of the time devoted to such proceeding by its employees.

Construction Phase Services (See Attachment "A")

Services during construction will endeavor to provide protection for the Client against defects and deficiencies in the work of the Contractor. However, the furnishing of services during construction does not guarantee the work of the Contractor, nor assume liability on the part of the Contractor for job safety.

Estimates

Consultant's opinions of probable Construction Cost are to be made on the basis of Consultant's experience and qualifications and represent Consultant's best judgment as an experienced and qualified professional generally familiar with the construction industry. However, because the Consultant has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractor's methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by Consultant. If Client requires greater assurance as to probable Construction Cost, Client must employ an independent cost estimator.

Termination

This Agreement may be terminated by either party by giving three (3) days advance written notice. The Consultant shall be paid for services rendered to the date of termination on the basis of a reasonable estimate of the portion of services completed prior to termination and shall be paid for all reasonable expenses resulting from such termination and for any unpaid reimbursable expenses.

Initial

Acceptance

Acceptance of this proposal may be indicated by the signature of a duly authorized official of the Client in the space provided below. One signed copy of this proposal, along with Item 1 under "Items to be Furnished by the Client," returned to the Consultant will serve as an Agreement between the two parties and as Notice to Proceed. (By his signature, the Client certifies that he has sufficient funds reserved to pay for these professional services.) Should this proposal not be accepted within a period of 60 days from the above date, it shall become null and void.

Very truly yours,

SIMMONS & WHITE, INC.

Robert F. Rennebaum, P.E.
President

Accepted by:

Town of Lake Park

Signature: _____

Title: MANAGER

Date: 2/17/11

cc: Addressee
Sa/ja. x:/docs/proposals/prop davis7thstalley rev word

ATTACHMENT "A"

DESCRIPTION OF SERVICES DURING CONSTRUCTION

(Hourly Budget of $3,500.00 Not Included in Lump Sum Fees)

1. Attend pre-construction meetings.

2. Review shop drawings.

3. Observe storm sewer construction.

4. Observe on-site road/parking lot base construction, as required.

5. Observe on-site road/parking lot asphalt placement.

6. Conduct pre-agency final observation.

7. Conduct semi-final and final inspection with Town of Lake Park.

8. Conduct semi-final and final inspection with Seacoast Utility Authority (if required).

9. Provide additional construction observation: Consultant will make visits to the site at intervals appropriate to the various stages of construction to observe the progress and quality of the executed work and to determine, in general, if the work is proceeding in accordance with the Contract Documents. Consultant will not be required to make exhaustive or continuous on-site inspections to check the quality of the work. Consultant's efforts will be directed toward providing for Client a greater degree of confidence that the completed work will conform to the Contract Documents. On the basis of such visits and on-site observations as an experienced and qualified design professional, Consultant will keep Client informed of the progress of the work and will endeavor to guard Client against defects and deficiencies in the work. The furnishing of construction observation services does not guarantee the work of the Contractor, nor assume liability on the part of the Consultant for job safety. Consultant will have authority to disapprove or reject work which is defective.

10. Project Certifications: Upon the Contractor's completion of the required site improvements, Client's or Contractor's registered land surveyor will prepare record drawings. Upon approval of the construction, Engineer will submit record drawings together with letters of certification to the applicable governing agencies.

11. Review job progress with Client.

LIDBERG LAND SURVEYING, INC.
675 West Indiantown Road, Suite 200, Jupiter, Florida 33458
VOICE 561-746-8454 FAX 561-575-3735

Mr. Paul Buri, P.E.
Simmons and White, Inc.
5601 Corporate Way
Suite 200
West Palm Beach, Florida 33407

January 20, 2011

Dear Mr. Buri:

Re: **TOPOGRAPHIC SURVEY FOR ALLEY SOUTH OF PARK AVENUE AND BETWEEN 7TH AND 8TH STREETS, LAKE PARK, FLORIDA**

Lidberg Land Surveying, Inc. is pleased to have the opportunity to offer this proposal to provide our Professional Surveying and Mapping services on the above referenced project.

The Scope and Fees for Services to be provided is attached as **Exhibit A**. The complete scope of services is based upon the work being performed in accordance with the applicable codes and permitting requirements in force at the time of this agreement. All fees quoted in this agreement are for one time performance of the stated work and are applicable for one year from date of the agreement. At that time, fees are reviewed and adjusted accordingly. Any hourly charges or reimbursable costs shall be subject to the Hourly Rate Schedule attached as **Exhibit B** that is in effect at the time the services are performed.

If this proposal meets with your approval, please sign and return one copy to this office prior to commencement of work by Lidberg Land Surveying, Inc. Please do not hesitate to call me if you have any questions or concerns. We look forward to working with you on this project.

Sincerely,

LIDBERG LAND SURVEYING, INC.

By: David C. Lidberg, P.S.M.
President

enc.

Lidberg Land Surveying, Inc.
Exhibit "A"
Scope and Fees for Services

SCOPE OF SERVICES:

1.) Prepare a topographic route survey for a portion of the alley through Block 10, according to the Plat of Kelsey City as recorded in Plat Book 8, Page 37, Public Records of Palm Beach County, Florida. We will locate all improvements within alley and all adjacent buildings located on the lots to the south of the alley. We will also locate all pavement, fences, above ground utilities, etc. Cross sections of the alley will be taken at fifty foot intervals and will obtain the finish floor elevation for each building along with spot elevations along the building exterior. We will also obtain detailed elevations on the alley pavement in areas that appear to be holding water. All elevations will be referenced to National Geodetic Vertical Datum of 1929 (NGVD 29). Two permanent benchmarks will be established for the project. We will provide you with an AutoCAD Release 2008 digital base map at a mapping scale of 1"=20' and six signed and sealed prints.

The fee for this service will be hourly not to exceed **$2,550.00.**

This Proposal is accepted this _____ day of _____, 2011.

By: _____ Title: _____
(Signature and title of authorized representative)

Print Name: _____

Firm Name: _____

Purchase Order: _____

Lidberg Land Surveying, Inc.
Exhibit "B"
Hourly Rate Schedule

2 MAN FIELD CREW	$130.00 HR.
3 MAN FIELD CREW	$155.00 HR.
1 MAN CREW WITH ROBOTIC TOTAL STATION	$110.00 HR
COMPUTER TECHNICIAN	$80.00 HR.
PRINCIPAL	$165.00 HR.
EXPERT WITNESS	$250.00 HR.
PROFESSIONAL SURVEYOR	$135.00 HR.
MATERIALS	Cost plus 5%
CLERICAL	$45.00 HR.
GLOBAL POSITIONING SYSTEM (GPS) 2 Men, 2 Rovers	$200.00 HR.
HYDROGRAPHIC EQUIPMENT: Odom Echotrac Survey Recorder 2001 26 Foot Parker Survey Vessel Laptop Computer Hypack Hydrographic Software Topcon Hiper Pro GPS (1 Base and 1 Rover)	Call for Quotation

Hourly Charges

Hourly work will be billed at our current prevailing rates; however, these are subject to change due to increasing labor and material costs. Hourly work performed outside of normal business hours will be billed at one and a half times the current rates for overtime. No notice of change in prevailing rates shall be required. The firm's normal business hours are from 7:00 a.m. to 6:00 p.m., Monday through Friday.

Scope of Services

3. Based on Conceptual Engineering Plan prepared in Item 2, prepare Paving and Drainage Plans, Water Management Calculations and a Preliminary Engineer's Cost Estimate. Prepare Schedule of Bid Items for Town's use during the bidding process. Respond to RFI's (Requests for Information) during the bidding process.

4. Prepare and submit courtesy notice plan packages to the Town of Lake Park and Seacoast Utility Authority (SUA), FPL, FPU, Bellsouth and Comcast for the improvement of the 7th and 8th Street alley, south of Park Avenue.

   NOTE: No permitting with SUA is included. If SUA requires permitting for the adjusting of valve boxes, water meters, backflow preventers or other appurtenances, Simmons & White, Inc. will perform these service on an hourly basis in accordance with Item 9.

5. Coordinate with Geotechnical Consultant to provide asphalt core samples of the existing pavement. Coordinate with Geotechnical Consultant regarding findings and provide recommendations to the Town of Lake Park (see attached proposal from ECS in the amount of $700.00).

6. Coordinate with Electrical Consulting Engineer regarding the preparation of Site Lighting Plan and details utilizing LED fixtures and decorate poles (see attached proposal from RGD & Associates in the amount of $2,500.00).

   NOTE: RGD has included a fee of $550.00 to perform contract administration/services during construction following the design phase of the project.

7. Provide services during construction as required to certify the completed project in general accordance with Attachment "A".

8. Revisions to the above based on Site Plan changes, governing agency requests for additional information, or items beyond the control of the Consultant.

9. Additional services requested by the Client and agreed to by the Consultant such as, but not limited to, additional assistance with bidding not outlined in Item 2 above, assistance with South Florida Water Management District Water Use permitting, and providing assistance to the Town, Town Attorney and/or Surveyor if required during design and construction to coordinate utilities with FP&L, AT&T, Cable TV and others.

10. Photometric survey added per Commission approval add $330.00

____ Int.

RGD
& ASSOCIATES INC.
CONSULTING ENGINEERS

24 January 2010

City of Lake Park, FL
535 Park Avenue
Lake Park, Florida 33403

Attn: Ms. Maria Davis, Town Manager

Re: Lighting for Alleyway 7th to 8th engineering services.

Dear Ms. Davis

Based on the documents provided to our office by Simmons & White the fee for RGD & Associates Inc. to prepare construction documents as requested to add sighting lighting to the 7th and 8th alleyway would be $2,500.00, this includes the creation of a photometric plan using LED fixtures and decorative poles. Also to include an electrical plan, with panel schedule, riser diagram and load calculations for the new street lighting and well pump. Contract administration and photometric survey will be additional if required.

1. Contract administration, $550.00
2. Photometric survey at the end of the project, $330.00 — Approved

This fee would be due at the time of delivery and delinquent after thirty days. The fee would be fixed through the receipt of building permits. Any changes to the construction documents required by the building dept prior to issuing the permit would be made at no additional cost. All other changes would be considered additional services.

Additional services and would be performed on an hourly basis at the following rates:

P.E Principle Engineer	$180.00
E.I. Engineer II	$155.00
E.I. Engineer I	$135.00
Senior Designer	$95.00
Designer II	$85.00
Designer I	$65.00
Drafter/Clerical	$55.00

R.G.D and Associates, Inc.
1003 Jupiter Park Lane Suite 2 Jupiter Florida 33458
561.743.0165 Fax 561.743.0193
www.rgdengineers.com

Invoices for additional services rendered shall be presented on a monthly basis and are due and payable within **Fifteen (15) calendar** days from the date of invoice. Payments which are not received within forty five days from the date of the invoice will be considered delinquent and will be considered sufficient cause for the Engineer to discontinue performing and providing services until payment in full is received. If the Engineer is required to take action to collect past due invoices, the Client will pay all legal fees and cost. Should a court decide upon payment of these invoices, the prevailing party shall receive payment of the attorney's fees.

This contract shall be governed by the laws of the State of Florida, and the venue for any actions arising out of the agreement would be West Palm Beach, Florida.

TERMINATION

This agreement may be terminated by either party by giving fourteen (14) days advanced written notice. The Engineer shall be paid for services rendered to the date of termination on the basis of a reasonable estimate of the portion of services completed prior to termination and shall be paid for all reasonable expenses resulting from such termination and for any unpaid reimbursable expenses.

ACCEPTANCE

Acceptance of this proposal may be indicated by the signature of a duly authorized official of the Client in the space provided below. One signed copy of this proposal returned to the Engineer will serve as an agreement between the two parties and as a notice to proceed. Should this proposal not be accepted within thirty (30) days from the date of this proposal, it shall become null and void.

_____ Date_____

Authorized Agent
Client

Robert Davenport

_____ Date 24 January 2010

Robert Davenport P.E. President
RGD and Associates Inc.

AUTHORIZATION FOR PROFESSIONAL SERVICES

2000 Avenue P, Suite 3
West Palm Beach, Florida 33404

Phone (561) 840-3667
Fax (561) 840-3668

ECS Florida, LLC (ECS) is pleased to provide the services outlined in the proposed scope of services below. This contract confirms your authorization for the services requested and the general conditions under which the services are provided.

PROJECT INFORMATION

Project Name	Lake Park Core	ECS Project No:	
Street Address:	7th street	ECS Proposal No:	25:2300-CP
City, State:	Lake Park, Florida	Zip Code:	

CLIENT INVOICE INFORMATION

Firm:	Simmons and White, Inc.	Attn:	Paul Buri, PE
Mailing Address:	5601 Corporate Way, Suite 200	Phone:	(561) 478-7848
City, State:	West Palm Beach, Florida	Zip Code:	33407

PROPOSED SCOPE OF SERVICES

( ) Foundation Testing
( ) Masonry Testing
( ) Soils Testing
( ) Compaction Testing
( ) Structural Steel Observation
( ) Fireproofing Testing
( ) Concrete Testing
(X) Coring Services
( ) Roofing Observation
( ) Reinforcing Steel Observation
( ) Reinforcing Steel Location
( ) Phase I ESA
( ) Other: _____

FIELD SERVICES

1. Asphalt Coring at 6 locations
2. Base Rock Material Thickness
3. Dynamic Cone Penetrometer Testing (to 3' below grade)
4. Completion Letter (Includes 3 signed/sealed copies)

Lump Sum: $700.00

Work Authorized By:

Signature:		Date:	
Print Name:		Title:	
Firm:			

Signatory warrants his/her authority to bind the entity represented

For ECS Florida, LLC:

Signature:		Date:	1/21/2011
Project Manager:	Richard DeBerardinis		
Signature:		Date:	1/21/2011
Principal:	Ryan Bridger		

(*) NOT FOR SERVICES WHICH REQUIRE PENETRATION OF GROUND SURFACE, SAMPLING, OR WHERE ESTIMATED COST EXCEEDS $10,000

ATTACHMENT "A"

DESCRIPTION OF SERVICES DURING CONSTRUCTION

(Hourly Budget of $3,500.00 Not Included in Lump Sum Fees)

1. Attend pre-construction meetings.

2. Review shop drawings.

3. Observe storm sewer construction.

4. Observe on-site road/parking lot base construction, as required.

5. Observe on-site road/parking lot asphalt placement.

6. Conduct pre-agency final observation.

7. Conduct semi-final and final inspection with Town of Lake Park.

8. Conduct semi-final and final inspection with Seacoast Utility Authority (if required).

9. Provide additional construction observation: Consultant will make visits to the site at intervals appropriate to the various stages of construction to observe the progress and quality of the executed work and to determine, in general, if the work is proceeding in accordance with the Contract Documents. Consultant will not be required to make exhaustive or continuous on-site inspections to check the quality of the work. Consultant's efforts will be directed toward providing for Client a greater degree of confidence that the completed work will conform to the Contract Documents. On the basis of such visits and on-site observations as an experienced and qualified design professional, Consultant will keep Client informed of the progress of the work and will endeavor to guard Client against defects and deficiencies in the work. The furnishing of construction observation services does not guarantee the work of the Contractor, nor assume liability on the part of the Consultant for job safety. Consultant will have authority to disapprove or reject work which is defective.

10. Project Certifications: Upon the Contractor's completion of the required site improvements, Client's or Contractor's registered land surveyor will prepare record drawings. Upon approval of the construction, Engineer will submit record drawings together with letters of certification to the applicable governing agencies.

11. Review job progress with Client.

SIMMONS & WHITE

ENGINEERING | PLANNING | CONSULTING | SINCE 1982

March 7, 2012

Town of Lake Park
650 Old Dixie Highway
Lake Park, Florida 33403

Attention: Mr. Richard Pittman, P.E.

Reference: 7th – 8th Street Alley Improvements Contractor Pay Applications
Town of Lake Park, Florida

Dear Mr. Pittman:

We have received the most recent pay application from your Contractor, Rosso Paving, on the above referenced project and have completed our review of the contract overages, as requested.

Upon initial review of the pay application, it was determined that there was insufficient information for us to provide approval of the increases in contract amounts. Upon meeting with representatives from Rosso Paving and receiving additional correspondence from them, we have reviewed what they have provided (copies attached) and provide this letter as a summary.

The following line items significantly exceeded the base bid amounts from the original contract:

- Item 7: "Remove existing asphalt and base material" original amount = 880 SY, billed = 1202 SY

- Item 10: "1.25" Type S-1 asphalt" original amount = 1000 SY, billed = 1460 SY

- Item 12: "8" Crushed concrete base" original amount = 1000 SY, billed = 1460 SY

- Item 13: "12" Compacted subgrade" original amount = 600 SY, billed = 1715 SY

Simmons & White, Inc.
5601 Corporate Way Suite 200 West Palm Beach Florida 33407
T: 561.478.7848 F: 561.478.3738 www.simmonsandwhite.com
Certificate of Authorization Number 3452

After discussion with the Contractor, the enclosed plan sheet and document were provided to us as justification for their additional quantities. However, upon review, it is our opinion that not all of the overage quantities are justified based on the information provided.

As you are aware, the only measured and quantified change order that was approved was the addition of +/-300 additional square yards of new base and asphalt removal and replacement on the west end of the project due to the poor condition of the existing asphalt determined after milling was performed. Upon meeting with you and the Contractor on site on 1/23/12, we all determined the approximate limits of the work required and you authorized Rosso Paving to perform the work. The total quantity for this work amounted to 322 SY, represented by Items A8 and A9 in the attached document, which is within tolerance (+/-10%) of the quantity of 300 SY estimated by our office and discussed on site. This additional 322 SY should be added to the total for items referenced above. In addition to the 322 SY, an additional 31 SY was calculated by the Contractor using the areas outlined in the attached plan sheet. This amount is acceptable as it is within tolerance of the original amount for Items 10 and 12. It should be noted that the Contractor is requesting additional compensation for the removal and replacement of the existing pavement on the east end of the alley that was required for the installation of drainage pipe and exfiltration trench at the connection to the existing street drainage in that area (Area A10 in the enclosed plan sheet). Simmons & White cannot approve this request based on the fact that the installation of underground improvements of any kind beneath existing pavement, by nature of the improvement as well as industry standards, directly implies that said pavement must be replaced back to its original or better condition. We also cannot approve the Contractors requests for compensation for the removal of existing asphalt and rock and installation of new 12" compacted subgrade for the installation of the curbing and dumpster pads. Again, industry standard dictates the installation of curbing within the limits of existing pavement requires that this material be removed and the existing material beneath said pavement compacted or tested to ensure that it is suitable for use. Any additional cost associated with this should have been included in the price for the concrete elements in the original bid.

not correct

Based on the above information and the attached plans and document, the total quantities approved for Items 10 and 12 is 1353 SY in lieu of the 1460 SY indicated in the pay application. The approved total quantity for Item 7 based on the same information is 1202 SY. It should be noted that the quantity in the pay application is different from that in the provided documentation by 280 SY. As this additional 280 SY is not requested in the pay application it has not been approved. The approved total quantity for Item 13 is 953 SY, which is the original contract amount plus the additional 322 SY from A8 and A9 on the enclosed plan and the additional 31 calculated from the information provided by the Contractor.

In summary, we have summarized the pay request provided by the Contractor to reflect the above as follows:

Item No.	Contract Quantity (SY)	Approved Quantity (SY)	Unit Price	Total Amount	Contractor Requested Amount
7	880	1202	$9.45	$11,358.90	$11,358.90
10	1000	1353	$8.60	$11,635.80	$12,556.00
12	1060	1353	$17.20	$23,271.60	$25,112.00
13	600	953	$4.70	$4,479.10	$8,060.50
				$50,745.40	**$57,087.40**

Net Difference **$6,342.00**

Therefore, it is our opinion that the Pay Request #1 should be approved in the amount of $97,908.34, calculated as follows:

Amount completed and approved =	$108,787.05
Less 10% Retainage =	$ 10,878.71
	$ 97,908.34

Also as requested, we have reviewed the time spent during our services during construction portion of the project as compared to the approximate hourly amount as noted in our contract. A significant amount of time was spent by our office above and beyond our stated scope in Attachment "A" of our proposal at the request of the Town of Lake Park and the Contractor.

On 1/9/12 the Engineer of Record was called to the site by the Contractor at the request of the Town of Lake Park to review the proposed grading on the east side of the alley where the proposed new pavement would match the existing near the edge of the building. After review of the site and discussion with the Contractor, they were informed to construct the alley according to the plan with the understanding and approval from our office that a minimum slope of 0.5% would be acceptable. ← Can not get 1% ← Can do .5%

On 1/9/12 our office was called out to perform a base rock inspection which failed. The inspection was then repeated the following day.

On 1/23/12 our office was called on site at the request of the Town of Lake Park to review an area on the west end of the alley that was milled as per plan but the existing asphalt and base material thickness varied substantially in that area and in large parts of that area was removed completely down to the base material. Upon discussing the matter in-field with the Town of Lake Park and the Contractor, it was determined, and approved by the Town, that the best course of action would be to remove the full depth of the base material in that area and replace it with new. Our office would then revise the plans based on the measurements taken in that field meeting and establish a quantity that would be used for the change order to be prepared by the Contractor.

On 1/27/12 our office was called to visit the site at the request of the Town of Lake Park in order to review the ~~increase in new~~ asphalt thickness on the south edge of the valley gutter and review the grading between the alley right of way and the existing Town property to the south and provide recommendation. In lieu of installing a swale as previously requested by the Town of Lake Park, it was determined and approved by the Town of Lake Park that the properties could be "straight graded" and a swale was not necessary.

In addition to these requests for site visits, multiple telephone conversations took place between our office, the Contractor and the Town discussing these items. Our office attempted to answer the questions posed by the Contractor and the Town without conducting site visits to the extent possible in order to keep the time expenditure low on the part of Simmons & White and keep the Contractor moving forward with construction without delays while still providing answers to the questions posed.

Please call if you have any questions or wish to discuss further. Thank you for your assistance with this matter.

Sincerely,

SIMMONS & WHITE, INC.

Paul A. Buri, P.E.

PB/ja: x:/docs/misclrs/buri/11032b.pittmanpayapps.word

TOWN OF LAKE PARK
COMMUNITY REDEVELOPMENT AGENCY

Arts District | Commerce District | Hometown District

Mr. Rob Rennebaum, P.E.
Simmons & White Engineers
5601 Corporate Way, Suite 200
West Palm Beach, Fl. 33407

April 4, 2012

Dear Mr. Rennebaum:

RE: Downtown Alleyway Paving, Drainage, Lighting
Anticipated Final Quantities

This formal correspondence is being formulated and transmitted expecting a formal response. I plan to include this letter and your response as support documentation for an upcoming Town Commission agenda item.

Enclosed is copy of a March 30, 2012 letter from Rosso Paving & Drainage, Inc. contractor for the Downtown Alleyway Paving and Drainage project. Rosso Paving has submitted a formal letter stating their position on bid item number 7, "Remove Existing Asphalt and Base Material" as it pertains to bid item number 18 "6" Concrete at Dumpster Enclosures". As stated in Rosso's letter "Nowhere on the plans or in the spec book does it say asphalt and base removal is to be included in the price of 6" concrete. Please formally state your firm's position on this issue of bid item number 7. It appears that there is agreement on compacted subgrade, bid item number 13.

In addition, I would appreciate a formal or presentable listing of what all of the **final quantities** on the project are expected to be. A neat mark-up of a copy of Rosso's pay application #3 would be sufficient. Presume that your position in the bid items No.7 is correct. Also, please include what you would expect the final fence quantities to be. I will stand by the bid item 9A for hand worked asphalt.

A March 13th email from you indicated that additional fees will be owed your firm. As I read your email, invoicing for coordination with Seacoast Utilities plus construction phase services could go over your original proposal of $3,500.00 by as much as $6,666.00 less 6 hours of senior engineer time ($810.00) for work of your own making. Please itemize the tasks and time associated with Seacoast Utilities and particular tasks associated with construction phase services beyond your original proposal.

Also, I recommend that someone from your firm actually measure in the field the constructed quantities for bid item numbers 14, 15 and 17.

Sincerely,

Richard Pittman
CRA Project Manager

Attachments:

650 Old Dixie Highway, Lake Park, FL 33403 | PH: (561) 881-3347 | FAX: (561) 881-3349

SIMMONS WHITE

ENGINEERING | PLANNING | CONSULTING | SINCE 1982

May 2, 2012

Town of Lake Park
650 Old Dixie Highway
Lake Park, Florida 33403

Attention: Mr. Richard Pittman
CRA Projects Manager

Reference: Downtown Alleyway Paving, Drainage, Lighting
Anticipated Final Quantities
Town of Lake Park, Florida

Dear Mr. Pittman:

The purpose of this letter is to provide a formal response to your letter of April 4, 2012 requesting clarification and additional information regarding the above referenced project. With regard to Item 7 "remove existing asphalt and base material" as it pertains to Bid Item #18 "6 inch concrete and dumpster enclosures," based on the discussions with the contractor at our previous meeting, as well as their letter dated March 30, 2012 and subsequent telephone coordination, Simmons & White, Inc. agrees that the contractor should be compensated for removing the existing asphalt and base under the 6" concrete dumpster pads. It was our intent on the plans that the removal of the asphalt and base under the concrete dumpster pads be incidental to the concrete bid item, however, Rosso Pavings bid price for the 6" concrete dumpster did not include the required asphalt and base removal. Rosso Pavings justified that the unit cost for the 6" concrete dumpster pad excluded asphalt and base removal and that the asphalt and base removal would be charged under the "asphalt and base removal" bid item (Item #7). It should be noted that the requested Change Order #2 of 602 S.Y. of asphalt and base removal has been reduced to 552 S.Y. based on field measurement and coordination between our office and the contractor.

As requested, a neat mark-up of a copy of Rosso's Pay Application #3 has been included with this letter. The pay request as has been marked up as follows:

Simmons & White, Inc.
5601 Corporate Way Suite 200 West Palm Beach Florida 33407
T: 561.478.7848 F: 561.478.3738 www.simmonsandwhite.com
Certificate of Authorization Number 3452

1. Quantities listed under Change Order #2 on Page 2 of 2 have been marked up to reflect the actual agreed upon field measured quantities. As noted on the bottom of the marked up Page 2 of 2, the increased quantities approved under Change Order #2 have been included on Page 1 of 1 in parenthesis to reflect the total quantity including change orders. The total quantities shown in parenthesis on Page 1 of 2 have been provided to allow a quick review of the total quantities for the project.

2. On Page 1 of 2, Items 15, 17 and 19 have been revised to reflect field measured quantities, and represent a reduction in the contractor's requested quantities which results in a savings to the Town of Lake Park. Please pay special note to Item 15, Type D concrete curb that has been reduced from 550 L.F. in the original contract to a total of 537 linear feet. This corresponds to Change Order #2, Item #15 "Type D curb" in which the contractor claimed a change order of 17 L.F. which is now reduced to 0 based on the total quantity of curbing of 537 L.F. being less than the original contract quantity of 550 L.F.

3. On Page 2 of 2, Items #26A and #26B for fencing have been estimated at 206 L.F. for the green vinyl chain link fence and 259 L.F. for the wood panel fencing and gates. The fencing has yet to be installed and these quantities may change based on field measurement. Please note that these are approximate quantities and will be adjusted based on final field measurement.

Attached with this letter is our March 7, 2012 letter to you (signed by Paul A. Buri, P.E.) and my March 13, 2012 email to you regarding our engineering fees for services during construction. As you know from our contract, services during construction are performed on an hourly basis with an estimated budget of $3,500.00. The services during construction started in November of 2011 and are currently ongoing. Also attached are the following invoices with descriptions of work performed for our engineering services during construction:

Num	Date	Due Date	Aging	Amount	Open Balance
27829	05/01/2012	05/26/2012		405.00	405.00
27823	04/01/2012	04/26/2012	6	1,807.20	1,807.20
27737	03/01/2012	03/26/2012	37	1,632.50	1,632.50
27645	02/01/2012	02/26/2012	66	3,539.90	1,417.50
27522	01/01/2012	01/26/2012		536.00	
27486	12/01/2011	12/26/2011		1,367.50	
			Sub-Total	9,288.10	5,262.20
			Credit	-810.00	-810.00
			TOTAL	8478.10	4452.20

The above invoices total $9,288.10, less the 6 hours of Senior Engineer time ($810.00) outlined in my email of March 13, 2012 for a total job cost to date of $8,478.10. As you know, the project has not been completed and it is anticipated that additional services will be provided by our office during the completion of construction and final review of the project (and final review the contractor's pay request, if requested) as well as any other services you may request to be performed by Simmons & White, Inc.

You have requested that we itemize the tasks and time associated with Seacoast Utilities and the particular tasks associated with construction phase services beyond our original proposal. In our letter to you of March 7, 2012 and my email of March 13, 2012, I outlined our coordination efforts with Seacoast Utility Authority (SUA) and an overview of the reasons for exceeding our construction phase services cost estimate. I have pulled the job cost sheet outlining all hours and mileage spent by all employees and have also made copies of the timesheets and mileage logs for all services during construction from commencement in November 2011 for your review. The engineering estimate of $3,500.00 for providing services during construction was exceeded for a number of reasons. Additional expenses were incurred in dealing with SUA. Simmons & White, Inc. had preliminary conversations with SUA that indicated no permits would be required. The Simmons & White, Inc. proposal specifically excluded permitting with SUA, but included transmitting courtesy copies to their utility. SUA required a number of revisions to the plans regarding their services which Simmons & White, Inc. had to coordinate in the field and modify their plans. Seacoast Utility Authority also coordinated with Simmons & White, Inc. and the contractor during construction.

The majority of the additional engineering was required based on the uniqueness and inconsistencies with the existing alley construction and the administrative assistance to the Town regarding verification of quantities, review of pay requests and change orders, and coordination with the contractor and Town regarding change orders. The specifications and existing conditions of the existing alley construction were determined based on field coring of the existing asphalt in six (6) locations. However, the contractor discovered in numerous locations between the representative cores that the existing alley was not consistent with the cores. Substantial field engineering and adjustment needed to occur based on the unforeseen circumstances beyond the control of our office. Simmons & White responded to changing conditions and coordinated with the contractor and the Town to provide an alternative design. These circumstances also resulted in additional time and effort to field review quantities, change orders and pay requests that were not included in our original scope of services in Attachment "A" Description of Services During Construction from our contract. In summary, the proposed design cost was based on the best information available, however, field conditions required additional engineering consulting services beyond initially anticipated.

While I have been personally involved with the project during construction from November 2011 to present, I have charged only two hours of my time in an effort to minimize the financial impact to the Town. I would estimate I have between 10 and 20 hours of time in oversight of the project and site visits in the past 6 months and have only charged 2 hours time in preparation for and attendance of a meeting with the contractor regarding the change orders and verification of field quantities. As for an itemized list of tasks and time associated with SUA and particular tasks associated with construction phase services beyond our original proposal, hopefully the timesheets, invoices, letters and emails that are included with this response will justify the engineering hours and technician hours spent during the oversight of the project.

Please review the above and let me know if there is anything else you need in preparation of the upcoming Commission meeting. I can credit the most recent invoice with the 6 senior engineering hours or I can reduce the final invoice. Please let me know what you would like.

Sincerely,

SIMMONS & WHITE, INC.

Robert F. Rennebaum, P.E.

Enclosures

RFR/sa x:/docs/miscltr/Rennebaum/110326.pittmanresp.word

OWNER:
Town of Lake Park
535 Park Ave.
Lake Park, FL 33403

ROSSO
Paving & Drainage, Inc.
350 Martin Lane
West Palm Beach, FL 33413
(561) 688-0288

PAY APP #: 3
TO DATE: April 2, 2012
PROJECT: Downtown Alleyway Improvements, 7th St. to 8th
PRJ #: 106-2011
ROSSO JB #: 2012-01

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	WORK PERFORMED PREVIOUS	PRESENT	TO DATE	AMOUNT PAID
1.	Indemnification	1 ✓	JOB	$ 100.00	$ 100.00	70%	30%	100%	$ 100.00
2.	Performance Bond	1 ✓	JOB	$ 2,700.00	$ 2,700.00	70%	10%	80%	$ 2,160.00
3.	Mobilization, Registration w/Town and Permits (permit fee waived), Port-A-Let, Site Preparation, Barricades	1 ✓	JOB	$ 9,550.00	$ 9,550.00	70%	30%	100%	$ 9,550.00
4.	Survey, Layout, Density Testing As-Built Preparation	1 ✓	JOB	$ 10,354.00	$ 10,354.00	60%	35%	95%	$ 9,836.30
5.	Maintenance of Traffic	1 ✓	JOB	$ 2,535.00	$ 2,535.00	70%	30%	100%	$ 2,535.00
6.	Compliance with NPDES Including but not limited to silt fence, inlet protection, construction entrance NOI and Not Filing	1 ✓	JOB	$ 710.00	$ 710.00	70%	30%	100%	$ 710.00
7.	Remove Existing Asphalt and Base Material (1432)	~~880~~*	SY	$ 9.45	$ 8,316.00	880	0	880	$ 8,316.00
8.	Remove Full Depth of Existing Asphalt PDP NOT DONE	40 ✓	SY	$ 15.00	$ 600.00	0	40	40	$ 600.00
9.	Mill & Overlay w/1" Minimum Type S-3 Asphalt	1105 ✓	SY	$ 14.25	$ 15,746.25	722	383	1105	$ 15,746.25
9A.	Handwored asphalt incl. milling for this area	106	TN	$ 205.00	$ 21,730.00	106	0.00	106.00	$ 21,730.00
10.	1.25" Type S-I Asphalt (1390)	~~1000~~*	SY	$ 8.60	$ 8,600.00	1000	0	1000	$ 8,600.00
11.	1" Type S-3 Asphalt	1000 ✓	SY	$ 7.00	$ 7,000.00	920	80	1000	$ 7,000.00
12.	8" Crushed Concrete (1390)	~~1060~~*	SY	$ 17.20	$ 18,232.00	1060	0	1060	$ 18,232.00
13.	12" Compacted Subgrade (1784)	~~600~~*	SY	$ 4.70	$ 2,820.00	600	0	600	$ 2,820.00
14.	4" Thick Concrete Sidewalk (20)	~~6~~*	SY	$ 25.25	$ 151.50	6	0	6	$ 151.50
15.	Type "D" Concrete Curb REDUCED TOTAL = 537	~~550~~*	LF	$ 12.50	$ 6,875.00	550	0	550	$ 6,875.00
16.	Concrete Wheel Stop	32 ✓	EA	$ 18.70	$ 598.40	0	0	0	$ -
17.	2' Valley Gutter REDUCED TOTAL = 622	~~625~~ ✓	LF	$ 18.00	$ 11,250.00	625	0	625	$ 11,250.00
18.	6" Concrete at Dumpster Enclosure	255 ✓	SY	$ 31.20	$ 7,956.00	255	0	255	$ 7,956.00
19.	Detectable Warning Surface REDUCED TOTAL = 30	~~40~~ ✓	SF	$ 31.35	$ 1,254.00	0	0	0	$ -
20.	Striping & Signage	1 ✓	JOB	$ 2,750.00	$ 2,750.00	0%	0%	0%	$ -
21.	6" PVC Vent	1 ✓	EA	$ 680.00	$ 680.00	1	0	1	$ 680.00
22.	Type "C" Inlet	2 ✓	EA	$ 2,600.00	$ 5,200.00	2	0	2	$ 5,200.00

#7: * 880 + 552 = 1432 #12: 1060 + 330 = 1390 #15: 537 TOTAL (FIELD MEASURED)
#10: 1000 + 390 = 1390 #13: 600 + 1184 = 1784 (PARENTHESIS INDICATE TOTALS INCLUDING CHANGE ORDERS FROM PAGE 2 OF 2)
#14: 6 + 14 = 20

No.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	WORK PERFORMED PREVIOUS	PRESENT	TO DATE	AMOUNT PAID
23.	15" Perforated R.C.P.	56 ✓	LF	$ 50.00	$ 2,800.00	56	0	56	$ 2,800.00
24.	4' x 8' Exfiltration Trench	46 ✓	LF	$ 50.00	$ 2,300.00	46	0	46	$ 2,300.00
25.	Monument	2 ✓	EA	$ 3,740.00	$ 7,480.00	1	0.90	1.90	$ 7,106.00
26A.	6' Green Vinyl Chain Link Fence 208 ~~206~~	~~115~~	LF	$ 43.00	$ 4,945.00	60	0	60	$ 2,580.00
26B.	6' Wood panel on metal frame fence incl. 12 gate leafs 255 ~~259~~	~~215~~	LF	$ 44.00	$ 9,460.00	124	0	124	$ 5,456.00
27.	Adjust Existing Manholes, Cleanouts, Valves to Finish Grade	1 ✓	JOB	$ 7,500.00	$ 7,500.00	75%	25%	100%	$ 7,500.00
28.	4" DIP Casing	39 ✓	LF	$ 56.00	$ 2,184.00	39	0	39	$ 2,184.00
29.	Electrical & Lighting	1 ✓	JOB	$ 82,950.00	$ 82,950.00	6.50%	0.00%	6.50%	$ 5,391.75
30.	Miscellaneous	1 ✓	JOB	$ 4,130.00	$ 4,130.00	50%	25%	75%	$ 3,097.50
TOTAL ORIGINAL CONTRACT				$269,457.15					
	CHANGE ORDER # 1								
1	Add'l. testing of subgrade and base rock at the West end (etc)	1 ✓	LS	$467.50	$ 467.50	100%	0%	100%	$ 467.50
2	Lower & replace +/- 40' of irrigation line, etc.	40 ✓	LF	$10.00	$ 400.00	0	0	0	$ -
3	Additional asphalt by the South side of new curb, etc.	24 ✓	TN	$112.00	$ 2,688.00	24	0	24	$ 2,688.00
	ITEMS BEYOND CONTRACT QUANTITIES - CO #2								
1	Item # 7 - Remove existing asphalt & Base	552* ~~602~~	SY	$9.45	$ 5,688.90	0	325	325	$ 3,071.25
2	Item # 10 - 1.25" Type S-1 asphalt 390*	~~458~~	SY	$8.60	$ 3,938.80	0	390	390	$ 3,354.00
3	Item # 12 - 8" Crushed concrete 330*	~~398~~	SY	$17.20	$ 6,845.60	0	330	330	$ 5,676.00
4	Item # 13 - 12" Compacted subgrade 1184*	~~1251~~	SY	$4.70	$ 5,879.70	0	1184	1184	$ 5,564.80
5	Item # 14 - 4" Thick concrete walk 14*	~~15~~	SY	$25.25	$ 378.75	0	15	15	$ 378.75
6	Item # 15 - Type 'D' curb 0*	~~17~~	LF	$12.50	$ 212.50	0	17	17	$ 212.50
TOTAL AMOUNT COMPLETED TO DATE:									**$ 199,876.10**
LESS 10% RETAINAGE:									$ (19,987.61)
LESS DRAW # 1:									$ (86,408.69)
LESS DRAW # 2:									$ (55,619.99)
TOTAL DUE DRAW # 3 :									**$ 37,859.81**

* INCREASED QUANTITIES HAVE BEEN SHOWN ON PAGE 1 OF 2 AS "TOTALS" IN (PARENTHESIS)

SIMMONS & WHITE

ENGINEERING | PLANNING | CONSULTING | SINCE 1982

July 18, 2012

Town of Lake Park
650 Old Dixie Highway
Lake Park, Florida 33403

Attention: Mr. Richard Pittman
CRA Project Manager

Reference: Town of Lake Park Downtown Alleyway Improvements
7th to 8th Street

Dear Mr. Pittman:

As you requested, attached with this letter is a summary of the engineering invoices, amounts due and amounts paid. As shown on the attached summary and invoices, the total fees invoiced for the project including the July 1, 2012 invoice of $542.70 is $9,830.80. As we discussed in our meeting of June 8, 2012, I agreed to reduce our engineering fees that exceeded the original $3,500.00 estimated budget by 20%. Subtracting the original budget amount of $3,500.00 from the amount spent of $9,830.80 results in a $6,330.80 overage, of which 20% equates to $1,266.16 as follows:

$6,330.80 x 20% = $1,266.16

The Town of Lake Park has paid $4,025.90 to date leaving a balance due of $4,538.74 as follows:

Total Billed	$9,830.80
20% Reduction (see above)	- $1,266.16
Net Due	$8,564.64
Amount Paid	- $4,025.90
Balance Due	$4,538,74

The amount of $4,538.74 that remains due represents the final billing for this project and no additional fees will be charged under this purchase order.

Simmons & White, Inc.
5601 Corporate Way Suite 200 West Palm Beach Florida 33407
T: 561.478.7848 F: 561.478.3738 www.simmonsandwhite.com
Certificate of Authorization Number 3452

If you require any additional information or have any questions regarding the attached, please call me directly.

Sincerely,

SIMMONS & WHITE, INC.

Robert F. Rennebaum, P.E.
President

Enclosures

RFR/sa x:/docs/misclr/Rennebaum/11032b.pittmaninvoices.word

SIMMONS & WHITE, INC.

5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

Invoice

DATE	INVOICE #
1/1/2012	27522

call Anne for account #

1/19/12

#402-03100

BILL TO

Town of Lake Park
Attn: Ms. Maria Davis
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	1/26/2012	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including Record Drawing reviews, comments, submittals and revision reviews including coordination to determine Seacoast Utility Authority requirements for the above referenced project, for the month of December, 2011.			
SENIOR TECHNICIAN	5	100.00	500.00
MILEAGE	60	0.60	36.00

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	$536.00
Payments/Credits	$0.00
Balance Due	$536.00

Pay

1/24/12

Copy oved for payment
Richard Pittman

SIMMONS & WHITE, INC.

5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

12/14/11 12/14/11
$1,367.50
P.O.# 55154/

Invoice

DATE	INVOICE #
12/1/2011	27486

BILL TO

Town of Lake Park
Attn: Ms. Maria Davis
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

Dave Hunt

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	12/26/2011	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including review of plans with the Town of Lake Park and Contractors, coordination with Seacoast Utility Authority regarding their requirements for the project, and attendance of pre-construction meeting with construction team and Town of Lake Park including review of shop drawings for the above referenced project, for the month of November, 2011.			
SENIOR ENGINEER	4.5	135.00	607.50
SENIOR TECHNICIAN	5	100.00	500.00
CLERICAL	1.5	50.00	75.00
COURIER		50.00	50.00
REPRODUCTION		135.00	135.00

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	$1,367.50
Payments/Credits	$0.00
Balance Due	$1,367.50

Pay

Approved for payment
Richard Pittman
2/7/12
2,122.40

SIMMONS & WHITE, INC.

5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

Invoice

DATE	INVOICE #
2/1/2012	27645

P.O. #55154

BILL TO

Town of Lake Park
Attn: Ms. Maria Davis
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	2/26/2012	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including coordination with Contractor regarding questions about grading and multiple site visits for meeting with Town of Lake Park and Contractor to discuss limits of grading, revisions to the plans and scope of work based on unforeseen conditions discoved during construction observation and inspection of subgrade, baserock, milled asphalt and onsite drainage construction for the above referenced project, for the month of January, 2012.			
~~SENIOR ENGINEER~~	~~10.5~~	~~135.00~~	~~1,417.50~~
SENIOR TECHNICIAN	20	100.00	2,000.00
MILEAGE	204	0.60	122.40

Pay

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	2,122.40 ~~$3,539.90~~
Payments/Credits	$0.00
Balance Due	2,122.40 ~~$3,539.90~~

2:35 PM
07/18/12
Accrual Basis

SIMMONS & WHITE, INC.
Customer Open Balance
All Transactions

	Type	Date	Num	Memo	Due Date	Open Balance
Town of Lake Park						
11-032						
11-032B						
	Invoice	02/01/2012	27645		02/26/2012	1,164.27
	Invoice	03/01/2012	27737		03/26/2012	1,379.27
	Invoice	04/01/2012	27823		04/26/2012	1,553.97
	Invoice	05/01/2012	27829		05/26/2012	151.77
	Invoice	07/01/2012	27992		07/26/2012	289.46
Total 11-032B						4,538.74
Total 11-032						4,538.74
Total Town of Lake Park						4,538.74
TOTAL						4,538.74

Note: 20% Fee Reduction of $1,266.16 shown as a $253.23
(or $253.24) Fee Reduction Credit on each of the 5 open invoices.

SIMMONS & WHITE, INC.
5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

Invoice

DATE	INVOICE #
2/1/2012	27645

BILL TO

Town of Lake Park
Attn:Mr. Jamie Titcumb
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	2/26/2012	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including coordination with Contractor regarding questions about grading and multiple site visits for meeting with Town of Lake Park and Contractor to discuss limits of grading, revisions to the plans and scope of work based on unforeseen conditions discovered during construction observation and inspection of subgrade, baserock, milled asphalt and onsite drainage construction for the above referenced project, for the month of January, 2012.			
SENIOR ENGINEER	10.5	135.00	1,417.50
SENIOR TECHNICIAN	20	100.00	2,000.00
MILEAGE	204	0.60	122.40
FEE REDUCTION CREDIT		-253.23	-253.23

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	$3,286.67
Payments/Credits	$-2,122.40
Balance Due	$1,164.27

SIMMONS & WHITE, INC.
5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

Invoice

DATE	INVOICE #
3/1/2012	27737

BILL TO

Town of Lake Park
Attn:Mr. Jamie Titcumb
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	3/26/2012	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including coordination with Contractor regarding pay application and change orders, meeting with Contractor and multiple telephone conversations including requests for additional information as justification for increase in quantities, and discussions of pay applications and quantity changes with the Town of Lake Park for the above referenced project, for the month of February, 2012.			
SENIOR ENGINEER	9.5	135.00	1,282.50
SENIOR TECHNICIAN	3.5	100.00	350.00
FEE REDUCTION CREDIT		-253.23	-253.23

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	$1,379.27
Payments/Credits	$0.00
Balance Due	$1,379.27

SIMMONS & WHITE, INC.
5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

Invoice

DATE	INVOICE #
4/1/2012	27823

BILL TO

Town of Lake Park
Attn:Mr. Jamie Titcumb
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	4/26/2012	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including coordination with Contractor regarding pay applications and change orders, meeting with Contractor and Town of Lake Park, multiple telephone conversations including responding to requests for additional information as justification for increase in quantities, recalculation of quantities based on Contractor's provided information, determination of limits and scope of work for individual line items in contractor's contract with Town of Lake Park and discussions regarding justification for quantity changes with the Town of Lake Park for the above referenced project, for the month of March, 2012.			
PRINCIPAL	2	160.00	320.00
SENIOR ENGINEER	8	135.00	1,080.00
SENIOR TECHNICIAN	3.5	100.00	350.00
CLERICAL	1	50.00	50.00
MILEAGE	12	0.60	7.20
FEE REDUCTION CREDIT		-253.23	-253.23

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	$1,553.97
Payments/Credits	$0.00
Balance Due	$1,553.97

SIMMONS & WHITE, INC.
5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

Invoice

DATE	INVOICE #
5/1/2012	27829

BILL TO

Town of Lake Park
Attn:Mr. Jamie Titcumb
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	5/26/2012	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including coordination with Contractor regarding final pay application and change orders, responding to requests for additional information as justification for increase in quantities, recalculation of quantities based on Contractor's provided information and field measurements, preparation of final response letter indicating approved change order quantities and summary of field changes to the Town of Lake Park for the above referenced project, for the month of March, 2012.			
SENIOR ENGINEER	3	135.00	405.00
FEE REDUCTION CREDIT		-253.23	-253.23

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	$151.77
Payments/Credits	$0.00
Balance Due	$151.77

SIMMONS & WHITE, INC.
5601 Corporate Way, Ste. 200
West Palm Beach, FL 33407
Phone: 561- 478-7848
Fax: 561-478-3738

Invoice

DATE	INVOICE #
7/1/2012	27992

BILL TO

Town of Lake Park
Attn:Mr. Jamie Titcumb
535 Park Avenue
Lake Park, Florida 33403

Reference

7th Street to 8th Street Downtown Alley
Town of Lake Park, Florida
Services During Construction
PO #55154/Req. #402-112

TERMS	DUE DATE	PRINCIPAL	JOB
25 days	7/26/2012	RR/PB	11-032B

DESCRIPTION	HOURS	RATE	AMOUNT
Professional engineering services concerning services during construction including preparation for and attendance of final walk-through with contractor and representatives of Lake Park for the above referenced project, for the month of June, 2012.			
PRINCIPAL	0.5	160.00	80.00
SENIOR ENGINEER	2.5	135.00	337.50
CLERICAL	2	50.00	100.00
MILEAGE	12	0.60	7.20
REPRODUCTION		18.00	18.00
FEE REDUCTION CREDIT		-253.24	-253.24

Account balances which are not paid by the due date will accrue interest at an 18% annum simple interest (1.5% per month).

Total	$289.46
Payments/Credits	$0.00
Balance Due	$289.46

TAB 6

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 1, 2012 **Agenda Item No.** Tab 6

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] ORDINANCE ON FIRST READING [X] DISCUSSION/POSSIBLE ACTION

[ ] ORDINANCE ON SECOND READING [ ] BID/RFP AWARD

[ ] PRESENTATION/PROCLAMATION [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: **Discussion on Continuing Landscape Maintenance Agreement with Chris Wayne and Associates, Inc. for the Lake Park Harbor Marina**

RECOMMENDED MOTION/ACTION: **Discussion and Direction**

Approved by Town Manager DSS **Date:** 7/26/12

Jamie Hart / Marina Director
Name/Title

July 23, 2012
Date of Actual Submittal

Originating Department: MARINA	Costs: **$ 34,889.00** Funding Source: Acct. **# 800-34000**	**Attachments:** **Draft Agreement**
Department Review: [ ] Attorney_____ [ ] Community Development___ [X] Finance BKR [ ] Fire Dept _____	[ ] Grants _____ [ ] Human Resources_____ [ ] Information Technology [ ] Library _____ [X] Marina _____	[ ] PBSO _____ [X] Public Works _____ [ ] Recreation _____ [ ] Town Clerk _____ [X] Town Manager _____
Advertised: Date: _____ Paper: _____ [ ] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background:

Staff recommends granting a one-year extension with Chris Wayne and Associates, Inc. (CWA) to continue to perform landscape maintenance at the Lake Park Harbor Marina from October 1, 2012 through September 30, 2013. The annual cost of these services will remain at the current rate of $34,889.00 or $2,907.42 per month. The terms of the contract as well as the detailed tasks (see attached) shall remain in effect through the one year extended term. Generally CWA shall provide mowing on a schedule of one time per week from April through October and three times per month from November through March.

The current landscape services contract provides for maintenance of the area extending south from the northern Marina property line to Silver Beach Road and west from the Intracoastal Waterway to Lake Shore Drive. The area also includes the lower level trailer parking lot. The recently acquired trailer parking lot at Federal Highway and Silver Beach Road as well as the newly constructed overflow parking lot on the west side of Lake Shore Drive are not part of this contract.

The Marina property has a variety of landscaping needs, but the 20,000 square feet of Bermuda turf is of particular importance. This type of grass requires a specialty mower to properly maintain its appearance. CWA has this equipment. It is our understanding that the maintenance of this Bermuda turf was the key issue in the decision to have the Public Works Department (DPW) hand the maintenance duties over to a contractor equipped to handle this specialty turf.

During the budget workshop it was suggested that DPW resume landscaping maintenance at the Marina in an effort to identify ways to trim operating costs. A cursory cost analysis conducted by DPW suggests that Public Works cannot perform the needed maintenance at a cost less than the current CWA contract price of $34,889.00. The retooling of the Department to maintain Bermuda turf continues to be a factor in the projected costs. In the event that the Town Commission would consider funding the capital cost of replacing the Bermuda turf with Floratam/St. Augustine grass in a future budget year, DPW could perform the maintenance with existing equipment and show a cost savings over current prices. DPW's Grounds Maintenance Division could provide a tighter cost estimate next year after it reviews its performance and refines its practices associated with taking on the additional tasks in the CRA District, Flagler Boulevard, and the Bostrom Ballfields this upcoming budget year.

The marina landscaping clearly makes the marina a signature facility due to the current level of design and maintenance that CWA provides. CWA has certifications as a landscape contractor, a maintenance contractor, an irrigation contractor, and the owner Chris Dellago is a state registered landscape architect. There are few companies that would be able to do a better job for the price of the current maintenance agreement. Therefore, Staff recommends that the Town consider retaining CWA for one additional year, under the option to renew in the contract.

If after one year, we believe it is in the Town's best interest to take over this operation and integrate the marina landscaping services with the town-wide landscaping of other areas then we will seek approval in the F/Y 2013/2014 budget.

Monthly Landscape Maintenance Agreement For Lake Park Harbor Marina

Overview

CWA offers to provide the Town of Lake Park 921 Park Avenue, Lake Park, Florida 33403, lawn and landscape maintenance services for a period of one year beginning on October 1, 2012 and ending on September 30th 2013. CWA agrees to hold their price for a period of one year with the option to renew for an additional one year at this held price. Services are as outlined below. All other work shall be considered additional services and provided as mutually agreed upon. Service location is at the following address: 105 Lake Shore Drive, Lake Park, FL 33403

Landscape Maintenance Services

- Provide landscape maintenance services no less than once a week.
- Mow weekly April through October and 3 times a month from November through March. Grass shall be maintained in accordance with Best Management Practices for specific grass.
- Weed all plant beds; maintain a clean edge between sod and mulched bed line. (Contractor may use low spectrum herbicide such as Rhodeo or Roundup for routine weed control.)
- Provide broad leaf weed and pest control to Bermuda turf area adjacent to building.
- Maintain entire site free of debris, trash, clippings, branches, etc.
- Hedge all shrubs in a clean, neat and professional manner, removing and disposing of all clippings.
- Edge all turf edges abutting curbs, flush paved surfaces including all road curbs, shrub beds, flower beds, ground cover beds, hedges and around trees where a mulch bed exists at base.
- Tree and Palm Trimming- Maintain all trees and palms to 20' free of dead fronds, branches, and maintain in a neat and tidy order. Remove and dispose of all debris from tree trimming process.
- Blowing/Clearing- CWA shall use a blower to clear curbs along roadways, to ensure a neat, clean appearance after each maintenance operation.
- Irrigation – At all locations CWA shall perform routine wet checks to inspect for proper operation of irrigation system. CWA shall make minor repairs as needed (such as head and nozzle replacement, minor pipe brakes, clean outs and adjustments). CWA shall bill Town labor (Irrigation technician 55.00 per hour) plus materials (material cost + 20%) CWA shall repair and replace at its expense any damage to irrigation system caused by CWA's landscape maintenance activities.

Supervision

Contractor shall provide a trained supervisor and company representative on site that shall be capable of verbal and written communication and shall be able to adequately communicate with the service workers.

Compensation

CWA shall be paid an annual amount of **34,889.00**. A monthly payment of **$2,907.42** shall be due on the 10th of each month.

Additional Services

Irrigation and landscape design, new construction as well as repairs not caused by CWA's service activities, mulching, sodding, pest control, annuals and fertilization shall be considered additional services and shall be provided on an as needed basis. Contractor shall submit proposal for approval prior to providing service.

Warranty

Damages to site from fire, acts of God, or negligence by others shall not be the responsibility of Contractor.

All payments shall be cash, money order, or checks payable to CWA.

We look forward to providing you with high quality landscape maintenance services.

Submitted

_____

Chris Wayne and Associates, Inc.

Date: _____

Accepted

_____

Client signature

Date: _____

Print Name and Address:

_____

_____

_____

Phone/Fax Number:

_____

TAB 7

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 1, 2012 **Agenda Item No.** Tab 7

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] ORDINANCE ON FIRST READING **[x] DISCUSSION/POSSIBLE ACTION**

[ ] ORDINANCE ON SECOND READING [ ] BID/RFP AWARD

[ ] PRESENTATION/PROCLAMATION [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: **Review of Draft of Revised Handbook of Procedures and Policies for Employees of the Town of Lake Park (Employee Handbook)**

RECOMMENDED MOTION/ACTION:

Approved by Town Manager _____ **Date:** 7/24/12

Name/Title HUMAN RESOURCES DIRECTOR

7/24/12
Date of Actual Submittal

Originating Department: Human Resources	**Costs: $ -0-** Funding Source: Acct. #	**Attachments:** **Draft Revised Employee Handbook**
Department Review: [ ] Attorney_____ [ ] Community Development___ [ ] Finance _____ [ ] Fire Dept _____	[ ] Grants _____ [ ] Human Resources_____ [ ] Information Technology ____ [ ] Library _____ [ ] Marina _____	[ ] PBSO _____ [ ] Public Works_____ [ ] Recreation _____ [ ] Town Clerk _____ [ ] Town Manager _____
Advertised: Date: _____ Paper: _____ **[x] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or **Not applicable in this case** **BMT** **Please initial one.**

Summary Explanation/Background:

At the July 18, 2012 Commission meeting, staff presented the draft of the revised Employee Handbook. The purpose of this agenda item is to facilitate the actual discussion of the draft revised Employee Handbook.

HANDBOOK OF PROCEDURES AND POLICIES FOR EMPLOYEES OF THE TOWN OF LAKE PARK

(working document for FY 20102 re-adoption)

THE TOWN OF LAKE PARK
OFFICE OF HUMAN RESOURCES

APPROVED BY THE TOWN OF LAKE PARK TOWN COMMISSION:
*****, 2012 ~~APRIL 1, 2009~~ BY RESOLUTION No. ~~12-04-09~~******

TOWN OF LAKE PARK'S MISSION STATEMENT

To improve the quality of life for all Town stakeholders through the provision of effective and efficient service delivery while maintaining a small town atmosphere in an urban environment and embracing the sense of place and community that makes the Town of Lake Park special.

DRAFT

INTRODUCTION AND GENERAL PROVISIONS

The Handbook of Procedures for Employees of the Town of Lake Park (Handbook) delineates the policies and procedures applicable for all managers and employees of the Town regardless of status (i.e. Exempt versus Non-Exempt) or classification (e.g. Regular Full-time, Part-time, Probationary, etc.). This Handbook includes the Town's employment policies and procedures, guidelines, provisions and regulations governing the classifications, compensation, employment standards, employee rights, responsibilities and evaluations for Town employees.

The Handbook is designed and drafted to facilitate the Town employees' understanding of their roles in achieving the mission of the Town to improve the quality of life for all Town stakeholders through the provision of effective and efficient service delivery, while ensuring that the Town's employees have a clear understanding of their rights and responsibilities and the expectation of the high level of productivity and work performance required for employment with the Town.

The Handbook is intended to be a fluid document. No document is capable of addressing every eventuality in the workplace. Therefore, from time to time the Handbook shall be revised and may be supplemented by Administrative Orders issued by the Town Manager that will in turn be provided to the Town Commission as necessary ~~on an annual basis~~ for approval and inclusion in the Handbook. Administrative Orders shall be provided to Town at any time and employees and are expected to be adhered to by Town employees even prior to ~~the annual~~ re-adoption of the Handbook by the Town Commission. In the event that the Town Commission does not re-adopt the Handbook in any given year, the last adopted version, including any Administrative Orders, shall be the official version of the Handbook, applicable and binding on the employees of the Town.

The official version of the Handbook is maintained in the office of the Town Clerk and will be made available by the Town's Human Resources Department.

The Handbook does not, in any way, constitute a contract of employment nor does it provide any guarantees of continued employment with the Town. The Town reserves the right in its sole discretion to change, modify or amend the rules and regulations set forth in the Handbook. Each employee of the Town is charged with the responsibility to know, understand and abide by the rules and regulations set forth in the Handbook.

The Town Manager is hereby authorized to enforce the rules, regulations, policies and procedures set forth in the Handbook upon the Town's workforce.

Sections and portions of the Handbook may apply only to certain specified positions based upon the employee's role and designation in the workforce as management or non-management or exempt versus non-exempt personnel. Whenever possible, this distinction shall be separately delineated in the Handbook for clarity. **Appendix A** shall set forth the position titles and job codes for employee positions and will designate the classification and status for each position.

Nothing in the Handbook is intended to be in conflict with any provisions contained in an applicable collective bargaining agreement between the Town and its union employees. In the event of an apparent conflict, the applicable collective bargaining agreement shall prevail. In the absence of a conflicting provision, the Handbook shall prevail and serve as a supplement to the collective bargaining agreement to be adhered to by all Town employees.

Further, should any provision of the Handbook, or any part thereof, be rendered or declared invalid by reason of any existing or subsequently enacted legislation, by decree of any court of competent jurisdiction, or for any other reason, such invalidation of such provision or portion thereof shall be severable and shall not invalidate the remaining other provisions of the Handbook.

The balance of this page is intentionally left blank.

TABLE OF CONTENTS (An updated Table of Contents will be Verified and Generated once the revised Handbook has been approved)

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SECTION 1
CLASSIFICATION SYSTEM{tc "SECTION 1" \f C \l 1}

1.1 SCOPE AND PURPOSE:{tc "1.1 SCOPE AND PURPOSE:" \f C \l 2}

This section sets forth the rules and regulations for the establishment, maintenance, and administration of the Town's Uniform Classification System applicable to all personnel in the Town of Lake Park.

The Human Resources Department shall maintain a uniform classification system. This system shall consist of Town-approved position classifications and a listing of position titles, job codes and pay plan as outlined and set forth in **Appendix A** of this Handbook.

The classification system and the provisions outlined in this Handbook specifically exclude the Town Mayor, Town Commission Members, ~~Town Manager,~~ Town Attorney, and any individual who volunteers their services on behalf of the Town.

1.2 ADMINISTRATION OF THE PLAN:{tc "1.2 ADMINISTRATION OF THE PLAN:" \f C \l 2}

The Town Manager, through the Human Resources Department, shall be responsible for the overall coordination, review, control and administration of the Handbook.

Positions are reclassified by official Town Commission action submitted by the Town Manager. Town Commission approval must be obtained to create, establish or delete positions or effect classification changes.

A periodic review shall be performed by the Human Resources Department to ensure that the classification system is current and uniform. Any modifications will be presented to the Town Manager for consideration and recommendation to the Town Commission.

The Town Manager shall recommend to the Town Commission a standard schedule of pay for all Town positions, including minimum and maximum rates of pay, and shall recommend in consultation with the Town Attorney appropriate action with respect to negotiation, approval and/or rejection of labor agreements with public employee organizations acting on policy directives provided by the Commission in proper sessions.

The Town Manager shall organize, reorganize, consolidate, combine or abolish positions, offices, department divisions or departments of the Town only with the approval of the Town Commission.

The Town Manager shall also present to the Town Commission such rules, regulations and changes that are deemed necessary for effective administration of the classification system.

1.3 CLASSIFICATION OF POSITIONS:{tc "**1.3 CLASSIFICATION OF POSITIONS:**" \f C \l 2}

REGULAR FULL-TIME EMPLOYEE: An employee who has successfully completed the probationary period, who works no less than the established work week of forty (40) hours during a seven day (7) period.

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REGULAR PART-TIME EMPLOYEE: An employee who works less than an established workweek as averaged over a twelve-month (12) period.

Part-time employees are employed at-will are not entitled to benefits or merit increases, and may be terminated without cause or right to appeal the termination decision.

TEMPORARY EMPLOYEE: An employee who has been hired for a specific time period who may work less than the established work week.

Temporary employees are employed at-will and are not entitled to benefits or merit increases, and may be terminated without cause or right to appeal the termination decision.

PROBATIONARY EMPLOYEE: A newly hired full-time employee who has worked less than ~~one (1) year~~ six (6) months and who is eligible for regular full-time employee status upon successful completion of the probationary period. During the probationary period, the employee is an at-will employee and may be terminated from employment without cause and without a right to appeal the termination decision.

Comment [B1]: Exclusion of exempt employees from this probationary period removed. See comment below. Probationary period changed to six months which corresponds to the union contract. BMT

An employee who has been promoted to a new position or who has been demoted to a lower position shall serve a six (6) month probationary period.

The probationary period for employees covered by a collective bargaining agreement shall be determined as set forth in the employee's collective bargaining agreement.

INTERMITTENT EMPLOYEE: A part-time employee who works at irregular intervals in one or more Town departments.

Intermittent employees are employed at-will and are not entitled to benefits or merit increases, and may be terminated without cause or right to appeal the termination decision.

~~**NOTE:**~~

~~Managerial Exempt Department Heads, Assistant Department Heads and other specifically designated positions as set forth in **Appendix B** of this Handbook (i.e., Assistant Town Manager, Assistant to the Town Manager, Assistant to the Finance Director, Assistant Recreation Director, Operations Manager, Art Studio and Gallery Manager, Building Official, CADD Systems Operator, Community Redevelopment Agency (CRA) Economic Development Director, CRA Project Manager, Dockmaster, Librarian I, Librarian II, Planner, Senior Registered Civil Engineer, Senior Registered Architect) serve at the pleasure of the Town Manager and therefore are not subject to a probationary period.~~

~~These employees may be terminated from employment at any time at the discretion of the Town Manager without cause or right to appeal the termination decision.~~

Comment [B2]: Deleted pursuant to the language in Ordinance 5-2012. BMT

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1.4 JOB DESCRIPTIONS:{tc "1.4 JOB DESCRIPTIONS:" \f C \l 2}

Job descriptions shall provide a description of the kind of work, the qualification requirements, and the level of responsibility for each employee position. While the exact duties and responsibilities of the various positions may likely differ, all positions allocated to a specific pay scale shall be reasonably similar in nature (e.g. tasks to be performed, level of complexity, extent of job responsibilities and minimum qualification requirements). Job descriptions shall also specify whether a position is exempt or non-exempt pursuant to U.S. Department of Labor Fair Labor Standards Act requirements.

1.5 CLASSIFICATION OF NEW POSITIONS:{tc "CLASSIFICATION OF NEW POSITIONS:" \f C \l 2}

~~Except in unusual circumstances (e.g. Town Manager reorganization, etc.), a~~Appropriate documentation for the classification of new positions, or the material revision of existing position descriptions, shall be submitted by the appropriate Department Head to the Human Resources Department no less than ten (10) workdays prior to the Town Manager's submittal deadline for receipt of Town Commission agenda items. The Human Resources Director shall review the documentation prior to submittal to the Town Manager.

Before any action may be taken to fill a new position or to insert a materially revised position description into the classification system, the new or revised position description must be approved by the Town Commission, upon the recommendation of the Town Manager.

Comment [B3]: This constitutes a reorganization per Ordinance 5-2012. BMT

1.6 RECLASSIFICATION OF POSITIONS:{tc "RECLASSIFICATION OF POSITIONS:" \f C \l 2}

The Human Resources Department is responsible for examining departmental requests for reclassification of positions consistent with departmental guidelines and with the Town's policies.

The Human Resources Director shall submit reclassification advisory recommendations to the Town Manager for consideration and for submission to the Town Commission for approval if deemed appropriate.

Reclassification may result from reorganization, addition, deletion, redistribution and/or alteration of work assignment which may significantly alter the responsibilities and duties of the position to be reclassified.

1.7 POSITION TITLES:{tc "POSITION TITLES:" \f C \l 2}

A listing of the Town's official position titles and job codes for each Town position is set forth in **Appendix A**. The job descriptions of the Town Manager position and of those positions that directly report to the Town Manager are included in **Appendix B**.

These official position titles and job codes shall be used on all Human Resources and Finance records and in preparation of the annual budget.

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SECTION 2
EMPLOYMENT AND HIRING PRACTICES{tc "SECTION 2" \f C \l 1}

2.1 SCOPE AND PURPOSE:{tc "SCOPE AND PURPOSE:" \f C \l 2}

This section sets forth the rules, regulations and procedures for the establishment and maintenance of the Town's Employment and Hiring Practices applicable to employees of the Town. All employment and hiring practices shall be processed through the Town's Human Resources Department under the authority of the Town Manager to ensure compliance with this section of the Handbook.

2.2 STATEMENT OF POLICY:{tc "STATEMENT OF POLICY:" \f C \l 2}

The Town of Lake Park is committed to providing a uniform policy governing the hiring, retention, transfer, promotion and all other employment practices of the Town.

The Town is equally committed to ensuring that its employment and hiring practices are administered in a fair and impartial manner to ensure compliance with federal and state laws and the maintenance of a highly qualified, diverse workforce consistent with the mission, goals and objectives of the Town.

2.3 RECRUITMENT OF EMPLOYEES:{tc "RECRUITMENT OF EMPLOYEES:" \f C \l 2}

The Town of Lake Park seeks to recruit and employ a high quality work force by actively seeking and selecting the most qualified candidates for a position. Whenever possible, the Town attempts to fill vacancies by promotion or transfer within the organization.

When a vacancy occurs through transfer, promotion, resignation, termination of employment or creation of a new position, the Department Head shall immediately notify the Human Resources Director by completing a Personnel Requisition Form and submitting it to the Human Resources Director for approval by the Town Manager.

If the vacancy is to be filled, then a job announcement shall be prepared stating the official position title, salary range, application procedures and job qualifications.

When appropriate, the announcement shall be posted in all Town Departments for ten (10) workdays.

Outside job advertisements may also be posted in local newspapers of general circulation, radio stations, educational institutions and any other appropriate sources to reach a comprehensive and diverse cross section of the available job market.

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~~NOTE:~~

~~Notwithstanding any of the provisions set forth herein, the Town Manager may appoint directly any qualified candidate for a position without advertising the position either internally or externally.~~

2.4 SELECTION PROCESS:{tc "SELECTION PROCESS:" \f C \l 2}

Individuals seeking employment with the Town shall complete an employment application within the stated timeframe set forth in the job announcement.

Material omissions and/or the ~~F~~ failure to complete an application thoroughly and honestly may ~~shall~~ disqualify a candidate from consideration and, if selected, may ~~will~~ subject the employee to termination of employment with the Town.

Additionally, no individual applying for employment with or promotion within the Town may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with that employment or application.

All candidates selected for employment shall be subject to a criminal background check and required examinations (such as pre-employment physical examination and drug screening examinations), and an employment reference check.

The candidate's employment is contingent upon the successful completion of the criminal background check, employment reference check and the required examinations.

In addition, other such background checks may be required, depending on the vacant position to be filled (e.g. a financial/credit background check is required for positions that require the handling of the Town's finances or significant amounts of cash).

2.5 HIRING PROCESS:{tc "HIRING PROCESS:" \f C \l 2}

The Human Resources Director is responsible for initiating the steps required and for completing the hiring process for each employee who is offered a position with the Town.

In certain instances, the Town Manager may in consultation with the Human Resources Director direct that an interview committee, consisting of outside professionals, conduct interviews for ~~a managerial exempt~~ Department Head position~~-~~s or other ~~specifically designated positions as set forth in Appendix B of this Handbook.~~ exempt positions.

Successful completion of the required background checks, physical and drug screening examinations is a condition of employment prior to the start date of employment with the Town; however, pursuant to the Town's Drug Free Workplace Policy as set forth in Appendix H, the Town may allow a job applicant to begin work pending the results of the drug test, but such employment is conditional and may be revoked if the job applicant/employee fails the required test.

Immediately Upon commencement of employment hiring, new employees shall individually participate in an orientation process and will receive various Town documents including shall receive a Welcome Packet and a copy of the Handbook. All new employees shall sign an Employee Orientation Acknowledgment Form Certification of Receipt of the Handbook and Acknowledgement of C certifying receipt of the Handbook and other Town documents and compliance with the policies, rules and regulations of the Town set forth therein.

The employee's signed Employee Orientation Acknowledgment Form Certification and Acknowledgement Form along with a sign off for other Town documents delineating Town policies, rules and regulations shall be maintained in the employee's Personnel File.

No individual shall be hired for either part-time or full-time employment with the Town who has an outstanding indebtedness to the Town at the time of application.

2.6 INITIAL APPOINTMENT:{tc "INITIAL APPOINTMENT:" \f C \l 2}

Upon initial appointment, with the exception of managerial exempt Department Heads, Assistant Department Heads and other specifically designated positions who serve at the pleasure of the Town Manager, all regular full-time and regular part-time employees shall be required to serve an initial probationary period of six (6) months.

Employees covered by a collective bargaining agreement shall have the length of time of the probationary period set forth in the agreement (i.e. union contract).

All other regular full-time Town employees shall be required to serve a twelve (12) month probationary period.

Comment [B4]: Redundancy in view of the above revision BMT

2.7 PROBATIONARY PERIOD:{tc "PROBATIONARY PERIOD" \f C \l 2}

The initial appointment period of probation for Town employees is set forth in Section 2.6 of the Handbook.

For employees subject to initial appointment probation as set forth in Section 2.6, this probationary period may be extended for an employee if it is deemed necessary by the Town Manager in consultation with the employee's Department Head and the Human Resources Director.

During the probationary period, the employee shall be evaluated for suitability for the position. The employee's evaluation(s) shall be signed by the employee, the Department Head and the Town Manager.

As set forth in section 1.3, during the probationary period, the employee may be terminated from employment without cause and without a right to appeal the termination decision. Additionally, if an employee who is on probation fails to meet the standards set for the position, the employee may be terminated at any time and shall have no right to appeal the termination decision.

An employee who has been promoted to a new position or who has been demoted to a lower position shall serve a six (6) month probationary period, or if applicable as determined in the employee's collective bargaining agreement.

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2.8 TRANSFER OF POSITION:{tc "TRANSFER OF POSITION:" \f C \l 2}

A transfer of position is the change of an employee from one position to a different position of equal rank and status.

A transfer may be initiated by the employee or by a recommendation to the Town Manager by the employee's Department Head.

Except in unusual circumstances and upon advance approval by the Town Manager, an employee who is currently on probation may not seek a transfer of positions.

The Town Manager is responsible for approving in consultation with the employee's Department Head the transfer of an employee to a new position.

NOTE: Notwithstanding any provision to the contrary, an employee may be transferred to a different position upon recommendation by the employee's Department Head and approval by the Town Manager.

2.9 PROMOTION TO A NEW POSITION:{tc "PROMOTION TO A NEW POSITION:" \f C \l 2}

The Town of Lake Park seeks to employ the most qualified applicants for the position while ensuring that current Town employees are afforded a variety of employment and promotional opportunities.

Promotion from within the Town's workforce shall be considered by the Town Manager and preference may be given to applications from existing personnel who meet the qualifications for the position.

Promotion is an upward change in classification to a position with a higher pay grade and salary range.

Except in unusual circumstances, and upon approval by the Town Manager, no employee who is on probation is eligible to seek a promotion to a new position.

NOTE: Notwithstanding any provision to the contrary, an employee may be promoted upon recommendation by the employee's Department Head and approval by the Town Manager.

NOTE: Additionally, as set forth in Section 5.2~~1~~2 of the Handbook, employees who are considered for promotion shall be subject to a criminal background check.

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2.10 DEMOTION TO A LOWER POSITION:{tc "DEMOTION TO A LOWER POSITION:" \f C \l 2}

A demotion to a lower position is the movement downward of an employee to a position having a lower classification and salary range. An employee whose work performance is determined to be unsatisfactory may be demoted.

Demotions may also occur at the voluntary request of the employee or as a result of a reduction in force or a reorganization of the Town's workforce.

2.11 REDUCTION IN FORCE:{tc "REDUCTION IN FORCE:" \f C \l 2}

A reduction in force is a decision by the Town Manager that conditions and/or circumstances exist that make it necessary to reduce the Town's workforce.

Such conditions and/or circumstances that could occasion a recommendation by the Town Manager to the Town Commission for a reduction in force may include a lack of Town funds, a decrease in work, and a reorganization of the workforce or changes in administrative priorities.

Prior to a reduction in force, the Town Manager shall submit the specific proposal to the Town Commission for approval.

Whenever possible, the Town Manager shall attempt to accomplish the reduction in force through reassignments or the filling of vacant positions if available.

If a reduction in force affects a department whose employees are governed by a collective bargaining agreement, the reduction in force will adhere to the provisions in the agreement.

2.12 RESIGNATION FROM EMPLOYMENT:{tc "RESIGNATION FROM EMPLOYMENT:" \f C \l 2}

Town employees resigning from employment with the Town are required to submit a written resignation to the employee's Department Head at least two (2) weeks prior to their date of separation from employment.

The Department Head shall immediately submit the original of such resignation to the Human Resources Director for placement in the employee's personnel file. A copy of the resignation letter shall be provided to the Town Manager by the Human Resources Director.

Failure to provide proper written notice of resignation will subject the employee to a determination in the employee's personnel file that the employee resigned without proper notice to the Town, and may preclude them from future employment with the Town.

An exit interview shall be scheduled by the Human Resources Director with the employee for the purpose of returning all Town property (e.g. identification card, uniforms, keys, laptop computers, etc.). The exit interview process is further described at Section 7.18 Employee Exit Interviews.

Failure to return all Town property shall result in the Town withholding the employee's final paycheck until all such property has been returned to the Human Resources Director.

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SECTION 3
COMPENSATION SYSTEM{tc "SECTION 3" \f C \l 1}

3.1 SCOPE AND PURPOSE:{tc "SCOPE AND PURPOSE:" \f C \l 2}

This section sets forth the rules and regulations for the establishment, maintenance and administration of the compensation system applicable to the employees of the Town. All compensation changes shall be processed through the Town's Finance Department under the authority of the Town Manager to ensure compliance with the provisions of this section.

3.2 STATEMENT OF POLICY:{tc "3.2 STATEMENT OF POLICY:" \f C \l 2}

The Town of Lake Park is committed to providing a uniform policy governing compensation on the basis of tasks performed and in accordance with the knowledge, skills and abilities required by the position.

The Town is equally committed to providing a compensation pay plan to Town employees, which measures, recognizes and rewards employees based upon merit.

3.3 CALCULATION OF PAY RATE:{tc "CALCULATION OF PAY RATE:" \f C \l 2}

Town employees shall be compensated in accordance with the pay scales established for the positions to which the employees are assigned as governed by the regulations in the Handbook and the Town's compensation plan, and in accordance with an applicable collective bargaining agreement, if any.

The salary schedules set forth in the Pay Plan at **Appendix A** of this Handbook consist of all pay scales for employees of the Town and contain pay scales with minimum and maximum salary ranges for each pay scale, reflective of the competitive pay levels for comparable positions in similar public employment organizations and geographic areas.

3.4 PAY PERIODS:{tc "3.4 PAY PERIODS:" \f C \l 2}

The official established work week consists of a forty (40) hour, seven (7) day period.

The pay period for the Town consists of an eighty (80) hour period which includes two (2) forty (40) hour work weeks.

Paychecks are issued bi-weekly.

3.5 WORK HOURS:

The Town Manager, in consultation with Department Heads, establishes the hours of work within the work week for each department.

Employees' work hours may vary to ensure efficient delivery of Town services. Each Department Head ~~will~~ shall notify its employees of the expected hours of work and the department's work schedule, and all full-time and part-time employees shall be required to adhere to such work schedule.

3.6 ANNIVERSARY DATE:{tc "3.6 ANNIVERSARY DATE:" \f C \l 2}

An employee's anniversary date is calculated as the employee's date of hire with the Town.

3.7 INITIAL APPOINTMENT COMPENSATION:{tc "3.7 INITIAL APPOINTMENT COMPENSATION:" \f C \l 2}

All positions are filled at the minimum of the listed salary range of the pay scale of the classification involved unless documented and verifiable justification is provided by the Human Resources Director and approved by the Town Manager prior to making the job offer.

3.8 COMPENSATION INCREASES UPON PROMOTION:{tc "3.8 COMPENSATION INCREASES UPON PROMOTION:" \f C \l 2}

Upon promotion (i.e. an upward change of pay scale or reclassification), the employee at the discretion of the Town Manager shall receive up to a five (5) percent salary increase or the minimum of the pay scale of the promoted position, whichever is greater, unless documented justification for a greater increase is provided and is approved by the Town Manager prior to making the offer of promotion.

3.9 COMPENSATION DECREASES UPON DEMOTION:{tc "3.9 COMPENSATION DECREASES UPON DEMOTION:" \f C \l 2}

Upon demotion (i.e. a downward change in job assignment due to an employee's unsatisfactory performance or at the voluntary request of the employee with the approval of the Town Manager), the employee's salary may be reduced by up to five (5) percent if the employee would still be in the pay scale of the demoted position or to the top of the pay scale to which the employee is being demoted, whichever is greater.

3.10 COMPENSATION UPON LATERAL REASSIGNMENT OR TRANSFER:{tc "3.10 COMPENSATION UPON REASSIGNMENT OR TRANSFER:" \f C \l 2}

An employee reassigned or transferred to another position in the same job classification or pay scale shall retain the same salary as before the change of position. An employee reassigned or laterally transferred to another position in a lower job classification shall return to the same salary as before the change of position.

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3.11 COMPENSATION FOR ACTING STATUS:{tc "COMPENSASTION FOR ACTING STATUS" \f C \l 2}

Upon advance approval by the Town Manager, if a position becomes vacant, and the duties of that position are temporarily assigned to a full-time or part-time Town employee for a period of more than one (1) work week, that employee shall receive up to a five (5) percent differential, retroactively, until the date the position is filled.

NOTE: A union employee who is working out of classification shall be compensated as set forth in the collective bargaining agreement.

3.12 MERIT PAY:{tc "**3.12 MERIT PAY:**" \f C \l 2}

A full-time employee's annual rate of salary increase shall be earned on the basis of merit, within the Town prescribed allowable range of zero (0) to five (5) percent annually, unless specifically prescribed otherwise in an applicable collective bargaining agreement or restricted by budgetary constraints.

~~**3.13 COMPENSATION FOR PART-TIME/HOURLY EMPLOYEES OR EMPLOYEES TEMPORARILY REASSIGNED:**{tc "**3.13 COMPENSATION FOR PART-TIME/HOURLY EMPLOYEES:**" \f C \l 2}~~

~~Employees filling a position on a part time basis shall be compensated at the minimum hourly rate of the pay scale assigned to the position being filled, unless otherwise agreed to and approved by the Town Manager.~~

3.1~~4~~3 EFFECTIVE DATE OF SALARY CHANGES:{tc "EFFECTIVE DATE OF SALARY CHANGES" \f C \l 2}

The effective date of all salary changes requiring Town Commission approval shall be the date of Town Commission action, unless a different effective date is specified and approved by the Town Commission.

3.1~~5~~4 OVER-TIME PAY RATE:{tc "**3.15 OVER-TIME PAY RATE:**" \f C \l 2}

Overtime pay shall be paid to non-exempt employees and employees covered by a collective bargaining agreement in accordance with the applicable agreement, if any, and as provided by Town policy.

Overtime shall be authorized and approved in advance by the applicable Department Head and approved by the Town Manager only in instances necessary to ensure the efficient operation of Town business.

Overtime shall be paid only to employees who during the applicable pay period remain in an active pay status (i.e., no leave without pay) and have worked in excess of a forty (40) hour work week.

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Time worked for the purposes of calculating overtime shall include holidays and all approved vacation, sick and personal leave, bereavement, funeral leave and jury duty. The rate of pay for overtime worked is time and a half pay or as stated in the applicable collective bargaining agreement, if any. Upon approval by the appropriate Department Head and the Town Manager, employees may elect to accumulate compensatory time, at the rate of one-and-one-half hour for each hour of overtime worked as provided in Section 3.16.

NOTE: Exempt employees ~~Managerial Exempt Department Heads, Assistant Department Heads and other specifically designated positions who serve at the pleasure of the Town Manager~~ are not entitled to overtime pay.

3.1~~6~~5 COMPENSATORY PAY:{tc "**3.16 COMPENSATORY PAY:**" \f C \l 2}

Compensatory pay is earned when non-exempt employees request time-off in lieu of overtime pay. Compensatory time may not be earned unless it is pre-approved and authorized by the appropriate Department Head.

Compensatory pay shall be calculated in the same manner as over-time pay and shall be paid at the same rate (i.e. time and a half) or as stated in the applicable collective bargaining agreement, if any.

Compensatory time earned and used shall be reported on the weekly timesheets and shall be tracked by the Finance Department.

In no event may an employee be permitted to accrue more than twenty four (24) hours of compensatory time and such compensatory time must be used prior to using vacation leave.

The Town specifically reserves the right to cash out compensatory time as it deems necessary.

Employees wishing to utilize accrued compensatory time must submit a leave slip and obtain authorization from their Department Head a minimum of two (2) workdays prior to the date of the absence.

3.1~~7~~6 LONGEVITY PAY:{tc "**3.17 LONGEVITY PAY:**" \f C \l 2}

Town employees shall receive salary recognition for length of service with the Town in accordance with the Pay Plan on cardinal years as follows:

$500.00 shall be awarded to the employee at the completion of five (5) years of full-time service with the Town.

At the end of ten (10) years of full-time service with the Town, the employee shall receive $1,000.00 in longevity pay.

Employees who reach fifteen (15) years of full-time service with the Town shall receive $1,500.00 in longevity pay.

Upon reaching twenty (20) years of full-time service with the Town, the employee shall receive $2,000.00 in longevity pay.

Employees who reach twenty five (25) years or more of full-time service with the Town shall receive $2,500.00 in longevity pay.

NOTE: For purposes of longevity pay, length of service shall mean continuous service with the Town.

3.187 EMERGENCY COMPENSATION:{tc "EMERGENCY COMPENSATION" \f C \l 2}

The Town has authorized the Town Manager to declare, partially activate or de-activate a state of emergency for Town employees due to the existence of an emergency and to establish a policy for the cancellation of annual leave and an emergency pay plan for use during an emergency declaration.

Immediately upon the declaration of an emergency, all vacation leave shall be cancelled and shall thereafter be granted only after advance written permission has been approved by the Town Manager upon the recommendation of the Department Head.

Vacation leave for Department Heads and those employees deemed to perform essential Town functions shall be granted only under extenuating circumstances.

During a declared emergency and during regular working hours, exempt and non-exempt full-time employees who are not required to work by the Town Manager may be sent home and paid their regular rate of pay based upon their scheduled hours.

Non-exempt full-time and part-time employees who are designated to work during the emergency will be paid at two (2) times their regular rate of pay during the emergency period. All hours paid during the period of declared emergency may be paid on a separate payroll. Exempt employees required to work shall be paid their regular salary and may be additionally compensated as determined by the Town Manager.

Exempt non-bargaining unit employees designated by the Town Manager as essential for the purpose of effecting the Town's recovery from the disaster shall be paid at their normal hourly rate of pay for all hours worked in excess of their normal workday. This shall continue until the Town Manager no longer designates those employees as essential for disaster recovery. It will be the responsibility of the exempt employees to document their actual hours worked on their timesheets. Any questions involving the hours eligible for compensation will be decided by the Town Manager, whose decision shall be final and binding.

3.1~~9~~8 ADMINISTRATIVE LEAVE:{tc "**3.19 ADMINISTRATIVE LEAVE:**" \f C \l 2}

~~Managerial e~~Exempt employees from time to time may be provided with administrative leave in the form of time off whenever the Town Manager determines that the employee has worked far in excess of their normal work hours and in furtherance of Town business for the efficient and orderly operation of Town services.

Such leave shall be awarded only to ~~managerial~~ exempt employees who have demonstrated a commitment to perform in an exemplary fashion for the benefit of the Town on a consistent basis and shall not be construed as an entitlement to overtime or a condition of employment.

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SECTION 4
PERFORMANCE EVALUATION SYSTEM{tc "PERFORMANCE EVALUATION SYSTEM" \f C \l 1}

4.1 SCOPE AND PURPOSE:{tc "SCOPE AND PURPOSE:" \f C \l 2}

This section sets forth the rules, regulations and procedures for the establishment, maintenance and administration of the Town's Performance Evaluation System applicable for employees of the Town of Lake Park.

4.2 STATEMENT OF POLICY:{tc "STATEMENT OF POLICY:" \f C \l 2}

The Town's Performance Evaluation System was developed under Town direction as an aid to improving the performance of employees of the Town and as a basis for the Town's Merit Pay Plan as set forth in Section 4.7 of the Handbook.

The Performance Evaluation System is comprised of major components which highlight overall job functions as related to job duties and responsibilities, worksite target, goals and objectives and job performance.

The Town created through its Performance Evaluation System job performance standards that serve as the basic core model of the evaluation instrument and system.

All employee evaluations shall be recorded on the Town's Performance Evaluation Form which is set forth in **Appendix C** of the Handbook and is an official document of the Town.

Completed evaluations shall be maintained in the employee's personnel file in accordance with Florida law.

4.3 ADMINISTRATION OF THE PLAN:{tc "ADMINISTRATION OF THE PLAN:" \f C \l 2}

Maintenance of the Town's Performance Evaluation System and the Merit Pay Plan as set forth in Section 4.7 of this Handbook is the responsibility of the Town Manager in consultation with the Human Resources Director.

Components of the Plan may be revised by approval of the Town Manager and the pay structure may be revised by Town Commission approval.

4.4 STANDARDS OF PERFORMANCE:{tc "STANDARDS OF PERFORMANCE:" \f C \l 2}

The standards of performance as set forth in the employee evaluation instruments serve as a major component in evaluating employee performance.

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These performance standards and evaluation instruments shall be reviewed and revised as appropriate by the Human Resources Director and the Town Manager in order to accurately reflect the overall mission of the Town while achieving the goals and objectives of the departments within the overall organization.

4.5 PURPOSE OF EVALUATIONS:{tc "4.5 PURPOSE OF EVALUATIONS:" \f C \l 2}

The evaluations are used to measure the ~~employee~~ performance of regular full-time and regular part-time employees, and/or to determine pay increase amounts.

The Town Manager has the responsibility of evaluating Department Heads and other direct reports and Department Heads and supervisors have the responsibility of evaluating their employees in a timely manner~~,~~ by the end of the employee's evaluation period and correcting observed performance deficiencies.

Employees shall be expected to sign their evaluations and may submit written comments on their evaluations for inclusion in their personnel file. Current year evaluations are confidential and are exempt from disclosure as public records for one year. Thereafter, they are open for inspection in accordance with Chapter 119, Florida Statutes.

4.6 ANNUAL PERFORMANCE PLANNING:{tc "4.6 ANNUAL PERFORMANCE PLANNING:" \f C \l 2}

Annual performance planning is done by the Town Manager in cooperation with the Town's Department Heads and within the context of the mission ~~-~~of the Town.

The purpose of performance planning is to clarify the organizational relationship of the employee to the Town's mission and to ensure the employee's understanding of the importance of the employee's relationship to the overall accomplishment of the quality of service for the residents of the Town.

Performance planning focuses upon and factors in major job targets which reflect worksite needs and objectives, organizational and departmental concerns, recommendations from previous years and an understanding of employee standards.

4.7 EMPLOYEE PERFORMANCE EVALUATIONS AND MERIT PAY PLAN:{tc "4.7 EMPLOYEE PERFORMANCE EVALUATIONS AND MERIT PAY PLAN:" \f C \l 2}

Formal employee performance evaluations shall be conducted at established intervals during an employee's tenure of employment with the Town.

The purpose of the evaluation shall be to formally assess the employee's performance over a designated period of time and to provide an opportunity for the immediate supervisor and the employee to discuss aspects of the employee's job duties and responsibilities within the context of furthering the Town's mission.

Salary adjustments are based upon the employee's evaluation as set forth in the Handbook.

No merit increase will be awarded to any employee who does not meet the minimum standard score of "meets expectations" (i.e., 2.0) on the employee's performance evaluation.

In the event that any ~~area~~ major job target area (e.g., job knowledge, quality of work, job dependability, etc.) of the employee's evaluation is below expectations (e.g., "0") or needs improvement (e.g., "1"), the Department Head upon approval by the Town Manager shall defer the merit increase until such time as the area is determined to be improved. Such merit increase shall not be retroactive.

Comment [B5]: E.g., productivity or workmanship not up to required standards of performance constitutes a Category I(g) offense if performance does not improve. BMT

Except as otherwise provided in an applicable collective bargaining agreement, an employee's annual salary increase shall be awarded based upon the following scale:

TOTAL RATING FACTOR	PERCENT MERIT INCREASE
0 to 1.9	0 percent
2.0 to 2.5	2 percent
2.6 to 3.0	3 percent
3.1 to 3.5	4 percent
3.6 to 4.0	5 percent

Rating Factor Definitions:

Rating 4 EXCELLENT – Job performance that consistently achieves and exceeds the expectations of the job.

Rating 3 ABOVE EXPECTATIONS – Job performance that routinely is above the expectations of the job.

Rating 2 MEETS EXPECTATIONS – Job performance that routinely meets the expectations of the job.

Rating 1 NEEDS IMPROVEMENT – Job performance that needs improvement in meeting the expectations of the job.

Rating 0 BELOW EXPECTATIONS – Job performance that routinely falls below the minimum expectations and requirements of the job.

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4.8 REASONS FOR EVALUATIONS:{tc "4.8 REASONS FOR EVALUATIONS:" \f C \l 2}

Employee performance evaluations shall be done upon the completion of an employee's probationary period for new hires, promotions and demotions; upon the completion of each year's service as an annual evaluation; and when deemed appropriate for other reasons. ~~Part-time employees shall be evaluated prior to their anniversary date and thereafter on an annual basis.~~ Intermittent employees and temporary employees shall generally not be evaluated due to the finite nature of their employment with the Town.

Other reasons for an employee's performance to be evaluated include a decline in the employee's performance, a significant change in job duties, a change in supervision or any other reason upon appropriate documentation setting forth the need for an evaluation.

4.9 ANNUAL PERFORMANCE EVALUATION:{tc "4.9 ANNUAL PERFORMANCE EVALUATION:" \f C \l 2}

Each year prior to the employee's anniversary date, the employee shall be annually evaluated in accordance with the provisions of the Handbook and/or as set forth in an applicable collective bargaining agreement, if any.

An official Town evaluation form shall be completed for each Town employee by the employee's appropriate supervisor and shall be retained in the employee's personnel file in accordance with law and Town policy.

The annual evaluation shall be reviewed by the next level manager. ~~and presented to the Town Manager for review.~~ The evaluation shall then be presented to the employee for discussion and signature.

If the employee's performance needs improvement, or is below expectations, the immediate supervisor shall provide counseling and documentation with the goal in mind of improving the employee's job performance.

Salary increases shall be requested, as appropriate, by the immediate supervisor and shall be based on performance reviews and available funds.

The Town reserves the right to not provide a merit pay increase to Town employees in the absence of sufficient Town finances. ~~as set forth in Section 4.7 of the Handbook~~.

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SECTION 5
EMPLOYMENT STANDARDS AND PROCEDURES{tc "EMPLOYEE STANDARDS AND PROCEDURES" \f C \l 1}

5.1 SCOPE AND PURPOSE:{tc "5.1 SCOPE AND PURPOSE:" \f C \l 2}

This section sets forth the rules, regulations and procedures for the establishment and maintenance of the Town's Employment Standards and Procedures applicable to all Town personnel.

5.2 STATEMENT OF POLICY:{tc "5.2 STATEMENT OF POLICY:" \f C \l 2}

All employees of the Town are representatives of the Town of Lake Park. As such, the Town's employees are expected to conduct themselves, both in their employment and in the community, in a manner that will reflect credit upon themselves and the Town.

Compliance with the Employment Standards and Procedures provisions set forth in this section of the Handbook is a term and condition of employment with the Town.

5.3 DRESS CODE:{tc "5.3 DRESS CODE:" \f C \l 2}

Proper grooming and attire have a positive impact on the Town's image.

Employees of the Town shall maintain appropriate grooming and attire standards, which bear a reasonable relationship to the employees' work and job position.

Clothing worn by Town personnel shall be neat, clean and shall not detract from the Town's image or be a distraction to other Town employees.

Administrative office employees shall be dressed in an appropriate and professional manner consistent with these standards and as set forth by Town management.

Uniformed staff shall dress in a manner consistent with the standards set forth by Town management and/or as delineated in an applicable collective bargaining agreement, if any.

5.4 IDENTIFICATION CARD POLICY:

Town employees are required to wear or be in possession while on duty of the Town-issued photo identification card which is issued to them upon their initial hiring. Employees are personally and directly responsible for such identification cards. Any employee who loses an

identification card must immediately report such loss to the Human Resources Director, and such employee shall be charged an appropriate replacement cost.

DRAFT

5.5 TIME CARD POLICY:

~~For Town departments that utilize time clocks,~~ Employees who are required to utilize a time clock system are required to punch in at the time they are actually scheduled to start work at the beginning of the workday, and to punch out at their actual quitting time at the end of the workday. Additionally, employees are required to punch in and out at the beginning and end of their scheduled meal breaks ~~and rest periods~~.

Employees are not permitted to punch another employee's time card.

Employee are specifically required and expected to be prompt in their arrival to work and in returning from authorized breaks and meal periods, and to work all scheduled work hours. Failure to meet this requirement shall be grounds for disciplinary action as set forth in Section 7 Employee Rights and Disciplinary Procedures or if applicable as set forth in the employee's collective bargaining agreement. However, for purposes of calculating time, the following criteria shall be used:

All time shall be rounded to the nearest quarter hour.

For each quarter hour, if an employee is eight minutes or more late they will be docked for the entire quarter hour. Additionally, when an employee is authorized to work overtime, for each quarter hour, eight minutes or more shall entitle that employee to the entire quarter hour of pay.

5.6 LUNCH BREAKS:{tc "5.4 LUNCH BREAKS:" \f C \l 2}

All employees of the Town shall have a duty free lunch period provided in the employee's daily work schedule.

The employee's Department Head or immediate supervisor shall set the schedule for employee lunch breaks in a manner that ensures that Town services and functions will be covered without interruption during the workday.

Except as expressly approved otherwise by the appropriate Department Head, no individual lunch periods may exceed one (1) hour.

5.7 PERSONAL PHONE CALLS:{tc "5.5 PERSONAL PHONE CALLS:" \f C \l 2}

Employees are expected to devote their full attention to the employee's work assignments and duties throughout the workday devoid of personal interruptions and/or telephone calls.

Personal telephone calls, including responses to cell phones, pagers or any other communication device, shall be made during the employee's designated break time in a manner that does not interrupt Town business or distract other Town personnel.

DRAFT

In the event of a family or personal emergency, Town employees are expected to inform their immediate supervisor of the need to interrupt their workday to attend to the employee's personal business and to obtain the appropriate authorization from the supervisor to do so.

5.8 COMPUTER INFORMATION SYSTEMS AND TOWN CELL PHONE USAGE:{tc "**5.6 COMPUTER/INFORMATION SYSTEMS AND TOWN CELL PHONE USAGE:**" \f C \l 2}

Computer Information Systems:{tc "**Computer/Information Systems:**" \f C \l 3}

The Town ensures that employees of the Town have access to computer information systems necessary for the proper performance of their job duties and assignments.

The use of the Town's computer information systems, including employee's access to the Internet, is strictly intended for Town business and work-related purposes and shall not be used for an employee's personal use. ~~or business purpose.~~

Access to the Town's computer information systems is limited to authorized users, who, as a condition of employment, agree to be bound by Town policy for the appropriate use of the Town's computer information systems.

The Town's computer information systems may be used solely for lawful, proper and authorized purposes. Any improper, unauthorized or unlawful use shall be reported to the appropriate authorities and will be investigated accordingly.

Town employees have no right of personal privacy in any matter stored in, created, received or sent over the Town's computer information systems.

The Town expressly reserves the right to monitor, without notice, or reason, all information in whatever form on the Town's computer information systems. This specifically includes, without limitation, an employee's email, messages and/or other documents, regardless of system location or content.

Employees shall utilize and maintain software on Town computers that is properly licensed by the software manufacturer and approved by the Chief Information Technology Officer.

~~Personal software such as utilities or screen savers is discouraged and must be approved for individual employee use by the Chief Information Technology Officer. Likewise, software relating to Town business shall be downloaded or installed only after it has been approved by the Chief Information Technology Officer.~~

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Personal computer technology devices must be approved in advance for individual work-related use by the Chief Information Technology Officer. Likewise, software to be downloaded or installed through the Town server or information technology system must be approved in advance by the Chief Information Technology Officer.

The Town may offer a taxable monthly stipend for the work-related use of personal computer technology devices.

Work-related data and information stored on such personal computer technology devices, as well as the Town's computer information systems, are subject to the Public Records Laws and shall be retained in accordance with the appropriate retention schedule and as provided by law.

~~Data in the Town's computer information systems are subject to Public Records Laws and shall be retained in accordance with the appropriate retention schedule and as provided by law.~~

Social Media:

The Town's official functions may require a social media presence from time to time in the normal course of work-related Town business.

The establishment of social media accounts and pages such as Twitter, Facebook, etc. utilizing the Town's computer technology devices and/or the Town's brand (e.g., logo, name, web resources, etc.) must be submitted to the Chief Information Technolgy and then to the Town Manager for advance approval pursuant to the Town's Social Media Policy as set forth in this Handbook at **Appendix D.**

Town employees are expected to comply with the computer information systems' provisions set forth in the Handbook and are expected to report promptly any violations of these provisions.

Failure to abide by the Town's computer information systems' policy and procedures shall be grounds for disciplinary action, up to and including termination of employment with the Town.

Town Cell Phone Usage:{tc "**Town Cell Phone Usage:**" \f C \l 3}

Employees of the Town who are provided cell phones or stipends to use their personal phones for Town business shall adhere to all rules and regulations issued by the Town as set forth in the Town of Lake Park Cellular Phones and Mobile Communication Devices Policy which is set forth at **Appendix D** of this Handbook, and shall recognize and understand that Town cell phone usage is not intended for an employee's personal use ~~during working hours~~ or use not related to Town business.

Frequent and/or lengthy personal phone calls from Town phones are expressly prohibited.

When driving a Town vehicle or off road equipment, the use of cellular phones shall be used with a hands-free device to ensure the promotion of safety practices and accident prevention. Text messaging when driving a Town vehicle is strictly prohibited.

Comment [B6]: This complies with existing language in Appendix D. BMT

5.9 USE OF TOWN VEHICLES:{tc "**5.7 USE OF TOWN VEHICLES:**" \f C \l 2}

Town vehicles shall be used only in the furtherance of official Town business, except as expressly set forth in the Handbook and/or the Town's Motor Vehicle Policy which is set forth at **Appendix E.**

Town employees assigned or authorized to operate or use a Town vehicle shall abide by the Town's Motor Vehicle Policy.

Town vehicles may be used for transportation to and from an employee's residence when the vehicle is assigned to an employee on a full-time basis or when the employee is officially "on-call" emergency duty, or when, on a temporary basis, the employee in writing is assigned the vehicle directly by the Department Head or the Town Manager.

Only an employee assigned a Town vehicle or designated to operate a Town vehicle may do so. Such employee must be eighteen (18) years of age or older and must currently possess a valid Florida Driver's License for the type of vehicle assigned.

All Town employees whose job requires them to operate a Town vehicle ~~is~~ are under an affirmative duty to immediately report to their supervisor any restriction on their driver's license (i.e., suspension, revocation, expiration, etc.) Under no circumstances shall a Town employee, whose license has been suspended, cancelled, revoked or expired, operate a Town vehicle.

DRAFT

An employee may not continue to work for the Town if driving is considered a minimum requirement of the employee's job and said employee cannot or does not hold a current, valid Florida Driver's License with appropriate class designation for the type of vehicle required for the job.

Employees are required to inform the Department Head/supervisor immediately of any property damage incidents or moving violations involving Town vehicles to which they are assigned, regardless of whether a citation is issued.

All accidents, no matter how minor or inconsequential, shall be reported immediately to the employee's immediate supervisor or Department Head, appropriate law enforcement entity and to the Human Resources Director for insurance and risk management purposes.

5.10 CONFLICT OF INTEREST:{tc "**5.8 CONFLICT OF INTEREST:**" \f C \l 2}

Town employees are governed by the statutory provisions contained in the "Code of Ethics for Public Officers and Employees", Chapter 112, Florida Statutes (Code of Ethics), as well as the Palm Beach County Code of Ethics. **As such, Town employees are required to comply with the provisions of the** ~~Code of Ethics.~~the Florida Code of Ethics and the Palm Beach County Code of Ethics.

Such adherence to the above Codes of Ethics diminishes the appearance of impropriety and the perception of undue influence upon the business functions of the Town.

No Town employee shall corruptly use or attempt to use his or her official position or perform his or her official duties to secure a special privilege, benefit or exemption for himself, herself, or others.

Whenever ~~a business~~business dealing or other transaction may be perceived as ~~considered~~ a conflict of interest between the employee and the Town, the employee shall notify in writing the Town Manager through the appropriate Department Head of the potential or perceived conflict of interest in advance of undertaking the business deal or transaction.

Pursuant to the Palm Beach County Code of Ethics, Town employees cannot use their position with the Town in any way when the employee knows or should know with the exercise of reasonable care that it would result in special financial benefit to:

- The employee;
- A household member, spouse or domestic partner or their outside business or employer;
- The employee's relatives or their outside business or employer;

- An outside employer or business of the employee or the employee's spouse or domestic partner or someone the employee knows works for that business;
- A customer or client of the employee's outside employer or business;
- Someone who owes the employee, or who the employee owes, at least $10,000 NOT including a loan the employee might have with a financial institution;
- A non-profit organization where the employee or the employee's spouse serves as an officer or director.

Contractual Relationships Prohibition:

With regard to contractual relationships, no Town employee can enter into any contract or other transaction to provide goods or services to the Town. This includes any contract or transaction between the Town and the employee, the employee's outside employer, or any business that the employee may own (minimum 5 percent of the business' assets).

The contractual relationships prohibition does not apply to part-time outside employment provided that:

- The employee's part-time employer does not have contracts or transactions that the employee or the employee's department administers, oversees, or enforces; and
- The employee's part-time employment will not impair or interfere with the performance of the employee's public job; and
- Neither the employee nor the employee's relatives participated in awarding or determining the requirements of the contract;
- The employee's responsibilities at his or her part-time job do not require the employee to be involved with the contract between the Town and the part-time employer in any way;
- The employee has complied with all merit rules regarding outside employment and receives permission from the employee's immediate supervisor, Department Head and Town Manager; and
- The employee completes and signs under oath the Palm Beach County Conflict of Interest Waiver Form available through the Human Resources Department, and submits it to the employee's supervisor and Town Manager for approval and forwarding by the Human Resources Director to the Palm Beach County Commission on Ethics.

For additional exceptions to the contractual relationships prohibition, please see the Palm Beach County Code of Ethics.

5.11 ACCEPTING GIFTS AND GRATUITIES:{tc "**5.9 ACCEPTING GIFTS AND GRATUITIES:**" \f C \l 2}

Town employees are prohibited from soliciting or accepting a gift of any value in return for, or because of, the way the employee performs his or her duties as a public employee. This includes thank-you gifts or tips for an official public action or legal duty performed, withheld or violated.

Town employees are prohibited from soliciting gifts of any value from someone the employee knows to be a vendor, lobbyist, principal or employer of a lobbyist doing business with the Town if the gift is for the employee's financial benefit, the benefit of the employee's relative or household member, or another employee.

Over the course of the calendar year, Town employees are prohibited from accepting or asking for gifts worth more than $100 in the aggregate from a person who the employee knows or should know with the exercise of reasonable care, is a vendor, lobbyist, or any principal or employer of a lobbyist who sells or leases real or personal property, provides goods or services, or lobbies the Town.

Employees who receive any gift worth more than $100 must file an annual gift disclosure report with the Palm Beach County Commission on Ethics no later than November 1st for the period ending September 30th of each year. The gift disclosure report is available at the Palm Beach County Commission on Ethics website at http://www.palmbeachcountyethics.com/forms.htm .

~~anything of value, such as a gift, loan, reward, promise of future employment, favor, or service that is based upon an understanding that their official action or judgment would be influenced by such gift.~~

~~The taking of tips for the performance of services is expressly prohibited.~~

~~Employees are expressly prohibited from utilizing their position or employment with the Town to obtain any item for personal use or gain (such as discounts toward the purchase of items or services for personal use).~~

Violation by any employee of this provision of the Handbook is ~~The unauthorized solicitation of Soliciting gifts, entertainment, services or anything else of value is~~ grounds for termination of employment with the Town.

~~Employees shall exercise good judgment in their dealing with vendors and firms doing business with or interested in doing business with the Town.~~

~~Any acceptance of a gift, favor, or item of value from any person, firm or entity which has business dealings or interests with the Town shall be reported to the Town Manager immediately in writing though the appropriate Department Head.~~

5.12 OUTSIDE/DUAL EMPLOYMENT: {tc "OUTSIDE/DUAL EMPLOYMENT" \f C \l 2}

The work of the Town shall take precedence over any other occupation or interests of a Town's employee.

All outside employment for salary, wages or commissions and all self-employment shall be reported in writing to the Town Manager through the appropriate Department Head for the Town Manager's approval in advance of outside/dual employment by utilizing the Dual ~~Enrollment~~ Employment Authorization Form.

Each change in outside/dual employment shall require separate reporting and approval in advance of undertaking the employment.

Approval shall not be granted when the dual employment conflicts or interferes, or is likely to conflict or interfere, with the employee's or any other employee's service to the Town; when the dual employment lowers the efficiency of the employee; and/or when dual employment is incompatible with or creates a conflict of interest in an employee's official duties with the Town.

In each and every instance of an approval of an employee's dual employment, said dual employment shall be completely separated from Town duties and shall not utilize Town property or resources.

In the instance of approval being sought by a Town employee for dual employment with a Town vendor or lobbyist, the employee must complete and sign under oath the Palm Beach County Commission on Ethics Employee Conflict of Interest Waiver available through the Human Resources Department, and submit it to the employee's supervisor and Town Manager for approval and forwarding by the Human Resources Director to the Palm Beach County Commission on Ethics prior to the commencement of such employment.

5.13 EMPLOYMENT OF RELATIVES/ANTI-NEPOTISM:

No public official, Town Manager, Department Head or ~~supervisor~~ or any employee of the Town who is authorized to appoint, promote, or advance fellow employees in the Town may do so if that fellow employee is a relative, domestic partner or household member. ~~of the Town may hire, appoint, promote or otherwise advance the employment status of a relative~~ nor may they advocate such action for said relative, domestic partner or household member.

For purposes of this section, relative shall be defined to include spouse, daughter, son, mother, father, sister, brother, grandmother, grandfather, mother-in-law, father-in-law, sister-in-law, brother-in-law, uncle, aunt, first cousin, nephew, niece, step-father, step-mother, step-son, step-daughter, step-brother, step-sister, half brother or half sister, or any other relative living in the same household.

Town employees who are members of the same immediate family may be employed in the same department or in the Town provided that one immediate family member (i.e., relative) may not supervise or authorize payroll for another relative at any time.

5.14 STATEMENT OF FINANCIAL INTERESTS:{tc "5.11 STATEMENT OF ECONOMIC INTEREST:" \f C \l 2}

Florida law requires that all appointed officials or public employees (i.e.,. local officers/employees) who serve as Town Manager, Assistant Town Manager, Community Development Director, Building Code Inspector, Public Works Director, Town Clerk, and Finance Director, as well as Mayor and Town Commissioners file a sStatement of Financial Interests by July ~~1st following~~1st following each calendar year in which they hold their positions.

5.15 POLITICAL ACTIVITY:{tc "5.12 POLITICAL ACTIVITY" \f C \l 2}

The Town recognizes and encourages the rights of its employees, as citizens, to engage in political activity, with the following restrictions:

No employee shall, in the furtherance of any candidacy for nomination or election to public office in any election, provide campaign services to the candidate during the employee's working hours.

No employee shall use his/her official authority or influence for the purpose of coercing or influencing another person's vote.

Activity prohibited under this section includes, but is not limited to, the following:

- using Town email servers and individual email accounts for political purposes;
- campaigning during official work hours or otherwise attempting to influence votes when the Town is being used as a voting precinct on an election day; and/or
- directly or indirectly or expressly using staff to communicate political messages to members of the community.

No employee shall directly or indirectly coerce or attempt to coerce, command or advise any other employee to contribute any money or anything else of value to any party, committee, organization, agency or person for political purposes. However, nothing in this paragraph shall prohibit an employee from suggesting to another employee in a non-coercive manner that he or she may voluntarily contribute to a fund which is administered by a party, committee, organization, agency, person, labor union or other employee organization for political purposes.

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No employee shall make or solicit or knowingly accept any campaign contribution in a building owned or leased by the Town. This subsection shall not apply when a Town-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund-raiser and the employee is in attendance at such campaign fund raiser outside of working hours.

No employee, in the furtherance of his/her candidacy for nomination or election to public office in any election shall use any Town-owned motor vehicle solely for the purpose of furthering his/her candidacy.

Use of Town email servers and individual Town-provided email accounts for the purpose of distributing political communications of any nature constitutes an inappropriate and unacceptable use.

No employee shall use any Town property for political purposes, including influencing an election.

Nothing in this section shall be construed to limit an employee's right to engage in political activity as set forth in §104.31, Florida Statutes.

5.16 LOBBYIST REGISTRATION:

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the good will of any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the massage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board or the local municipal governing body lobbied.

A lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

Except when appearing before the Commission or any advisory board, all persons (lobbyists) shall sign, for each instance of lobbying, contact logs maintained and available in the office of the reception of each Town department. The person shall provide his or her name, whether or not the person is a lobbyist as defined above, the name of each principal, if any, represented in the course of the particular contact, and the subject matter of the lobbying contact. Pursuant to the Palm Beach County Ethics Code and by extension the Town requires that all contact logs shall be maintained by the in the office of the Town Clerk for a period of five (5) fiscal years.

5.167 NON-SOLICITATION:{tc "5.13 NON-SOLICITATION" \f C \l 2}

The Town is legally charged by law and mission to promote the efficiency of Town services to its residents and members of the public. As such, the Town must adhere to certain guidelines in the furtherance of its mission.

Solicitation or distribution of literature in areas of Town property, which is not open to the public, is strictly prohibited.

Further, solicitation or distribution of literature by the public is prohibited where such activities disrupt, interfere, or otherwise substantially impair Town operations.

This includes all vendors and sales people who are attempting to sell goods or services to Town employees during work hours.

Unauthorized solicitation or distribution of non-work related literature by Town employees on Town property is prohibited.

5.178 TRAVEL AND SUBSISTENCE ALLOWANCE:{tc "5.14 TRAVEL AND SUBSISTENCE ALLOWANCE:" \f C \l 2}

The Town pays for or reimburses the costs of certain meeting and travel expenses for Town employees who incur such qualified expenses in the course of their employment with or service to the Town.

In order to be reimbursable, these expenses must be incurred in the furtherance of official Town business or attendance at professional meetings, conferences, seminars or training sessions which promote job knowledge.

No payment or reimbursement shall be made unless prior authorization is obtained in advance of the expenditure. Authorization shall be made by the Town Manager through the employee's Department Head.

Such reimbursements are subject to Town budget limitations and must be in compliance with applicable laws and Town rules, regulations and policies and as set forth in the Town's Travel Policy which is set forth at **Appendix F**.

5.1~~8~~9 INTERVIEW EXPENSES:{tc "**5.15 INTERVIEW EXPENSES:**" \f C \l 2}

In certain limited circumstances, the Town may provide reimbursement for interview expenses to applicants being considered for ~~managerial~~ exempt positions (i.e. Department Heads and above).

In order to receive travel expense reimbursement, prior written authorization by the Town Manager is necessary.

In no event shall reimbursement exceed twenty-five hundred dollars ($2,500.00) and shall be payable only upon proof of expenditures occasioned by the interview.

The rate of payable reimbursement shall be the same as the established rate for Town employee travel reimbursement and as provided by law.

{tc "**5.16 MOVING EXPENSE:**" \f C \l 2}**5.~~19~~20 MOVING EXPENSE:**

In certain limited circumstances, the Town may provide reimbursement for moving expenses to newly hired ~~managerial~~ exempt employees.

In order to receive moving expense reimbursement, the employee shall submit three (3) quotes from moving vendors in order to obtain approval and written authorization by the Town Manager.

In no event shall reimbursement exceed five thousand dollars ($5,000.00) and shall be payable through payroll only upon proof of actual expenditures occasioned by the move.

5.2~~0~~1 EMPLOYEE DUTY TO NOTIFY EMPLOYER:

The Town anticipates and requires its employees to keep accurate information relevant to an employee's job status updated with the Town.

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Employees are required to immediately notify the Town of all changes which may impact their job status including but not limited to notifying the Human Resources Director of all arrests, license suspension or revocation (if required for the employee's job), current contact information (i.e. current address and phone contact information) and any other such information. , and in keeping their current contact information correct by completing and submitting to the Human Resources Director an updated Employee Contact Form, and Employee Beneficiary Designation Form.

5.22 TOWN'S RIGHT TO PERFORM PERIODIC CRIMINAL BACKGROUND CHECKS:

The Town is committed to ensuring that its workforce adheres to all required laws. As such, the Town may in its discretion periodically update an employee's criminal history background. Employees who are considered for promotion shall be subject to a criminal background check.

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SECTION 6
EMPLOYEE BENEFITS{tc "SECTION 6. EMPLOYEE BENEFITS" \f C \l 1}

6.1 SCOPE AND PURPOSE:{tc "SCOPE AND PURPOSE:" \f C \l 2}

This section sets forth the rules, regulations and procedures for the establishment and maintenance of the Town's Employee Benefits applicable to all personnel in the Town of Lake Park.

6.2 STATEMENT OF POLICY:{tc "STATEMENT OF POLICY:" \f C \l 2}

The Town of Lake Park is committed to providing the best possible employee benefits package to Town employees permitted by and feasible with the budget and the changing economic times.

All eligible employees of the Town shall receive employee benefits consistent with the Town's policy, the current contracts with the Town's benefits providers, and in accordance with applicable state and federal laws and applicable collective bargaining agreements, if any.

Town benefit plans shall be renegotiated from time to time and may undergo changes and modifications at those times based upon full consideration of marketplace and budgetary factors.

6.3 SOCIAL SECURITY BENEFITS:{tc "SOCIAL SECURITY BENEFITS:" \f C \l 2}

The Town participates in the Social Security program, deducting that portion of the employee's salary as required by law for purposes of ensuring the applicability of employee participation and coverage.

6.4 ~~HEALTH~~ MEDICAL INSURANCE BENEFITS:{tc "HEALTH INSURANCE BENEFITS:" \f C \l 2}

The Town provides medical ~~health~~ insurance coverage for all of its full-time employees consistent with Town policy.

Specific medical ~~health~~ insurance carriers may change from time to time in order to ensure that the Town be able to obtain competitive and reasonable rates for its employees.

The Town shall pay to the extent financially feasible for the full cost of each full-time employee's medical ~~health~~ insurance and may pay a set amount to be utilized for the employee's dependent care coverage.

Employees desiring dependent care coverage shall be responsible for paying their portion of dependent medical ~~health~~ care coverage not provided by the Town.

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Employees who are separated from employment with the Town through termination or resignation are eligible to apply for COBRA coverage as provided by law. ~~and may be eligible for additional insurance assistance as provided in the American Recovery and Reinvestment Act of 2009 (ARRA).~~ The Human Resources Director is charged with notification of COBRA and ~~ARRA~~ coverage to eligible employees.

Comment [B7]: The last extension of ARRA was to June 1, 2010. BMT

6.5 DENTAL AND VISION INSURANCE:{tc "**DENTAL AND VISION INSURANCE:**" \f C \l 2}

The Town shall pay to the extent financially feasible dental and vision care coverage for all of its full-time employees consistent with Town policy.

In the event that the Town elects not to pay a portion of dental and/or vision care insurance for its employees, those employees may obtain dental and vision care coverage at the employee's expense through the Town's plan.

Employees desiring dental and/or vision care coverage for their dependents may elect to obtain coverage at the employee's expense through the Town's plan.

6.6 LIFE INSURANCE:{tc "**LIFE INSURANCE:**" \f C \l 2}

If financially feasible, ~~A~~ all full-time employees are provided with a designated amount of life insurance consistent with Town policy.

Employees desiring increased life insurance coverage may obtain coverage at the employee's expense.

6.7 PENSION AND DEFERRED COMPENSATION PLANS:{tc "**PENSION AND DEFERRED COMPENSATION PLANS:**" \f C \l 2}

The Town shall obtain and make available to its full-time employees ~~who work at least one thousand (1,000) hours per fiscal year~~ a pension plan and a deferred compensation plan in which its employees may participate.

Details of the Town's Pension and Deferred Compensation Plans shall be made available in the Human Resources Department.

NOTE: In the event a regular full-time employee who is a participant in the Town's pension plan and deferred compensation plan is the subject of a reduction in force which results in the elimination of the employee's full-time position and if the employee is rehired pursuant to the

reduction in force as a regular part-time employee, the employee will be entitled to continued participation in the Town's pension and deferred compensation plan.

6.8 DISABILITY INSURANCE:{tc "6.8 DISABILITY INSURANCE" \f C \l 2}

The Town to the extent financially feasible, provides short and long term disability insurance coverage for its full-time employees consistent with Town policy.

Details of the Town's disability insurance coverage shall be made available in the Human Resources Department.

6.9 VACATION, SICK AND PERSONAL LEAVE:{tc "VACATION, SICK AND PERSONAL LEAVE:" \f C \l 2}

All full-time employees earn vacation, sick and personal leave in accordance with Town policy or an applicable collective bargaining agreement, if any.

Leave is earned from the commencement of full-time employment status.

Employees must be in an active pay status during the pay period to be eligible to earn accrued leave.

Vacation Leave:{tc "Vacation Leave" \f C \l 3}

All full-time employees shall earn vacation leave on an annual basis based upon their years of employment with the Town as follows:

0 to 5 years of employment	5 hours per pay period (16 days annually)
6 to 10 years of employment	6 hours per pay period (19.5 days annually)
10+ years of employment	8 hours per pay period (26 days annually)

Employees are encouraged to use at least five (5) vacation leave days per calendar year for purpose of vacation.

Employees can accrue up to 480 hours of vacation leave for a total of 60 days. ~~at a payment of 100 percent on a use it or lose it basis.~~ Upon separation of employment no employee shall be paid more than a maximum of 240 hours (30) days of vacation leave. Vacation leave shall be

compensated upon termination of employment at the rate of pay in effect on the date of such termination of employment.

An employee seeking to use his or her vacation leave for purposes of vacation and/or attending to personal matters shall submit a Leave Request Form to the office of the Department Head at least forty-eight (48) hours in advance of the first day of requested leave, except in emergency situations. Requests for vacation leave of more than two (2) consecutive workdays must be submitted to the office of the Department Head at least two (2) weeks in advance of the first day of requested leave. All requests for use of vacation leave are subject to the approval of the Department Head, which approval shall not be unreasonably withheld. The Department Head upon approval by the Town Manager ~~, in his sole discretion,~~ may approve use of vacation leave with shorter notice than specified in this section.

An employee may take all of his or her accrued vacation leave for purposes of vacation and/or personal matters up to a maximum of four (4) weeks at any one time, at the discretion of the Department Head.

Employees new to the Town who are still on probation shall accrue vacation leave, but shall not be eligible to use vacation leave during the first three (3) months of employment with the Town unless justified by the employee and approved by the employee's supervisor and Department Head.

NOTE: In the event an employee has exhausted his or her sick leave, in certain extraordinary circumstances the employee may request to use his or her available vacation leave subject to the recommendation by the Department Head and the approval by the Town Manager.

Sick Leave:{tc "**Sick Leave:**" \f C \l 4}

All full-time employees shall accrue sick leave at the rate of 1.56 hours per pay period, or five (5) workdays per year, and shall be eligible to accrue up to a maximum of 320 hours (40 days).

Employees covered by a collective bargaining agreement shall accrue sick leave as set forth in the agreement (i.e., union contract).

Sick leave may be used as a result of sickness or illness of the employee or of a member of the employee's immediate family as defined at subparagraph 4 below. Sick leave may also be used for the employee to attend to health-related appointments for which arrangements could not be made outside of the employee's regular hours of duty for the employee or the employee's immediate family member.

~~Sick leave shall continue to accrue during periods of authorized absence during which the employee is in an active pay status.~~

Upon voluntary separation of employment with the Town, employees shall be paid terminal pay of such sick leave in accordance with the Town's Terminal Pay policy set forth in Section 8 ~~Town Policies of this Handbook.~~ .14 of this Handbook.

~~**NOTE:** Upon adoption of this Handbook, all current employees shall have a one time option to convert up to 120 hours (15 workdays) of their annual leave bank to sick leave.~~

To be granted sick leave with pay, the following procedures must be strictly adhered to:

1. The employee shall notify the Department Head or supervisor not later that one hour prior to the beginning of the employee's normal work shift. Failure to appropriately and timely notify the Department of the employee's absence shall result in an unauthorized leave without pay for that day.

2. If an employee becomes ill while at work and must leave, the employee must report his illness to his supervisor or Department Head in order to record the date and time of his departure.

3. Sick leave shall not be authorized prior to the time it is earned and credited to the employee.

4. Sick leave may be granted to an employee because of sickness or illness of a member of the immediate family. Members of the immediate family, for purposes of granting sick leave, shall be construed to mean one of the following: spouse, domestic partner, children or parents. The relationship given shall include those arising from marriage, or adoption or legal guardianship.

5. Employees who have submitted their resignation are no longer eligible for sick leave without the express written permission of their Department Head and the Town Manager.

6. Sick leave shall not be used for vacation leave.

After three (3) consecutive workdays of absence, or at the discretion of the Department Head, the employee may be required to submit a ~~p~~Physician's ~~e~~Certificate~~ion~~ documenting the ~~of~~ illness~~.~~ and a doctor's statement of "fitness for full duty" in order to return to work. **Claiming sick leave when physically fit shall be cause for disciplinary action, up to and including termination of employment.**

Use of sick leave requires that the employee call in on a daily basis in accordance with Town leave procedures.

Personal Leave:{tc "Personal Leave" \f C \l 4}

Employees may use 24 hours ~~three (3) workdays~~ of sick leave per fiscal year designated as personal leave.

Employees covered by a collective bargaining agreement shall utilize personal leave as set forth in the agreement (i.e., union contract).

Personal leave, while deducted from an employee's annual sick leave accrual, may be used for any reason.

~~Employees seeking to use personal leave must provide notification in accordance with departmental procedures prior to the beginning of the employee's workday.~~

Employees seeking to use personal leave for an entire workday (i.e. eight hours) must notify their Department Head or supervisor at least one hour prior to the beginning of the employee's work shift.

To be granted personal leave for less than an entire workday (i.e. eight hours), the following procedures must be strictly adhered to in order to obtain authorization from the employee's Department Head:

1. Whenever possible, the employee shall notify the Department Head or supervisor not less than one hour prior to the beginning of the employee's normal work shift.

2. If an employee encounters a situation prior to the start of the work shift which would not allow an hour's notice, the employee shall notify the Department Head or supervisor as soon as possible to request authorization to use personal leave.

3. If an employee encounters a situation while at work and must leave, the employee must notify his Department Head or supervisor prior to leaving in order to request authorization to use personal leave.

6.10 MAJOR ILLNESS LEAVE:

Paid major illness leave is available upon application by for employees who need to be off work for an extended period due to their own major illness or injury. if their sick and vacation leave accruals have been exhausted. ; Major illness leave may not be utilized by employees who are injured in the line of duty (Worker's Compensation). A major illness is defined generally as an illness or injury requiring hospital treatment and enforced recuperation under a doctor's orders in excess of ten (10) workdays.

A major illness is defined generally as a non-work related an illness or injury requiring hospital treatment and enforced recuperation or ongoing intermittent treatment under a doctor's orders. in excess of ten (10) workdays.

Recurring, common illnesses or maladies such as colds, a sore back, etc., which exhaust regular sick leave, do not qualify an employee for major illness benefits.

Major illness leave shall be accumulated at 1.5 hours per pay period to a maximum of 80 hours (ten (10) workdays). Employees must be in an active pay status during the pay period to be eligible to earn major illness leave. All unused hours that are accumulated are not eligible for payment to the employee upon separation of employment from the Town.

Employees applying for the use of major illness leave must submit a Physician's Certificate documenting the illness. The application for receiving major illness leave must be recommended by the Department Head and forwarded to the Town Manager for consideration and possible approval. requesting the use of major illness leave must submit a Physician Certificate documenting the illness. Upon return from major illness, a doctor's statement of "fitness for duty" shall be required in order to return to work. Following the use of major illness leave for purposes other than absences due to ongoing intermittent treatment, doctor's statement of "fitness for duty" shall be required in order to return to work.

All available paid sick leave (including major illness leave), then all available paid vacation time, must be used concurrently from the first day of any Family Medical Leave.

Employees must use sick leave for the first ten (10) workdays of the documented major illness. Should the employee not have sufficient sick leave to cover the first ten (10) workdays of the documented illness, the employee shall be paid the amount of sick leave that is available and will not receive any payment until after the tenth (10th) working day of the documented illness at which time the employee shall be paid using major illness leave that is available at the prevailing rate.

Employees who that become eligible for short or long term disability during the documented illness shall be required to use the short term or long term disability provided by the Town.

~~Employees may use major illness leave and/or sick leave vacation leave to supplement the short-term and long-term disability.~~

Paid major illness leave is available upon application by employees who need to be off work for an extended period due to their own major illness or injury. Major illness leave may not be utilized by employees who are injured in the line of duty (Worker's Compensation).

A major illness is defined generally as a non-work related illness or injury requiring medical treatment and enforced recuperation or ongoing intermittent/continual treatment under a doctor's orders.

Recurring, common illnesses or maladies such as colds, a sore back, etc., which exhaust regular sick leave, **do not qualify an employee for major illness benefits.**

Major illness leave shall be accumulated at 1.5 hours per pay period to a maximum of 80 hours (ten (10) workdays). Employees must be in an active pay status during the pay period to be eligible to earn major illness leave. All unused hours that are accumulated are not eligible for payment to the employee upon separation of employment from the Town.

Employees applying for the use of major illness leave must submit a Physician's Certificate documenting the illness. The application for receiving major illness leave must be recommended by the Department Head and forwarded to the Town Manager for consideration and possible approval. Following the use of major illness leave for purposes other than absences due to ongoing intermittent/continual treatment, a doctor's statement of "fitness for full duty" shall be required in order to return to work.

Employees who become eligible for short or long term disability during the documented illness shall be required to use the short term or long term disability provided by the Town. Employees may use vacation leave to supplement the short-term and long-term disability.

NOTE: Employees applying for short or long term disability may submit the Attending Physician's Statement accompanying such claim forms as the Physician's Certificate documenting the illness.

~~**NOTE:** One half of each employee's major illness leave accrual as of the date of the adoption by the Town Commission of the Handbook shall be converted to sick leave.~~

6.11 SICK LEAVE DONATION PROGRAM:{tc "**SICK LEAVE DONATION PROGRAM:**" \f C \l 2}

The Town of Lake Park recognizes and values the contribution and dedication of its employees and desires that Town employees who have non-work related major illnesses or injuries have access to use of a sick leave donation program.

Eligible employees must first have exhausted their vacation, sick/personal leave, including major illness leave, and must be in an authorized leave without pay status prior to requesting the use of sick leave from the donation program.

An eligible employee may request sick leave from the program by submitting a written request for paid sick leave from the donation program to the Town's Human Resources Director. The written request must be on the Town's Sick Leave Donation Request Form and shall include a note from the employee's physician certifying that the employee has a non-work related major illness or injury, the anticipated length of time necessary for the employee to recover and return to work and a release authorization signed by the employee that the Town may call the physician to determine eligibility and recovery information.

Upon receipt of necessary documentation, the Human Resources Director shall submit the request to the Town Manager for approval. In reviewing the request, consideration will include the requesting employee's leave history, as well as the severity of the illness/injury.

Donated time will be given to the requesting employee on an hour-for-hour exchange between the requesting employee and the donor employee.

The Human Resources Director and the Finance Department Director shall be notified of the employee's return to work and/or any major changes in the employee's medical condition.

If approved, the Town Manager shall send out a letter and Sick Leave Donation forms to the Town's employees notifying them of the request for the donation of sick leave from the requesting employee.

To be eligible to donate sick leave, employees must have a sick leave balance of at least eighty (80) hours, ten (10) workdays, of which a maximum of forty (40) hours, five (5) workdays, may be donated.

In the event a number of employees desire to donate their accrued sick leave to the requesting employee, each donor employee will, to the extent possible, have the same number of hours deducted from among the group of donating employees.

~~In no event will the sick leave donation continue beyond the first day of eligibility for short-term disability by the requesting employee.~~

6.12 LEAVE OF ABSENCE WITHOUT PAY:{tc "6.12 LEAVE OF ABSENCE WITHOUT PAY" \f C \l 2}

Regular full-time employees are eligible for leave of absence without pay; however, all requests for this type of leave shall be reviewed on a case-by-case basis and must be approved in advance by the Department Head and the Town Manager.

Requests for leave without pay shall be made in writing by the employee to the employee's Department Head for submittal to and approval by the Town Manager.

Except in unusual circumstances, all (vacation, sick and personal) leave must be exhausted before leave without pay is approved and authorized.

~~Vacation and sick~~ Leave without pay shall not exceed three (3) months unless the Town Manager provides advance written approval of such an extension not to exceed an additional three (3) months.

Vacation and sick leave benefits shall not be earned during extended leave without pay. Those employees who are approved for an extension shall pay the entire amount of health, dental and vision insurance ~~for themselves and any dependents.~~ as well as any elective benefit premiums for themselves and any dependents.

When returning to work, the employee shall, to the extent feasible, be re-instated to the former position or one of equal status and pay, if available, and may be required to present a physician's certification of fitness for duty.

6.13 BEREAVEMENT LEAVE:{tc "**BEREAVEMENT LEAVE:**" \f C \l 2}

Full-time employees are entitled to three (3) workdays of bereavement leave in the event of the death of an immediate family member and shall request such leave through their immediate supervisor or Department Head.

The immediate family shall consist of parents, spouse, children, domestic partner, sister, brother, grandparents and those relationships that arise as a result of marriage, adoption or legal guardianship.

Bereavement leave shall not exceed three (3) workdays. However, in the event that the funeral is held in a state other than Florida and the employee attends, an additional two (2) workdays may be granted at the discretion of the Department Head.

NOTE: Employees utilizing bereavement leave shall be required to submit appropriate documentation to the employee's Department Head.

6.14 LEAVE TO ATTEND FUNERALS:{tc "LEAVE TO ATTEND FUNERALS:" \f C \l 2}

Full-time employees may take time off to attend funerals by utilizing personal leave in accordance with Town policy.

6.15 TOWN APPROVED HOLIDAYS:{tc "6.15 TOWN APPROVED HOLIDAYS" \f C \l 1}

The Town provides twelve (12) paid holidays per year for all full-time employees:

New Year's Day
Martin Luther King Day
Presidents' Day
Spring Holiday (as set forth in the annual Town Calendar)
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas
Employee's Birthday*
Floating Holiday of Employee's Choice*

Comment [B8]: This is consistent with the union contract, and this holiday was observed by all Town employees in 2012. BMT

Generally, in the event that the holiday occurs on a weekend, the workday closest to the holiday shall be the observed paid holiday.

*The Floating Holiday of the Employee's eChoice must be scheduled and taken during the applicable fiscal year (i.e. October 1 through September 30). The employee must notify the supervisor and obtain department approval prior to designating and taking either of these holidays. The employee's Birthday Holiday must be taken within a twelve-month period immediately following the employee's birthday.

6.16 HOLIDAY PAY:{tc "HOLIDAY PAY:" \f C \l 2}

All regular full-time and regular part-time employees of the Town are eligible to receive holiday pay in accordance with Town procedures. To receive this benefit, an employee must be at work or on a paid approved leave or designated furlough day the day before and the day after the scheduled holiday.

Holiday pay shall be paid at the employee's regular rate of pay for a maximum of eight (8) hours of pay.

When a non-exempt employee is required to work on a Town approved paid holiday, the employee's rate of pay will be calculated as overtime pay for each hour actually worked in addition to eight (8) hours holiday pay.

NOTE: When a regular full-time employee's established work hours do not include a paid legal holiday observed by the Town, the employee shall be credited with eight (8) hours of vacation leave.

6.17 JURY DUTY:{tc "JURY DUTY:" \f C \l 2}

Regular full-time employees called for jury duty are entitled to civil leave with pay for the period of absence required for court attendance.

Civil Jury Leave shall not be charged to any leave balances.

The employee, if excused from jury duty, shall return to work immediately except that employees released from jury duty on or after 2:00 p.m. shall not be required to report to work until the next working day.

Employees shall be entitled to all fees received as a juror.

6.18 OFFICIAL COURT ATTENDANCE:{tc "OFFICIAL COURT ATTENDANCE:" \f C \l 2}

Regular full-time employees who are subpoenaed or ordered to appear as a witness for a deposition or other legal proceeding or to testify at trial or other legal proceeding in an official capacity on behalf of the Town, state or federal government shall be entitled to leave with pay for such period as the employee's court attendance is required.

Such leave shall not be charged against any leave balances and mileage may be reimbursed if the employee uses his or her personal vehicle for transport.

Employee participation in any litigation not associated with their employment with the Town, which requires that the employee be absent from work shall use either personal leave or vacation leave in accordance with Town policy.

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6.19 MILITARY LEAVE:{tc "MILITARY LEAVE:" \f C \l 2}

In accordance with applicable laws, Town employees who are members of the military or any reserve unit of the United States Armed Services shall be entitled to military leave without loss of pay or other benefits for up to seventeen (17) workdays in any calendar year so they may participate in annual training or other such duties ordered by the appropriate authority.

Employees of the Town who are summoned to active service shall be granted a military leave of absence from their positions and shall be entitled to full pay for the first thirty (30) days of leave. The remainder of any such leave shall be without pay.

The employee requesting military leave shall be required to provide the Town with a copy of the military orders requiring service, the dates of the required service and any other pertinent information as required by Town policy. All requests for military leave shall be made in writing to the Town's Human Resources Director.

6.20 COLLEGE TUITION REIMBURSEMENT:{tc "COLLEGE TUITION REIMBURSEMENT:" \f C \l 2}

The Town may reimburse its employees for some or all of their tuition expenses in accordance with Town policy provided that the coursework is taken at an accredited educational institution and that the coursework is related to the employee's job function and the employee agrees in writing to remain in the Town's employment for two years (24 months) following completion of the last reimbursed course.

The Town reserves the right to modify or eliminate its tuition reimbursement program in the event of financial hardship or insufficiency of Town funds.

The Town further reserves the right to cap the amount of per credit hour reimbursement for employee coursework in an amount not to exceed the State of Florida's university system credit hour cost.

In order to qualify for reimbursement, the employee seeking to participate in the Town's tuition reimbursement program must do the following: (1) obtain the approval of the appropriate Department Head and the Town Manager prior to beginning the course; (2) pay for the course; (3) submit proof of payment or delayed payment from the accredited school to be paid not later than thirty (30) days after submission of grades; (4) and submit documentation of the grade received.

Reimbursement is based upon receipt of the grade achieved or the equivalent record of achievement as follows:

Grade A or equivalent	100 percent reimbursement
Grade B or equivalent	80 percent reimbursement
Grade C or equivalent	50 percent reimbursement
Below C.....	No reimbursement

If the employee is working toward a degree, the course cost shall not be reimbursed if it is not a documented required course for obtaining the degree sought.

NOTE: Payments for educational credits for union employees shall be done in accordance with the collective bargaining agreement.

6.21 WORKERS' COMPENSATION:{tc "**WORKERS' COMPENSATION:**" \f C \l 2}

Town employees are eligible for workers' compensation benefits in accordance with state law, Town policy as set forth in the Town's Illness in the Line of Duty Policy as set forth in this Handbook at Section 8.1~~4~~ 2 and applicable collective bargaining agreements, if any.

Employees involved in an accident and who sustain an injury or illness arising from and in the course of employment must notify their respective supervisor immediately.

The immediate supervisor or Department Head shall immediately notify the Human Resources Director for insurance and risk management purposes, and for purposes of requiring that the employee obtain a post-accident drug test. The Human Resources Director shall report the injury to the Town's workers' compensation carrier.

6.22 UNEMPLOYMENT COMPENSATION:{tc "6.22 UNEMPLOYMENT COMPENSATION" \f C \l 2}

The Town provides unemployment compensation benefits for its employees as required by state law.

6.23 FAMILY AND MEDICAL LEAVE:

The Family and Medical Leave Act policy of the Town shall be interpreted, governed and in accordance with the Family and Medical Leave Act of 1993 or any subsequent amendment, and as set forth in Section 8.4 Town Policies.

Employees who have worked for the Town for a total of twelve (12) months and who have worked at least 1,250 hours over the previous twelve (12) month period may take up to twelve (12) weeks of job protected unpaid leave during any twelve (12) month period for certain specified reasons as set forth in the Town policy.

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SECTION 7
EMPLOYEE RIGHTS
AND DISCIPLINARY PROCEDURES{tc "SECTION 7. EMPLOYEE RIGHTS AND DISCIPLINARY PROCEDURES" \f C \l 1}

7.1 SCOPE AND PURPOSE:{tc "C \"7.1 SCOPE AND PURPOSE\" \f C \l \"2\" "}

This section sets forth the rules, regulations and procedures for the establishment and maintenance of the Town's Employee Rights and Disciplinary Procedures applicable to relevant personnel of the Town of Lake Park.

Employees covered by applicable collective bargaining agreements shall be afforded the rights contained in this section and if in conflict with their collective bargaining agreement, the collective bargaining agreement shall prevail.

~~Managerial Exempt Department Heads, Assistant Department Heads, and other specifically designated positions serve at the pleasure of the Town Manager and may be subject to dismissal from employment with the Town with or without cause and without appeal rights in accordance with Town policy and procedures.~~

7.2 STATEMENT OF POLICY:{tc "STATEMENT OF POLICY" \f C \l 2}

The Town of Lake Park is committed to ensuring that all employees of the Town are entitled to fair, consistent and equitable treatment in their employment with the Town. This by necessity provides that the rights of all Town personnel shall be respected, that they will be afforded equal treatment and that any disciplinary actions taken will be done in accordance with applicable laws, due process and Town policy and procedures.

7.3 DUE PROCESS OF LAW:{tc "DUE PROCESS OF LAW" \f C \l 2}

Town employees shall be afforded clear, concise standards of conduct by which to conduct themselves. As set forth in Section 5 of this Handbook, employees of the Town are considered representatives of the Town of Lake Park, and as such, they are expected to conduct themselves in a manner that reflects credit upon themselves and the Town.

As a direct consequence, the Town, through its Town Manager, Department Heads and supervisors, shall ensure that when necessary, employees subject to possible disciplinary action shall be afforded all aspects of due process of law, including the opportunity to have any potential disciplinary infractions, grounds and/or complaints made known to them, unless

specifically prohibited by law or a law enforcement entity, the right to be heard and to respond to those matters orally and/or in writing, as appropriate.

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7.4 FORMAL CONFERENCE:{tc "FORMAL CONFERENCE/MEETING" \f C \l 2}

A formal conference is a discussion which may occur whenever it is deemed necessary for a supervisor to engage in fact finding concerning an employee's unsatisfactory or unacceptable behavior or performance.

A formal conference affords the employee the right to be told the nature of any incident, offense or behavior that may be the basis for disciplinary action to be taken against the employee and to present the employee's side of the story.

A formal conference may lead to disciplinary action being taken, but the conference/meeting is not disciplinary in nature.

A document recording the date, time and basis for the formal conference shall be placed in the employee's personnel file after the employee has signed acknowledgment of receipt of the conference document.

NOTE: Notwithstanding the provisions set forth in Section 7.4, the Town Manager reserves the right to hold a formal conference without notice with any employee if the Town Manager deems such conference to be warranted.

7.5 GROUNDS FOR DISCIPLINARY ACTION:{tc "GROUNDS FOR ACTION" \f C \l 2}

Employees of the Town are accountable for their individual levels of productivity, fulfilling the duties of their positions and rendering effective and efficient delivery of services on behalf of Town residents.

Whenever an employee renders deficient performance, violates any rule, regulation, Town policy or procedure, or engages in any action which the Town Manager determines is sufficient cause for discipline, that employee shall be subject to disciplinary action as appropriate. The employee will be notified by the employee's supervisor, as soon as possible, if legally permissible, of the noted deficiency or violation, or as set forth in an applicable collective bargaining agreement.

7.6 PROGRESSIVE DISCIPLINE:{tc "PROGRESSIVE DISCIPLINE" \f C \l 2}

The Town recognizes the concept of progressive discipline and shall utilize, when appropriate, the tenets of progressive discipline as the desirable method for remediation of the employee's behavior.

While it is recognized that the least intrusive methods for correcting behaviors shall be utilized whenever possible, the degree of discipline shall be related to the seriousness of the offense and the employee's record.

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7.7 TYPES OF DISCIPLINARY ACTIONS:{tc "TYPES OF DISCIPLINARY ACTIONS" \f C \l 2}

Types of disciplinary actions that may be taken against Town employees may include:

- documented written verbal reprimand;
- documented written reprimand;
- suspension of up to three workdays without pay;
- suspension of greater than three workdays without pay; or
- termination of employment.

7.8 CATEGORIES FOR DISCIPLINARY ACTIONS:{tc "7.8 CATEGORIES FOR DISCIPLINARY ACTIONS" \f C \l 2}

The Town has set forth three (3) categories for disciplinary actions, (i.e. Category I, Category II and Category III) consisting of sample examples of grounds for such action. Such examples are illustrative and are not intended to be the complete list of possible grounds for disciplinary action.

The employee standards and behaviors set forth in Section 5 Employee Standards and Procedures of the Handbook are required to be followed by all Town employees. Employees failing to adhere to those standards shall be subject to disciplinary action.

The Town reserves the right to treat each disciplinary occurrence individually without setting precedent for future cases.

The Town further reserves the right and has the duty to judge each incident separately, and may modify penalties to include lesser or more severe penalties when appropriate circumstances exist.

Accordingly, employee behaviors that demonstrate patternistic or repetitive negative behaviors may cumulatively warrant greater disciplinary action.

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7.9 CATEGORY I - GROUNDS FOR DISCIPLINARY ACTION:{tc "7.9 CATEGORY I -- GROUNDS FOR DISCIPLINARY ACTION" \f C \l 2}

First Offense:	**Documented Written Verbal Reprimand**
Second Offense:	**Documented Written Reprimand**
Third Offense:	**Suspension of up to three workdays without pay at the determination of the Town Manager**
Fourth Offense:	**Suspension of greater than three workdays without pay at the determination of the Town Manager**
Fifth Offense:	**Termination of Employment**

a. Discourtesy to any person the employee comes in contact with while in the performance of duties, on Town property or Town time.
b. Creating conflict with co-workers or supervisors.
c. Failure to report absence or late arrival to work to the supervisor (or other designated representative) by the time required by departmental policy.
d. Wasting time or loitering during working hours.
e. Tardiness in reporting to work.
f. Taking more than specified time for meals or rest periods.
g. Productivity or workmanship not up to required standards of performance.
h. Using all available paid leave as earned excluding authorized and approved vacation days.
i. Operating, using or possessing tools, equipment or machines to which the employee has not been assigned or using Town-owned equipment without prior authorization from the immediate supervisor.
j. Violating a safety rule or practice, including failure to wear safety equipment or to follow safety rules as requested.
k. Engaging in horseplay, wrestling, malicious mischief, demonstrations on the job or other types of disorderly conduct.
l. Creating or contributing to unsafe/unsanitary conditions or poor housekeeping.
m. Failure to report outside employment, including self-employment, to the appropriate Department Head.
~~n. Failure to notify the Human Resources Director of any changes to the employee's current contact information.~~
~~o.~~n. Unauthorized posting or removal of any matter on the Town bulletin boards or Town property at any time.
~~p.~~o. Unauthorized distribution of written, electronic or printed matter of any description on Town premises.
~~q.~~p. Soliciting, vending or collecting contributions for any purpose whatsoever at any time on Town premises, unless authorized.
~~r.~~q. Violating the Town's dress code.

~~q~~r. Violating the Town's policy pertaining to personal phone calls.
~~r~~s. Engaging in an action which the Town Manager determines is sufficient cause for discipline under this category.

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7.10 CATEGORY II - GROUNDS FOR DISCIPLINARY ACTION:{tc "7.10 CATEGORY II - GROUNDS FOR DISCIPLINARY ACTION" \f C \l 2}

First Offense:	**Documented Written Reprimand or Suspension of up to three workdays without pay at the determination of the Town Manager.**
Second Offense:	**Suspension of greater than three workdays without pay at the determination of the Town Manager**
Third Offense:	**Termination of Employment**

a. Failure to work overtime, special hours or special shifts, after being scheduled or assigned according to overtime and standby duty policies.
b. Failure to report an arrest or incarceration or suspension or revocation of a driver's license if required for the employee's job.
c. Threatening, intimidating, coercing or interfering with coworkers or supervisors at any time.
d. Sleeping during working hours.
e. Being in possession, and/or under the influence of alcohol or illegal drugs or the improper use of prescription drugs, or other unauthorized substances as defined in the Town's Drug Free Workplace Policy as set forth at **Appendix H** of this Handbook while on duty, operating Town equipment or on Town property. **NOTE:** A repeat of this offense will result in immediate termination of employment in adherence to the Town's Drug Free Workplace Policy.
f. Participating in activities involved with gambling and other games of chance while on duty.
g. Absence without permission or without notification prior to the start of the workday.
h. Accumulating two (2) unauthorized leave days without pay (LWOP) in a twelve-month period (i.e., chronic absenteeism).
i. Quitting work or leaving assigned work area during working hours without permission.
j. Making or publishing false, vicious or malicious statements concerning any employee, supervisor, the Town or its operation.
k. Use of abusive or obscene language while on duty.
~~k.~~l. Violation of the Town's Workplace Bullying Policy.
m. Carelessness or any other misbehavior which results in injury to Town personnel or damage to any Town Property or the property of others while on duty.
~~l.~~n. Any misuse or negligent acts to a Town owned cellular phone or mobile communication devise (CP/MCD).
~~m.~~o. Unauthorized use or possession of another employee's personal property, tools or equipment without the employee's consent.

Failure to immediately report an illness, accident or personal injury in which the employee was involved while on the job. ~~; within 24 hours of the illness, accident or personal injury~~.

~~o.~~q. Unauthorized use of Town vehicles.

~~p.~~r. Driving a Town vehicle on duty without possession of the appropriate valid State of Florida license.

~~q.~~s. Participation in prohibited political activity.

~~r.~~t. Using the Town's information technology system (i.e., computers, cellular phones, etc.) in a manner that is in violation of the Town's policies and procedures governing such usage.

~~s.~~u. Incompetence or inefficiency in the performance of assigned duties.

~~t.~~v. Concealing defective work which results in a liability to the Town.

~~u.~~w. Insubordination, including but not limited to the following:

- Disobedient to authority; refusal to obey orders
- Refusal to perform an assigned task
- Delay in performing an assigned task
- Failure to perform an assigned task

v. Engaging in an action which the Town Manager determines is sufficient cause for discipline under this category.

7.11 CATEGORY III - GROUNDS FOR DISCIPLINARY ACTION:{tc "**7.11 CATEGORY III - GROUNDS FOR DISCIPLINARY ACTION**" \f C \l 2}

First Offense: Termination of Employment

a. The manufacture, distribution, dispensing or sale of narcotics or illegal drugs or alcohol or other unauthorized substances as defined in the Town's Drug Free Workplace Policy while on duty, operating Town equipment, or on Town property.

b. Chronic incompetence or inefficiency in the performance of assigned duties.

c. Gross insubordination, including but not limited to, wanton or willful neglect in the performance of assigned duties, or a repeated act or acts of insubordination or disobedience to authority.

d. Misusing, destroying or damaging any Town property or property of any employee.

e. Falsification of personnel or Town records, including but not limited to employment applications, accident reports, leave records, work records, purchase orders, time sheets or any other records.

f. Violation of the time card policy.

g. Making false claims or misrepresentation in an attempt to obtain accident benefits, workers' compensation or unemployment benefits for the employee or another employee.

~~g.~~h. Use of the Town's credit card or vendor accounts in payment of personal expenses or for personal purchases.

~~h.~~i. Provoking or instigating a fight, or participating in a fight on Town Property or while on duty.

~~i.~~j. Possession or use of firearms, ammunition, explosives or weapons on Town property while on duty, unless expressly permitted by Florida law.

~~j.~~k. Theft of, or removal of, any Town Property or property of any employee from the Town without proper authorization.

~~k.~~l. Failure to report to the employee's supervisor the restriction to or loss, suspension, revocation, expiration, etc. of a driver's license when the employee is required to drive while on duty or with restriction to the employee's driver's license which has not been immediately reported to the employee's supervisor.

~~l.~~m. Moral turpitude, including but not limited to, immoral, unlawful or improper conduct or indecency, either on or off the job, which would tend to affect the employee's relationship to his or her job, fellow workers or reputation in the community.

~~m.~~n. Abandonment of position, i.e., absence from duty for a period of two consecutive workdays without proper authorization.

~~n.~~o. Failure to return to work from an authorized leave within two workdays from the scheduled date of return without proper authorization.

~~o.~~p. Accumulating five (5) unauthorized leave days without pay (LWOP) in a twelve-month period.

~~p.~~q. Acceptance from any person of a fee, gift or any other item of value when such fee, gift or item of value is given in the hope or expectation of receiving a favor or benefit from the Town or its employees.

~~q.~~r. Soliciting or accepting gifts or tips in connection with Town business.

~~r.~~s. Use or attempted use of the authority or influence of Town employment for the purpose of soliciting personal discounts from Town vendors.

~~s.~~t. Use or attempted use of political influence or bribery to secure an advantage of any manner with the Town or its employees~~.~~ (i.e., ~~C~~conflict of ~~I~~interest).

~~t.~~u. Work stoppage, i.e., curtailment or restriction of work including, but not limited to, walkout, slowdown, strike, calling in sick, or interference with work on Town work stations or refusal to return to work at the scheduled time.

~~u.~~v. Refusal to consent to drug and/or alcohol screenings when deemed necessary by the appropriate supervisor under the terms of the Drug Free Workplace Policy of the Town.

~~v.~~w. Sexual harassment, i.e., making unwelcome sexual advances, requests for sexual favors, other verbal or physical advances of a sexual nature, or the distribution or display of sexually explicit jokes, photographs or graphs while on duty, during business-related travel and all work-related social functions while on duty even if such functions are held outside of Town property.

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~~v.~~ Harassment or retaliation, i.e., inappropriate behavior consisting of making derogatory remarks about a person's membership in a protected class (which includes, but is not limited to women, African-Americans, Hispanics, Native Americans, Asian-Americans [including Pacific Islanders], people age 40 or older, the disabled, veterans and religious groups), posting of cartoons or other visual messages, the distribution or display of jokes that stereotype or make fun of a protected class, or verbal or nonverbal comments or innuendoes that have a negative connotation for a protected class while on duty, during business-related travel and all work-related social functions while on duty even if such functions are held outside of Town property.

~~vi.~~ Gross misconduct or other serious violations of the Town's policies or procedures or employment standards.

~~vii.~~ Any action determined by the Town Manager to be so serious as to warrant immediate termination of employment.

7.12 DISCIPLINARY PROCEDURES OF THE TOWN:{tc "7.12 DISCIPLINARY PROCEDURES OF THE TOWN\" \f C \l "2\" "}

The Town, through the Town Manager, Department Heads and its supervisors, utilize various types of corrective measures and procedures when corrective action is warranted. The Town generally adheres to the concept of progressive discipline as follows:

1. **DOCUMENTED WRITTEN VERBAL REPRIMAND** – A documented written verbal reprimand is used to counsel an employee for purposes of correcting unsatisfactory or unacceptable behavior, conduct or performance. The supervisor, when necessary and appropriate, will verbally advise the employee of the behavior or conduct giving rise to the supervisor's concern in order to place the employee on notice that the behavior or conduct is unacceptable and must be corrected.

   Documented written verbal reprimands are used as a method of counseling the employee when necessary. The supervisor will counsel the employee concerning the employee's behavior and will document that a verbal reprimand has been given to the employee, which shall be submitted immediately to the Human Resources Director for placement in the employee's personnel file.

   A documented written verbal reprimand does not require a formal conference.

2. **DOCUMENTED WRITTEN REPRIMAND** – A documented written reprimand is used if a documented verbal reprimand fails to correct the employee's deficient behavior,

conduct or performance or if the seriousness or repetition of the behavior warrants a written reprimand.

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The procedure for providing an employee with a documented written reprimand shall include a formal conference with the employee prior to issuance of the written reprimand as follows:

- A discussion with the employee by the employee's supervisor or Department Head which provides an explanation to the employee of how the employee has not met expectations;
- A review of the appropriate expectations of behavior and why such behavior is expected and required;
- An opportunity for the employee to discuss any mitigation of the unacceptable behavior or to clarify the event;
- Suggestions for corrective actions.

If the conference results in the supervisor or Department Head's determination that a documented written reprimand is warranted, the supervisor or Department Head shall prepare the written reprimand utilizing the Town form and specifying the nature and date of the offense, the corrective action required and notice that continued unsatisfactory behavior shall result in greater disciplinary action, up to and including termination of employment.

The employee will be required to sign acknowledgement of receipt of the documented written reprimand. The employee shall be given the right of appendage of a written document providing any additional information, which shall, along with the written reprimand, be submitted immediately to the Human Resources Director for placement in the employee's personnel file.

3. **SUSPENSION OF UP TO THREE WORKDAYS WITHOUT PAY** – A suspension of up to three (3) workdays without pay shall be imposed in those cases when the infraction committed by the employee warrants disciplinary action but is not deemed so serious as to result in a recommendation for a longer term suspension or termination of employment.

   Prior to a recommendation that an employee be suspended for up to three (3) workdays from employment, a formal conference shall be held in accordance with Town policy and procedures as follows:

   - A discussion with the employee by the employee's supervisor and/or Department Head which provides an explanation to the employee of how the employee has not met expectations, including a full review of any prior incidents or behaviors that have led to previous disciplinary action;

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- A review of the appropriate expectations of behavior and why such behavior is expected and required;
- An opportunity for the employee to discuss any mitigation of the incident or unacceptable behavior or to clarify the event; and
- Suggestions for corrective actions.

If after the conference is held, the supervisor and Department Head still determine that suspension of up to three (3) workdays is warranted, the Department Head shall prepare and submit the documentation pertaining to the infraction to the Human Resources Director, who shall review it for completeness and shall forward it to the Town Manager for approval.

The Town Manager shall review all relevant documentation and information pertaining to the infraction and shall be charged with making the final determination whether an employee shall be suspended for up to three (3) workdays without pay from Town employment and the length of the suspension. The Human Resources Director shall prepare the Notice of Suspension document.

In the event that the Town Manager approves the suspension, the employee shall be notified of the suspension, the length of the suspension and the terms of the suspension, and of the employee's right to appeal the suspension and the manner and method of the appeal.

~~The employee additionally shall be informed of the employee's right to appeal the suspension and the manner and method of the appeal.~~

The employee shall be provided by the Human Resources Director with the Notice of Suspension document and shall be required to sign acknowledgement of receipt of the form, which shall be placed in the employee's personnel file.

4. **SUSPENSION OF GREATER THAN THREE WORKDAYS WITHOUT PAY** – A suspension of greater than three (3) workdays without pay shall be imposed in those cases when the infraction committed by the employee warrants significant discipline and is not deemed so serious as to warrant termination of employment.

   Prior to a recommendation that an employee be suspended for greater than three (3) workdays from employment, a formal conference shall be held in accordance with Town policy and procedures as follows:

- A discussion with the employee by the employee's supervisor and/or Department Head which provides an explanation to the employee of how the employee has not met expectations, including a full review of any prior incidents or behaviors that have led to previous disciplinary action;

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- A review of the appropriate expectations of behavior and why such behavior is expected and required;
- An opportunity for the employee to discuss any mitigation of the incident or unacceptable behavior or to clarify the event; and
- Suggestions for corrective actions.

If after the conference is held, the supervisor and Department Head still determine that a suspension of greater than three (3) workdays is warranted, the Department Head shall prepare and submit the documentation pertaining to the infraction to the Human Resources Director, who shall review it for completeness and shall forward it to the Town Manager for approval.

The Town Manager shall review all relevant documentation and information pertaining to the infraction and shall be charged with making the final determination whether an employee shall be suspended for greater than three (3) workdays without pay from Town employment and the length of the suspension. The Human Resources Director shall prepare the Notice of Suspension document.

In the event that the Town Manager approves the suspension, the employee shall be notified of the suspension, the length of the suspension and the terms of the suspension, and of the employee's right to appeal the suspension and the manner and method of the appeal.

~~The employee additionally shall be informed of the employee's right to appeal the suspension and the manner and method of the appeal.~~

The employee shall be provided by the Human Resources Director with the Notice of Suspension document and shall be required to sign acknowledgement of receipt of the form, which shall be placed in the employee's personnel file.

5. **TERMINATION OF EMPLOYMENT** – The Town recognizes the seriousness with which the disciplinary action of termination of employment is acted upon, and as such, requires that Town policy and procedures be followed to ensure that the employee's right to due process is met.

   Prior to a recommendation that an employee be terminated from employment, a formal conference shall be held in accordance with Town policies and procedures as follows:

   - A discussion with the employee of the nature of the charge against the employee;

- An opportunity for the employee to provide any mitigation or to further explain the circumstances giving rise to the charge; and
- Notification to the employee of the seriousness of the charge and the possibility of the consequence (i.e. termination of employment).

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If the required conference fails to provide any mitigating circumstances warranting a lesser disciplinary penalty, a termination notice shall be prepared by the Human Resources Director in accordance with Town policy and procedure, who shall forward it to the Town Manager for approval.

The termination notice shall contain a record of previous disciplinary action, if any, the reason(s) for termination, the date of termination, the right of the employee to appeal the termination action and how to do so and instructions for turning over Town property. The employee shall also be provided with a copy of the termination notice and shall sign acknowledgement of receipt of the document, which shall be placed in the employee's personnel file.

7.13 EMPLOYEE RIGHT OF APPEAL:{tc "7.13 EMPLOYEE RIGHT OF APPEAL" \f C \l 2}

No employee of the Town shall be subject to disciplinary action unless the specifics of the reasons for such action are made known to the employee in writing prior to initiating the disciplinary action or termination of employment.

An employee who is the subject of such disciplinary action shall be afforded the right to appeal the appropriateness of the action in accordance with Town policy provided that the employee requests the hearing in writing to the Human Resources Director within five (5) workdays of the notification to the employee of disciplinary action or termination of employment.

~~**NOTE:** As set forth in Section 1.3, Managerial Exempt Department Heads, Assistant Department hHeads and other specifically designated employees serve at the pleasure of the Town Manager and may be terminated from employment without cause and without right to appeal such termination.~~

Comment [B9]: Provides due process to exempt employees in the event of a recommended termination of employment. BMT

NOTE: A union employee who is the subject of a disciplinary action shall be afforded the right to appeal the appropriateness of the action in accordance with the Collective Bargaining Agreement.

7.14 INVESTIGATORY LEAVE:{tc "**7.14 INVESTIGATORY LEAVE**" \f C \l 2}

An employee may be placed on investigatory leave to permit the Town to investigate actions including, but not limited to, theft or misappropriation of Town funds and/or property, violence in the workplace, gross safety negligence or acts endangering others, gross insubordination or any other serious misconduct which warrants removing the employee from the worksite.

Investigatory leave shall be confirmed in writing to the employee by the Town Manager stating the reason for the removal of the employee and the expected duration of the leave.

No employee of the Town shall be placed on investigatory leave unless the specifics of the reason for such leave are made known to the employee in writing provided that the Town is not precluded by law enforcement from setting forth the reasons.

The Town Manager shall review all relevant documentation and information and shall be charged with making the final determination whether an employee shall be placed on investigatory leave.

In the event that the Town Manager approves the investigatory leave, the employee, if legally permissible, shall be afforded a formal conference and shall be presented with a letter notifying the employee of the reason for the investigatory leave, the expected dates and duration of the investigatory leave (which may be extended if necessary), the terms of such leave, and direction that the employee remain available to participate in the investigation.

The employee shall be provided with a copy of the letter and shall be required to sign acknowledgement of receipt of the letter, which shall be submitted immediately to the Human Resources Director for placement in the employee's personnel file.

The Human Resources Director shall request the return of Town property and escort the employee from the worksite. Investigatory leave shall be without pay if the matter being investigated is criminal in nature or is being handled by a law enforcement entity.

Depending upon the seriousness of the action being investigated, the Human Resources Director or other appropriate authority will conduct a thorough investigation of the allegations or charges. Upon conclusion of the investigation, the Town Manager will be presented with the findings from the investigation and will determine if the investigatory leave will lead to disciplinary action up to and including termination of employment. The Human Resources Director shall inform the employee in writing of the decision, and if disciplinary action is imposed, the manner in which the employee may appeal the decision.

If the employee is exonerated as a result of the investigation, and the leave was without pay, the employee shall be entitled to back pay and benefits covering the investigatory leave period.

7.15 EMPLOYEE COMPLAINT REVIEW PROCESS:{tc "7.15 EMPLOYEE COMPLAINT REVIEW PROCESS" \f C \l 2}

The Town of Lake Park is committed to providing a uniform, fair and impartial method for resolving employee complaints and/or disputes in the workplace, which includes disciplinary actions. In order to achieve this goal, the Town has established the Employee Complaint Review Committee (ECRC).

~~Non-exempt personnel and n~~Non-union ~~personnel~~ regular full-time and **regular part-time** employees may present a complaint or make an appeal of disciplinary action or other management decision by addressing the complaint or appeal to the ECRC as set forth below.

Comment [B10]: Extends due process to regular part-time employees. BMT

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Appeal of a Disciplinary Action:

In the event of an appeal of **disciplinary action**, the employee may request an appeal requesting that the ECRC determine the appropriateness of the recommended disciplinary action. Such request shall be in writing to the Human Resources Director within five (5) workdays of the disciplinary recommendation using the prescribed form. The Human Resources Director shall forward the request to the Town Manager who shall submit the request to the ECRC to convene the meeting.

Appeal of a Non-Disciplinary Action:

Prior to initiating a complaint or appeal concerning **a non-disciplinary action**, the employee and management should make every attempt to resolve the concern informally and expeditiously utilizing the steps set forth as follows:

- Within five (5) workdays of the event giving rise to the employment concern, the employee shall verbally bring the matter to the attention of the employee's immediate supervisor in an attempt to resolve the issue informally. The supervisor or Department Head shall render a decision to the employee within five (5) workdays.

- If after the verbal discussion the issue remains unresolved, the employee within five (5) workdays shall submit a written statement using the prescribed form to the employee's Department Head setting forth the specifics of the concern. The Department Head shall meet with the employee within ten (10) workdays and shall thereafter have five (5) workdays to render a written decision concerning the issue to be resolved.

- If the concern has not been resolved to the employee's satisfaction, the employee may request within five (5) workdays using the prescribed form submitted to the Human Resources Director that the matter be forwarded to the ECRC for resolution.

- The Town Manager shall submit the request to the ECRC to convene a meeting.

NOTE: The Town Manager reserves the right to move an employee's complaint or appeal to a further step or directly to the ECRC ~~in the sole exercise of the Town Manager's discretion~~ (for example, in matters involving a complaint between the employee and the employee's supervisor).

7.16 COMPOSITION OF THE ECRC:

The ECRC is a peer review committee, which is advisory in nature to the Town Manager. The ECRC shall consist of five members appointed by the Town Manager for three year terms. Every effort shall be made to ensure that the composition of the ECRC is diverse. Members

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must be regular full-time employees of the Town. Any member may be re-appointed for successive terms by the Town Manager. In the event that the dispute or concern giving rise to the complaint or appeal involves a decision by a member of the ECRC, that member must recuse himself or herself and an alternate appointed by the Town Manager shall serve on the ECRC for the complaint or appeal.

A quorum shall consist of three members and no meeting of the ECRC shall take place in the absence of a quorum.

The ECRC shall appoint its Chairperson who shall have control of the ECRC and shall take whatever steps are necessary to ensure a fair, orderly, impartial and expeditious review, and its Secretary. ~~.~~

The parties shall abide by the decision of the Chairperson on all procedural matters.

If deemed necessary and appropriate, the Town Manager may authorize the use of the Town Attorney for purposes of consulting the ECRC in procedural and legal matters concerning the appeal; however, no attorneys shall be permitted to attend an ECRC meeting.

The ECRC may call for files, records or other documents pertinent to the proceeding and may call upon employees of the Town to answer questions pertaining to the matter to be reviewed. All documents considered shall be appropriately marked and preserved.

There shall be no ex parte communication between a member of the ECRC and the employee or the employee's supervisor or Department Head which in any way pertains to the subject matter of the complaint or appeal.

The ECRC after a thorough review of the issues shall render its written decision and recommendations to the Town Manager within ten (10) workdays of the meeting. The decision shall include the specifics of the issue, including the ECRC's findings of fact, statements of policy and ultimate determination of the issue.

If the Town Manager agrees with the decision of the ECRC, that decision shall be final; however, the Town Manager shall not be bound by the determination of the ECRC and shall have the final decision concerning the issue to be resolved.

The written decision of the Town Manager shall be rendered to the parties within ten (10) workdays of the determination by the ECRC. {tc "6.23 FAMILY AND MEDICAL LEAVE" \f C \l 2}

In the event of an appeal of a disciplinary action of an employee, the employee will be afforded a full opportunity to present his or her case prior to the Town Manager making a determination or reaching a final decision. The employee may present his case to the Town Manager with or without legal counsel.

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7.17 PERSONNEL FILES:

Personnel files shall be kept in accordance with Town policy and applicable state laws. Certain information and documentation may be confidential and exempt from disclosure to the public. ~~or outside parties.~~ Employee health information shall be maintained in compliance with the Health Insurance Portability and Accountability Act (HIPAA)~~,~~ and to the extent permitted by law will be maintained as confidential and exempt from disclosure to the public.

No anonymous letter or anonymous material shall be placed in an employee's personnel file.

Except for materials relating to work performance or such other material that may be the cause for discipline or termination under Town rules, regulations or state law, no derogatory materials relating to an employee's conduct, service, character or personality shall be placed in an employee's personnel file.

Materials relating to work performance or discipline shall be placed in the employee's personnel file in accordance with law upon the employee's receipt of a copy of the material.

An employee may place such additional information in his or her personnel file which explains and/or clarifies such material being placed in the employee's file (i.e. the right of appendage). The employee shall have the right to inspect his or her personnel file upon reasonable notice made to the Department of Human Resources.

The Human Resources Department is charged with maintaining accurate and complete personnel files for employees of the Town. Such personnel files and records shall be retained in accordance with Florida's retention schedule for personnel files and shall be open for inspection in accordance with Chapter 119, Florida Statutes and other applicable laws.

Department Heads are charged with ensuring that personnel file information for ~~its~~ their employees is forwarded to the Human Resources Department in a timely manner for maintenance and retention.

7.18 EMPLOYEE EXIT INTERVIEWS:{tc "7.17 EMPLOYEE EXIT INTERVIEWS" \f C \l 2}

As soon as it is known by the relevant Department Head that an employee is terminating his or her employment with the Town, the Department Head shall notify the Human Resources Director and provide a listing of all Town property (e.g., uniforms, cell phone, identification key or card, etc.) that has been issued to the employee. The Human Resources Director shall schedule an exit interview with the employee at which time the employee will turn in all required

items to the Human Resources Director and all Town property that the employee may have in the employee's possession in order for the employee to be issued a final paycheck. The exit

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interview will also be an opportunity for the Human Resources Director to explain to the employee COBRA ~~and ARRA~~ rights and how to rollover any retirement account monies, etc. if applicable. In the event of involuntary terminations of employment, the Human Resources Director will forego the exit interview but will ensure that all Town property has been returned by the employee.

If the employee wishes to have the final paycheck issued by direct deposit, the exit interview and return of Town property must take place by 5 p.m. on the Friday immediately preceding the week that paychecks are issued. If the exit interview and return of Town property do not take place by the deadline, the employee's direct deposit will be canceled.

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SECTION 8
TOWN POLICIES{tc "SECTION 8. TOWN POLICIES" \f C \l 1}

8.1 SCOPE AND PURPOSE:{tc "SCOPE AND PURPOSE:" \f C \l 2}

This section sets forth the policies of the Town of Lake Park applicable to Town employees as codified through ordinance, resolution, regulation, rule, administrative order or applicable procedures for the establishment and maintenance of the provisions of the Handbook and the policy statements contained herein.

8.2 STATEMENT OF POLICY:{tc "STATEMENT OF POLICY:" \f C \l 2}

The Town of Lake Park, through its employment policies and procedures, is committed to establish for all employment positions conditions that will attract and retain the best qualified employees who shall at all times strive to devote their energy, skills and talent to serve the residents of the Town.

To achieve this goal, the Town Manager is charged with maintaining employment policies and administrative rules which serve to further the Town's mission to its residents.

8.3 EMPLOYEE ASSISTANCE POLICY AND PROGRAM:{tc "EMPLOYEE ASSISTANCE POLICY AND PROGRAM:" \f C \l 2}

The Town recognizes that a broad range of diverse problems not directly associated with an employee's job duties and functions may have an adverse effect on an employee's work performance, attitude and/or attendance.

In most instances, the employee may independently overcome such personal problems and the impact and effect on job performance will be minimal. In other instances, effective supervisory intervention and assistance may lessen the impact on the employee's job performance; however, from time to time, neither the employee nor the supervisor is capable of resolving problems that may continue to impair the employee's effectiveness in the workplace.

The Town is committed to providing assistance to all employees who are experiencing problems that may impair or jeopardize the employee's health and continued employment with the Town. Such assistance will be made available to employees through the Town's Human Resources Director.

Providing employee assistance is intended to help Town employees by providing referrals for consultation, treatment and/or rehabilitation to prevent the progression of problems that impede

job performance. Examples of such problems include medical or emotional problems, work related stress, alcohol or drug dependency, family or marital concerns, or any other type of physical or emotional difficulty that may adversely impact an employee's job performance.

Confidentiality of records will be ensured for employees seeking assistance through the Town's employee assistance program to the extent permitted by applicable state and federal laws.

Information about employee assistance may be obtained by contacting the Human Resources Director.

NOTE: Employee assistance may be accessed by the employee through the Human Resources Director, or the Department Head of the employee or the Town Manager may administratively refer the employee to the EAP for a mandatory management referral by contacting the Human Resources Director. In such situations, if the employee must meet with his or her assigned EAP counselor during normal work hours, the employee's accrued leave shall not be charged.

8.4 FAMILY AND MEDICAL LEAVE ACT POLICY:

The Family and Medical Leave Act policy of the Town shall be interpreted, governed and in accordance with the Family and Medical Leave Act of 1993 or any subsequent amendment.

Employees who have worked for the Town for a total of twelve (12) months and who have worked at least 1,250 hours over the previous twelve (12) month period may take up to twelve (12) weeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:

- Birth and care of the newborn child of the employee within one year of birth;
- Placement with the employee of a son or daughter for adoption or foster care within one year of the placement;
- ~~To~~ Care for the serious health condition of an immediate family member (i.e., spouse, child or parent);
- ~~To take~~ Medical leave when the employee is unable to work because of a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- ~~To care for wounded service members and because of~~ A qualifying exigency arising out of active duty or an impending call to active duty by the employee's spouse, son, daughter or parent.

Additionally, the Family and Medical Leave Act provides for 26 work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if

the employee is the spouse, son, daughter, parent or next of kin of the service member (Military Care Giver Leave).

During the period of leave, the employee shall have his group health insurance maintained in the same manner as when the employee was in an active pay status.

Employees returning from Family Medical Leave who have successfully completed the fitness for full duty verification will be returned to their original or equivalent job position.

~~All available paid sick leave (including major illness leave), then all available paid vacation time, must be used concurrently from the first day of Family Medical Leave.~~

~~**NOTES:**~~

Employees must notify the Human Resources Director whenever they encounter the above reasons for Family Medical Leave, including the need for intermittent leave under this section. If the need for the leave is foreseeable, the employee must notify the Human Resources Director at least 30 days in advance or as soon as is practicable. If the need for the leave is not foreseeable, the employee must notify the Human Resources Director as soon as is practicable in the particular circumstances.

For family/medical leave related to the employee's medical condition, all available sick leave (including major illness leave, where applicable, excluding Family Medical Leave for injury in the line of duty), then all available vacation time, may be used concurrently from the first day of Family Medical Leave to the extent that the leave supplements short term disability payments.

- ~~For family/medical leave related to the employee's medical condition, all accrued sick leave must run concurrently with family/medical leave.~~

- ~~For family/medical leave related to newborn, adopted or foster children, annual sick or vacation leave must be used prior to the leave. The use of sick leave is not a requirement; however, the employee may choose to use accrued sick leave.~~

Employees who are requesting Family Medical Leave because of a serious health condition may be required to obtain medical certification at the time of requesting leave, intermittently during leave, and shall be required to obtain a fitness for full duty certification from the employee's treating physician prior to returning to work.

Employees who are requesting family/medical leave to care for an immediate family member will be required to obtain medical certification of the condition, and may be subject to a second opinion, at the Town's expense.

- ~~Employees who are returning from family/medical leave because of a personal serious health condition shall be required to obtain a fitness for duty certification from the employee's treating physician prior to returning to work.~~

- ~~Employees returning from family/medical leave will be returned to their original or equivalent job position.~~

8.5 DOMESTIC VIOLENCE VICTIM'S LEAVE POLICY:

The Town of Lake Park is committed to ensuring that its employees who are the victims of domestic violence are provided all necessary rights in accordance with applicable laws. As such the Town affirmatively adopts its Domestic Violence Victim's Leave Policy for its employees as set forth in specificity at **Appendix G** of this Handbook.

Employees who have worked for the Town for at least three (3) months as of the date of a requested leave because of an incident of domestic violence for the employee or for a family or household member of the employee will be provided up to three (3) workdays unpaid leave in any twelve (12) month period~~.~~ or the employees may utilize their available vacation, personal, sick leave or compensatory time in accordance with Town policy as set forth in **Appendix G** of this Handbook.

Employees of the Town, except in cases of imminent danger to the health or safety of the employee, family or household member victim, who request such leave shall provide the Human Resources Director appropriate advance notice along with documentation of the act of violence as delineated in the Town's policy. ~~as set forth in **Appendix G** of the Handbook.~~

In all instances of an employee request pursuant to the Town's policy, the requesting employee must notify the Human Resources Director.

8.6 EQUAL EMPLOYMENT OPPORTUNITY POLICY:{tc "EQUAL EMPLOYMENT OPPORTUNITY POLICY:" \f C \l 2}

The Town of Lake Park adheres to a policy of nondiscrimination in employment and strives affirmatively to provide equal opportunity for all as required by state and federal laws. The Town

attempts to identify and overcome real or potential artificial barriers to employment, training, or promotional opportunities for its employees and applicants.

It is the policy of the Town of Lake Park to prohibit discrimination based on race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression.

The Town strives to ensure a highly qualified staff in terms of educational background and experience which reflects the overall diversity in terms of factors such as race, ethnicity and gender of the pool of qualified candidates.

In recruiting applicants for Town positions, the Town encourages men and women to enter non-traditional occupational areas where their gender is under-represented.

The Town continually develops and reviews job descriptions and entry qualifications in order to ensure that the tasks and duties required are reasonable and do not impose artificial barriers to qualified applicants.

No individual will be denied access, employment, training, or promotion on the basis of race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression.

The Human Resources Department will conduct job advertising and recruitment activities in a manner designed to apprise persons of diverse backgrounds.

Merit principles will be followed in the hiring, promotion and retention of Town employees.

8.7 NON-DISCRIMINATION HARASSMENT POLICY:

It is the affirmative policy of the Town of Lake Park to prohibit discrimination in all aspects of employment or hiring with the Town based on race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression.

All employees are hereby notified that they are expected to work with other employees without regard for the race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression of the individual.

Harassment or discrimination based on any of the above categories or factors is a violation of applicable laws and a breach of the Town's non-discrimination/harassment policy.

Violations of the Town's policy are expressly prohibited and shall not be tolerated.

Such violations shall be grounds for disciplinary action including, but not limited to, termination of employment.

Sexual harassment, including same sex harassment is a violation of Title VII of the Civil Rights Act of 1964.

Sexual harassment is defined as a pattern of behavior that includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; (2) submission to or rejection of such conduct is used as the 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 working environment.

Complaints alleging employment harassment or discrimination on the basis of race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression should be made to the ~~Director of the~~ Human Resources ~~Department~~ Director or to the employee's Department Head or supervisor as set forth in Section 8.~~7~~8 **of this Handbook**.

8.8 NON – DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURES:{tc "8.10 NON-DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURES" \f C \l 2]

The Town of Lake Park has established procedures to assure non-discrimination in employment and the elimination of harassment, including sexual harassment in the workplace.

All employees of the Town will be treated with respect. Hostile treatment or violence against employees because of their race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression will not be tolerated.

Discrimination or harassment complaints by employees may arise from actual or perceived situations and circumstances related to the prohibition of discrimination. It is the intent of these procedures to assure that discrimination or harassment complaints are resolved in an expeditious, orderly, and equitable manner that serves to fulfill the letter and intent of the law.

All Department Heads and supervisors are required to make a conscientious effort to fully consider and understand the nature and basis of the discrimination or harassment complaint of an employee and resolve it, to the satisfaction of the complainant, without delay or refer it, without

delay, to the Human Resources Director or other appropriate authority for investigation and resolution.

The initiation of a discrimination or harassment complaint by an employee will not be used as a basis for actions that adversely affect the complainants standing in their work location. Additionally, participation in or assistance in the investigation of a complaint shall not ~~to~~ be used as the basis for any adverse employment action on an employee.

Discrimination or harassment complaints shall be handled using federal enforcement agencies' procedures and standards in the processing and investigation of discrimination/harassment charges and without extraneous administrative barriers.

No anonymous complaints shall be accepted or processed. Notwithstanding this provision, nothing shall preclude an employee from informally discussing any employment concern, including a real or perceived discriminatory or harassment complaint, with the employee's supervisor, Department Head or Human Resources Director.

If the employee wishes to file a formal complaint with the Town, the complaint must be signed attesting that it is true to the best of the complainant's knowledge, information and belief.

Any complainant who knowingly submits false information will be subject to disciplinary action.

A record will be maintained by the Human Resources Director of each discrimination or harassment complaint.

Procedure for Filing a Formal Complaint of Discrimination or Harassment:{tc "Procedure for Filing a Formal Complaint of Discrimination/Harassment" \f C \l 3}

An employee who has a reasonable and good-faith belief that he/she has been the subject of discrimination or harassment because of the employee's race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression, shall communicate in writing the allegation(s) to his/her Department Head or supervisor who shall immediately advise the Human Resources Director in writing using the prescribed form.

If the employee does not feel comfortable discussing his/her complaint at the worksite or next administrative level, the employee may file the complaint directly with the Human Resources Director or the Town Manager if deemed appropriate.

If the complaint is submitted to the Department Head or supervisor, the Department Head or supervisor will be responsible for scheduling a meeting with the complainant to discuss the complaint. In the event the complaint involves the employee's supervisor, the employee may go directly to the next level of administration, up to the Town Manager.

The employee will be requested to provide specific written information regarding the discriminatory or harassing action(s) or inaction(s), the basis (e.g., age, race, disability, etc.) for the action(s) or inaction(s), the alleged offender(s), witnesses, etc.

A failure on the part of the employee to initiate and/or ~~follow up~~ follow up on a complaint in a timely manner may result in the complaint being considered abandoned. A complaint must be filed within three hundred (300) days of the alleged discriminatory/harassing act(s).

A failure by a Department Head or appropriate supervisor to address a complaint, within ten (10) workdays will automatically allow the complainant to move the complaint to the Human Resources Director.

If the employee does not agree with the final determination made by the Human Resources Director, he/she may appeal the determination to the Town Manager by submitting a letter of appeal within ten (10) workdays of the date of the final determination.

Records of an open ongoing investigation shall remain confidential and not subject to disclosure pursuant to Chapter 119, Florida Statutes, until a final determination is made on the case.

Protected Categories:{tc "PROTECTED CATEGORIES:" \f C \l 3}

Complaints filed with the Town based upon allegations of discrimination/harassment shall be based on one or more of the protected guidelines as set forth in law as follows:

Race - this category prevents denial of equal employment opportunities and/or discrimination/harassment because of a person's race. The five recognized races are American Indian or Alaska Native, Asian, Black or African American; Hawaiian or other Pacific Islander; and White. Because everyone has a race they can be discriminated against because of race. Persons from mixed racial backgrounds do not need to prove their exact heritage in order to assert that they have been discriminated against based on race. Likewise this category covers persons being discriminated against because they are married to persons of a different race from their own.

Color - this category prevents denial of equal employment opportunities and/or discrimination harassment because of person's skin tone. Color discrimination can be a subclass within a race

and is based on the fact that a person's skin tone is different from their own. As such, color discrimination can occur within the same race. For example someone who is darker complexioned may discriminate against someone who has a lighter complexion although they are both members of the same race.

Religion - this category prevents denial of equal employment and/or discrimination/harassment because of a person's sincerely held religious practices. In certain circumstances it affords persons accommodations based upon their sincerely held religious practices.

National or Ethnic Origin - this category prevents denial of equal employment and/or discrimination/harassment because of a person's or his/her ancestor's, place of origin; or because an individual has the physical, cultural or linguistic characteristics of a national origin group.

Linguistic Preference - a subclass of national origin discrimination, this category prevents denial of equal employment opportunities and/or discrimination/harassment because of the language a person speaks unless there is a legitimate business need for requiring that a specific language be spoken.

Sex or Gender - this category prevents denial of equal employment opportunities and/or discrimination/harassment because of a person's gender or sex; it ensures that males are not treated differently from females and/or vice versa. Gender discrimination also includes sexual harassment and pregnancy discrimination which are explained below.

Sexual Harassment - Sexual harassment is defined as a pattern of behavior that includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; (2) submission to or rejection of such conduct is used as the 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 working environment.

Pregnancy - this discrimination is a form of gender/sex discrimination. This category prevents denial of equal employment opportunities and/or discrimination/harassment of women who are with child.

Age - this category prevents denial of equal employment opportunities and/or discrimination/harassment because of a person's age.

Disability - this category prevents denial of equal employment opportunities and/or

discrimination/harassment because a person either has or is perceived to have a permanent impairment that substantially limits or prevents a major life activity.

Familial Status - this category prevents denial of equal employment opportunities and/or discrimination/ harassment because of a person's familial background.

Marital Status - this category prevents denial of equal employment opportunities and/or discrimination/harassment because a person is or is not married.

Sexual Orientation or Gender Identity or Expression - this category prevents denial of equal employment opportunities and/or discrimination/harassment because of a person's sexual preference. ~~t~~This is based on whether an individual is heterosexual, homosexual, or bi-sexual.

Retaliation - this category prevents a person~~'s~~ from taking an adverse employment action against any person that has opposed activity that violates a person's Civil Rights or participated in an investigation pertaining to Civil Rights where there is a link between the adverse employment action and the person's opposition to Civil Rights violations or participation in a Civil Rights investigation.

8.9 WORKPLACE BULLYING POLICY:

The purpose of this policy is to communicate to all employees, including supervisors and Department Heads that the Town will not in any instance tolerate bullying behavior. Any bullying complaint made pursuant to this policy will be investigated by the Town. Employees found in violation of this policy will be disciplined, up to and including termination from employment.

Workplace bullying is defined as any behavior that is repeated, systematic and directed towards an employee or group of employees that a reasonable person, having regard to the circumstances, would expect to be victimizing, humiliating, undermining or threatening. This definition includes retaliation against a Town employee by another employee for asserting or alleging an act of bullying.

Workplace bullying may be intentional or unintentional; **however, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration if and/or when disciplinary action is taken.** The Town considers the following types of behavior to be examples of bullying:

- Verbal Bullying: Spreading rumors or innuendo about an employee or his or her family, ridiculing or maligning a person or his or her family; persistent name calling which is hurtful, insulting or humiliating; using an employee as butt of jokes; abusive and offensive remarks.

- Physical Bullying: Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to an employee's work area or property

- Exclusion: Socially or physically excluding or disregarding an employee in work-related activities

- Cyberbullying: Use of the Town's or an employee's personal computer technology devices to engage in bullying contrary to this policy

The following examples are illustrative of workplace bullying; however, the list is not intended to be all-inclusive:

- Persistent singling out of one employee

- Shouting, raising voice at an employee in public and/or in private

- Using verbal or obscene gestures; e.g., glances which can convey threatening messages

- Not allowing the employee to speak or express him/herself (i.e., ignoring or interrupting)

- Personal insults and use of offensive nicknames

- Public humiliation (including publicly criticizing an employee in the presence of others)

- Constant criticism on matters unrelated or minimally related to the employee's job performance or description

- Ignoring/interrupting an employee at meetings

- Repeatedly accusing an employee of errors which cannot be documented

- Deliberately interfering with mail and other communications

- Spreading rumors and gossip regarding employees

- Encouraging others to disregard a supervisor's instructions

- Manipulating the ability of an employee to do their work (e.g., overloading, underloading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions)

- Inflicting menial tasks not in keeping with the normal responsibilities of the employee's job

- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave

- Deliberately excluding an employee or isolating them from work-related activities (meetings, etc)

- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property). This action may also constitute a Category II(c) offense.

- Stalking

Responsibility of Supervisors and Department Heads:

- Ensure that all employees are aware of this policy

- Ensure that any incident of bullying is investigated regardless of whether a complaint of bullying has been reported by the affected employee or employees

- Respond promptly, sensitively and confidentially to all situations where bullying behavior is observed or alleged to have occurred

- Immediately Report the incident to the Human Resources Director

Responsibility of Employees:

- Town employees are not required or expected to tolerate bullying from any individual employed by the Town. Any Town employee who is subject to or who has witnessed a bullying incident must notify his or her supervisor, Department Head or the Human Resources Department immediately.

Violation of the Town's Workplace Bullying Policy shall result in disciplinary action or termination of employment.

8.~~9~~10 DRUG FREE WORKPLACE POLICY:{tc "**8.12 DRUG FREE WORKPLACE POLICY**" \f C \l 2}

The Town of Lake Park is committed to safeguarding the health of its employees, to promote a drug free community and to maintain a drug free workplace environment.

Substance abuse seriously endangers the safety and health of Town employees, results in a variety of workplace problems, including increased job injuries, chronic absenteeism, decreased morale and lower levels of employee productivity.

The Town has adopted and implemented a Drug Free Workplace Program in accordance with Florida law as set forth in the Workers' Compensation Act, Chapter 440, Florida Statutes.

Accordingly, the use of illegal drugs, the abuse of alcohol and/or the misuse of prescription drugs by Town employees shall not be tolerated and is expressly forbidden during work hours, while on ~~Town property or in a Town owned vehicle.~~ duty, operating a Town vehicle or equipment, or on Town property or while otherwise performing Town duties away from the Town.

As part of the Town's Drug Free Workplace Policy, the Town has the right to drug/alcohol test its employees under conditions set forth in its policy.

Any employee who violates the Town's policy shall be subject to disciplinary action, up to and including termination of employment.

Employees of the Town are expected to read, understand and strictly adhere to the Town's Drug Free Workplace Policy.

The Town's Drug Free Workplace Policy and Procedure is hereby incorporated and made part of the Handbook and is attached ~~at~~ as **Appendix H.**

8.1~~0~~1 TOBACCO FREE WORKPLACE POLICY:{tc "**8.11 TOBACCO FREE WORK PLACE POLICY:**" \f C \l 2}

The Town of Lake Park seeks to foster the health and well-being of all Town employees, residents and visitors.

Tobacco products pose an established significant risk to the health and potential quality of life of the tobacco user. Additionally, secondary smoke has been determined to cause or increase the risk of health related problems to non-smokers who are within close proximity to the use of tobacco products.

The Town adheres to the requirements of the Florida Indoor Clean Air Act as set forth in Florida law, Chapter 386, Florida Statutes.

Accordingly, the use of tobacco products is expressly prohibited in Town-owned buildings, facilities and Town-owned vehicles. Town employees shall not smoke on Town property except as permitted in outdoor designated smoking areas.

Town employees who smoke tobacco products are encouraged to exercise sensitivity to non-smokers and to refrain from smoking except in designated outdoor smoking areas with adequate ventilation.

8.14~~2~~ WORKPLACE SAFETY AND HEALTH POLICY:{tc "8.14 WORKPLACE SAFETY AND HEALTH POLICY" \f C \l 2}

The Town of Lake Park is committed to ensuring the safety and health of its employees by promoting and operating a safety and health program that will strive to reduce the number of injuries and illnesses in the workplace.

The Town shall comply with all applicable state and federal laws to accomplish this objective as set forth in the Town's Workplace Safety and Health Manual, which is available to Town employees in the Human Resources Department.

8.1~~2~~3 ILLNESS/INJURY IN THE LINE OF DUTY POLICY:{tc "**8.13 ILLNESS/INJURY IN THE LINE OF DUTY POLICY:**" \f C \l 2}

A Town employee shall be entitled to illness or injury in the line-of-duty leave until workers' compensation benefits commence (i.e. the seventh (7) day following the documented injury for an injury of less than twenty one (21) days of injury) should the employee need to be absent from duties because of a personal injury received in the discharge of official duty or because of illness from any contagious or infectious disease contracted as a result of official Town work.

Such illness in the line of duty (e.g., workers' compensation) benefits shall not be approved when it is determined that the illness or injury occurred through the employee's negligence or willful misconduct. The employee may then draw upon accrued sick leave.

For a period not to exceed ninety (90) calendar days, the Town shall contribute a portion of the injured employee's salary to ensure that the employee receives 100 percent of the employee's salary. Thereafter, the injured employee shall receive the salary percentage set forth in applicable Florida law.

An employee who has a job related accident, injury or illness shall report the injury to the appropriate Department Head immediately~~.~~ , and shall submit to a post-accident drug test immediately following such ~~injury~~ injury. Any employee who fails to comply with this requirement shall be subject to disciplinary action up to and including termination of employment, and shall not receive the Town's contribution of a portion of the injured employee's salary for the 90 calendar day period.

The Department Head is responsible for notifying the Human Resources Department of the job related accident, injury, or illness, filling out the appropriate records in a timely manner, as necessary, and verifying the details of the injury ~~in the line of duty~~ for submittal to the Human Resources Director. The Human Resources Director will report the injury or illness to the Town's workers' compensation carrier.

The Town reserves the right to ensure that the injury is compensable under the provisions and requirements of the Workers' Compensation Law and to have a Town-approved physician make the ultimate determination of the employee's ability to return to duty.

Employees returning to work after a job-related injury or illness shall submit a physician's certification of fitness to return to full duty to the Human Resources Department prior to returning to work.

~~Employees either injured on the job or involved in vehicular accident while on the job are required to submit to a post-accident drug test immediately following such accident.~~

NOTE:

In the event that the injured/ill employee qualifies for eligibility under the Family Medical Leave Act (FMLA), the employee shall be placed on Family Medical Leave to run concurrent with the employee's leave under Workers' Compensation.

- During the Family Medical Leave, if applicable, the employee shall use his sick and vacation leave balances to continue to receive 100 percent of his salary after the Town's contribution of the injured employee's salary ends.

- If the employee is not fit for full duty upon conclusion of the twelve (12) weeks of unpaid leave, the employee's employment with the Town will end and he will be paid in accordance with the Town's Worker's Compensation policy.

8.14
COBRA RIGHTS POLICY:

Pursuant to the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, including any amendments, changes and additional laws relevant and applicable, Town employees who leave or otherwise lose their job and their dependents shall be provided the opportunity to continue group health insurance coverage for 18 to 36 months, provided that employees elect the continuation for such coverage in a timely manner and pay the full cost of such coverage. ~~unless the employee qualifies for a partial government subsidy toward COBRA coverage as set forth in the American Recovery and Reinvestment Act of 2009 (ARRA).~~ Upon termination of employment, the Human Resources Director shall provide to the employee notification of how to continue such coverage, and shall notify the employee's group health insurance providers of the qualifying event and shall cause to be provided to the employee the necessary application forms for the employee to continue such health insurance coverage under COBRA. ~~and ARRA rights.~~

8.145 TERMINAL SICK PAY POLICY:

{tc "8.4 TERMINAL PAY" \f C \l 2}The Town of Lake Park acknowledges the dedication of its full-time employees who through their exemplary job attendance demonstrate a commitment to the Town.

The Town will provide terminal sick pay to its full-time employees at voluntary resignation or retirement or in the event of a reduction in force (layoff), or to their beneficiaries if service is terminated by death. For purposes of receiving terminal pay, resignation or retirement shall be by action of the employee and specifically excludes resignation or retirement after a recommendation for termination of employment.

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Terminal pay shall not exceed an amount determined as follows:

6 months~~0~~ – 5 years full-time service (or leave	25 percent times the number of days (or hours) of accumulated sick
6 – 10 years full-time service	37.5 percent times the number of days (or hours) of accumulated sick leave
10+ years full-time service	50 percent times the number of days (or hours) of accumulated sick leave

Comment [B11]: This is consistent with the union contract. BMT

NOTE: In the event a full-time employee dies while in the employment of the Town and is owed any portion of a paycheck, the employee's spouse shall be paid the amount owed to the Town's employee. In the event the employee does not have a spouse, the employee's designated primary beneficiary for life insurance shall be paid this amount.

8.1~~5~~6 CONFIDENTIALITY AND NON-DISCLOSURE OF EMPLOYEE PRIVILEGED INFORMATION:

The Town of Lake Park recognizes the necessity to protect its employees from the disclosure of information which is intended by law, rule, regulation or Town policy to be confidential and exempt from disclosure. Both federal and state law specifically addresses information of this nature which is intended to be held confidential in the workplace.

Such information includes, but is not limited to, personal medical/health information, personal social security numbers, certain financial information, and in certain instances, home addresses, telephone numbers and similar personally identifiable information of Town employees who are in certain safety sensitive positions.

For that reason, it is the policy of the Town that Town employees who have access or contact with personal, privileged or exempt information of its Town employees required to be held confidential are required to maintain confidentiality as it pertains to the disclosure of such information and to handle such information in a professional manner to ensure the confidentiality and non-disclosure of such information.

Requests for information on present or former employees of the Town which may be confidential, privileged or exempt from disclosure pursuant to an applicable statute (e.g., Chapter 119, Florida Statutes) or federal laws shall be forwarded to the Human Resources Director for

handling. The Human Resources Director, as the Town's Privacy Coordinator, shall have the sole authorization and responsibility for answering requests or making copies of records which may be confidential or exempt from disclosure.

Town employees may be required by the Human Resources Director to sign a Release of Confidential Information form and may also be required to present a physician's note or return to duty/fitness evaluation upon proper request from the employee's Department Head or Human Resources Director.

Town employees who violate the confidentiality policy of the Town, including the ~~specifically adopted~~ Social Security Number Privacy Policy set forth in **Appendix I** of this Handbook, will be subject to disciplinary action.

8.167 BENEFICIARY DESIGNATION POLICY:

The Town is committed to ensuring that its employees' designated beneficiaries are appropriately compensated in the unfortunate event of the employee's death while still in active employment with the Town. Payment of all monies due to the employee at the time of death shall be paid in accordance with the employee's designated beneficiary on the employee's Beneficiary Designation Form. As such, it is the responsibility of the employee to notify the Human Resources Director of any change of beneficiary as set forth in Section ~~7.17 Personnel Files of this Handbook.~~ 5.20 of this Handbook.

8.18 PUBLIC EMPLOYEE WHISTLE-BLOWER ACT

The Florida Public Employee Whistle Blower Act prevents agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency violations of law on the part of a public employer or independent contractor that create a substantial and specific danger to the public's health, safety, or welfare. It is the further intent of this Act to prevent agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or gross neglect of duty on the part of the Town, Town agencies or boards, public officers, or employees, or vendors and contractors to the Town.

"Adverse personnel action" means the discharge, suspension, transfer, or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee within the terms and conditions of employment by an agency or independent contractor.

The Office of Inspector General of Palm Beach County, Florid Ordinance contains certain provisions regarding the reporting to the Office of Inspector General (OIG). It also makes it a crime for any person to attempt to retaliate, punish, harass, or penalize anyone for communicating with or cooperating with the Inspector General.

Pursuant to the authority of the Public Employee Whistle Blower Act, Town employees must promptly notify the OIG and/or their Department Heads of possible:

- Mismanagement of a contract (misuse or loss exceeding $5,000 in public funds);
- Fraud;
- Theft;
- Bribery; or
- Any other violation of law which appears to fall within the jurisdiction of the Inspector General.

If the matter appears to involve the Department Head, the employee may *promptly* report it to the (Chief Executive officer, Municipal Manager (i.e., Town Manager), Administrator, or Mayor). An employee may make his or her report either to the OIG or management orally or in writing. If a Department Head receives such a report from an employee, or otherwise becomes aware of such a situation, the Department Head shall *promptly* report the situation in writing to the OIG, with a copy to the Chief Executive Officer, Municipal Manager (Town Manager) or Mayor).

In addition to the above, an employee may directly report to the OIG any other conduct which may fall within the Inspector General's jurisdiction.

Whistle-blower Allegations:

In accordance with the Office of Inspector General Palm Beach County, Florida Ordinance and the Florida Whistle-blower Act, if a municipal employee reports any of the following directly and in writing to the Inspector General, he or she *may* be granted "*whistle-blower*" protection by the Inspector General:

- Any violation of suspected violation of any federal, state, or local law, rule or regulation committed by an employee or agent of an agency or independent contractor which creates and presents a substantial and specific danger to the public's health, safety or welfare.
- Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of an agency or independent contractor.

Employees should note that reporting a matter to the Inspector General pursuant to the Whistle-blower Act does not guarantee the employee "whistle-blower" protection under the Act. That is a determination which will only be made by the Inspector General after evaluation of the complaint.

Methods of Reporting:

The OIG reporting form can be found at http://www.pbcgov.com/OIG/rwfa.htm .

An employee may file a report by

- Email to the OIG at inspector@pbcgov.org;
- Fax to the OIG at 561-233-0735;
- U.S. Mail to the OIG at Post Office Box 16568, West Palm Beach, Florida 33416; or
- OIG hotline toll free at 877-283-7068 or 561-233-2350.

Additional information is contained in the Public Employee Whistle Blower Statute at 112.3187 – 112.31895, also referred to as the "Whistle-blower's Act".

8.179 COMPLIANCE WITH LAWS:{tc "8.15 COMPLIANCE WITH LAWS:" \f C \l 2}

The Town of Lake Park adheres to a policy of non-discrimination in employment and strives affirmatively to provide equal employment opportunity for its employees as required by the following laws:

- Title VII of the Civil Rights Act of 1964 as amended which prohibits discrimination on the basis of race, color, religion, gender or national origin
- Age Discrimination and Employment Act of 1967 which prohibits discrimination on the basis of age with respect to individuals who are at least forty
- The Equal Pay Act of 1963 as amended which prohibits gender discrimination in the payment of wages to women and men performing substantially equal work in the same workplace
- Americans with Disability Act of 1990 as amended which prohibits discrimination against individuals with disabilities in employment
- The Family Medical Leave Act of 1993 which requires employers to provide employees up to twelve weeks of unpaid job protected leave to eligible employees for certain family and medical reasons
- Florida Civil Rights Act of 1992 which prohibits discrimination on the basis of race, color, religion sex, national origin, age handicap or marital status

- The Pregnancy Discrimination Act of 1978 which prohibits discrimination on the basis of pregnancy, childbirth, or related medical conditions

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- Other such federal and state laws, including Veteran's Preference in eEmployment, Health Information Portability and Accountability Act of 1996, Consolidated Omnibus Budget Reconciliation Act, and the American Recovery and Reinvestment Act of 2009, etc.

The Town shall adhere to the requirements and provisions contained in Florida's Workers' Compensation Act, Chapter 440, et.seq., Florida Statutes.

Information about the Town of Lake Park's policies and specific compliance with all applicable laws and procedures is available to Town employees in the Human Resources Department.

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APPENDIX A

POSITION TITLES, JOB CODES AND PAY PLAN{tc "APPENDIX A" \f C \l 1}

Appendix A, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) sets forth the Town of Lake Park Position Titles, Job Codes and Pay Plan.

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TOWN OF LAKE PARK
POSITION TITLES ~~AND~~, JOB CODES AND PAY PLAN

~~CLASS NUMBER~~ JOB CODES		POSITION TITLES	MINIMUM FY ~~2009~~ 2012 PER YEAR	MINIMUM PER HR	MAXIMUM FY ~~2009~~ 2012 PER YEAR	MAXIMUM PER HR
		Department: Town Manager				
100	E	Town Manager				
500	E	Assistant Town Manager	49,928.09	24.00	78,849.61	37.91
489	E	Grants Writer	50,854.75	24.45	78,943.41	37.95
490	E	Assistant to the Town Manager	50,854.75	24.45	78,943.41	37.95
		Department: Information Technology				
112	E	Chief Information Technology Officer	50,854.75	24.45	78,943.41	37.95
		General Clerical (non-departmental)				
230	NE	Executive Secretary	27,050.40	13.01	42,507.99	20.44
255	NE	Administrative Secretary	27,050.40	13.01	42,507.99	20.44
260	NE	Administrative Assistant	29,214.43	14.05	48,580.56	23.36
220	NE	Clerk Typist	18,817.37	9.05	29,717.58	14.29
		Department: Town Clerk				
190	E	Town Clerk	50,854.75	24.45	78,943.41	37.95
195	NE	Deputy Town Clerk	34,624.51	16.65	54,653.13	26.28
		Department: Human Resources				
120	E	Human Resources Director	50,854.75	24.45	78,943.41	37.95
		Department: Community Development				
115	E	Community Development/Planning Director	67,084.99	32.25	103,233.69	49.63
110	E	Building Official	41,075.97	19.75	64,869.77	31.19
111	~~NE~~E	Planner	37,128.00	17.85	57,834.00	27.80
315	NE	Building Inspector	32,183.51	15.47	50,826.22	24.44
320	NE	Code Compliance Officer	30,296.45	14.57	51,009.59	24.52
321	NE	Parking Enforcement Code Compliance Officer		10.00		15.00
322	NE	Administrative Assistant to Com. Dev. Director	29,214.43	14.05	4 8,580.56	23.36

		Department: Finance					
130	E	Finance Director		71,932.44	34.58	116,531.65	56.02
125	E	Assistant to the Finance Director		50,854.75	24.45	78,943.41	37.95
200	NE	Accountant		34,624.51	16.65	54,653.13	26.28
201	NE	Accountant/Business Tax Coordinator		34,624.51	16.65	54,653.13	26.28
202	NE	Accounts Payable/Receivable Coordinator		29,214.43	14.05	48,580.56	23.36
210	NE	Accounting Clerk I		21,783.46	10.47	34,401.80	16.54
215	NE	Accounting Clerk II		26,477.94	12.73	41,815.63	20.10
		Department: Library					
150	E	Library Director		50,854.75	24.45	78,943.41	37.95
155	E	Librarian II		37,870.56	18.21	55,867.64	26.86
208	NE	Library Accounting Clerk		27,050.40	13.01	42,507.99	20.44
235	NE	Library Assistant II		29,214.43	14.05	48,580.56	23.36
240	NE	Library Assistant I		22,722.34	10.92	34,006.39	16.35
241	NE	Library Technical Assistant I		27,050.40	13.01	42,507.99	20.44
245	NE	Library Assistant II		29,214.43	14.05	48,580.56	23.36
310	E	Librarian I		34,624.51	16.65	42,653.13	20.51
340	NE	~~Library Monitor~~ Children's Services Assistant	~~per hr~~		8.66		
345	NE	Library Shelver	~~per hr~~		8.13		
346	NE	Library Facilities Custodian			9.89		15.19
		Department: Public Works					
170	E	Public Works Director		67,084.99	32.25	103,233.69	49.63
175	E	Operations Manager		43,280.64	20.81	66,798.27	32.11
176	NE	Assistant to the PW Director		37,995.00	18.27	51,114.24	24.57
177	NE	Operations Technician I	**	29,651.40	14.26	43,273.13	20.80
560	NE	Foreman		30,296.45	14.57	51,515.10	24.77
563	NE	Foreman General Infrastructure		31,811.27	15.29	54,090.86	26.01
510	NE	Custodian	**	20,566.21	9.89	31,603.16	15.19
520	NE	Mechanic I	**	25,384.10	12.20	38,896.20	18.70
530	NE	Mechanic II	**	30,308.10	14.57	47,404.74	22.79
531	NE	Facilities Mechanic I	**	28,565.22	13.73	38,525.76	18.52
532	NE	Facilities Mechanic II	**	32,676.88	15.71	45,405.36	21.83
535	NE	Facilities Maintenance Worker I	**	24,128.96	11.60	34,856.64	16.76
536	NE	Facilities Maintenance Worker II	**	30,080.04	14.46	41,621.58	20.01
537	NE	Facilities Maintenance Worker III	**	35,706.53	17.17	51,270.66	24.65
540	NE	Equipment Operator I	**	22,731.08	10.93	34,034.18	16.36
545	NE	Equipment Operator II	**	28,143.24	13.53	48,620.25	23.38
546	NE	Equipment Operator III	**	33,542.50	16.13	51,000.77	24.52
550	NE	Maintenance Worker I	**	20,566.21	9.89	31,603.16	15.19
555	NE	Maintenance Worker II	**	22,731.08	10.93	34,034.18	16.36
556	NE	Maintenance Worker III	**	29,863.64	14.36	46,781.28	22.49

557	NE	Irrigation Technician I	**	27,375.00	13.16	37,723.14	18.14
558	NE	Irrigation Technician II	**	31,919.47	15.35	41,048.28	19.73

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		Department: Public Works (continued)					
559	NE	Traffic Maintenance Technician I	**	27,375.00	13.16	36,232.56	17.42
560	NE	Traffic Maintenance Technician II	**	30,512.85	14.67	40,131.00	19.29
561	NE	Storm Water Technician I	**	29,863.64	14.36	46,781.28	22.49
562	NE	Storm Water Technician II	**	33,542.50	16.13	51,000.77	24.52
575	NE	Grounds Maintenance Crew Leader	**	25,978.37	12.49	42,542.72	20.45
615	NE	Vehicle Maintenance Foreman		33,542.50	16.13	55,636.31	26.75
		Department: Marina					
620	E	Harbor Marina Director		50,854.75	24.45	78,943.41	37.95
570	E	Dock Master		33,542.50	16.13	54,653.13	26.28
571	NE	Assistant Dock Master		22,276.80	10.71	32,387.04	15.57
209	NE	Ship's Store Clerk		22,276.80	10.71	32,387.04	15.57
610	NE	Dock Attendant	**	20,969.47	10.08	31,603.16	15.19
		Department: ~~Recreation~~ Parks and Recreation					
180	E	Recreation Director		50,854.75	24.45	78,943.41	37.95
1~~3~~1	NE	Camp Counselor (Seasonal)	~~per hr~~		7.~~58~~67		
1~~3~~2	NE	Recreation Bus Driver	~~per hr~~		7.~~58~~67		
1~~3~~3	NE	Event Assistant			7.~~58~~67		
330	E	Assistant Recreation Director		34,624.51	16.65	54,653.13	26.28
331	NE	Grounds Maintenance Worker II	**	22,731.08	10.93	34,034.18	16.36
630	NE	Special Projects Coordinator		29,191.93	14.03	46,101.74	22.16
None	NE	Camp Director (Seasonal)	~~per hr~~		8.12		
		Special I					
None	E	Senior Registered Civil Engineer					
None	E	Senior Registered Architect					
640	E	CADD Systems Operator		35,482.96	17.06	56,036.94	26.94
		Special II					
616	NE	Carpenter/Project Superintendent		29,191.93	14.03	46,101.74	22.16
618	NE	Carpenter's Helper		20,746.15	9.97	32,763.64	15.75
		Community Redevelopment Agency (CRA)					
	E	Art Studio and Gallery Manager		35,000.00		50,000.00	
	E	Economic Development Director		67,084.99		95,586.75	
	E	Project Manager			32.05		

N/E	Art Studio and Gallery Assistant	11.00

E = Exempt Position
NE = Non-exempt Position
**** = Bargaining Unit Position**

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APPENDIX B

LISTING OF AND JOB DESCRIPTIONS FOR DEPARTMENT HEAD POSITIONS{tc "**APPENDIX B**" \f C \l 1}

Appendix B, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) contains the job descriptions for the Town Manager position and the following exempt Department Head positions:

- Town Manager

  ~~constitutes the listing of Managerial Exempt Department Heads, Assistant Department Heads, and other specifically designated positions who serve at pleasure of the Town Manager.~~

- Chief Information Technology Officer
- Community Development Director
- Finance Director
- Grants Writer
- Harbor Marina Director
- Human Resources Director
- Library Director
- Public Works Director
- Recreation Director
- Town Clerk

~~DEPARTMENT HEADS, ASSISTANT DEPARTMENT HEADS AND OTHER SPECIFICALLY DESIGNATED POSITIONS WHO SERVE AT THE PLEASURE OF THE TOWN MANAGER~~

~~Department Heads:~~

~~Chief Information Technology Officer~~
~~Community Development Director~~
~~Finance Director~~
~~Grants Writer~~
~~Harbor Marina Director~~
~~Human Resources Director~~
~~Library Director~~
~~Public Works Director~~
~~Recreation Director~~
~~Town Clerk~~

~~Assistant Department Heads:~~

~~Assistant Town Manager~~
~~Assistant to the Town Manager~~
~~Assistant to the Finance Director~~
~~Assistant Recreation Director~~
~~Operations Manager~~

~~Other Specifically Designated Positions:~~

~~Art Studio and Gallery Manager~~
~~Building Official~~
~~CADD Systems Operator~~
~~Community Redevelopment Agency (CRA) Economic Development Director~~
~~CRA Project Manager~~
~~Dockmaster~~
~~Librarian I~~
~~Librarian II~~
~~Planner~~
~~Senior Registered Civil Engineer~~
~~Senior Registered Architect~~

TOWN MANAGER

JOB CODE: 100
DEPARTMENT: TOWN MANAGER

CHARACTERISTICS OF THE CLASS:

Under the general supervision of the Town Commission, serve as the Chief Administrative Officer of the Town by directing and supervising the administration of all departments, and by implementing policy established by the Town Commission. Work is reviewed through periodic evaluations by the Town Commission. Performs such other duties as may be required by the Town Commission not inconsistent with the Town Charter, State law or applicable Ordinances. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

1. Appoints, hires, disciplines and removes all employees and department heads of the Town in accordance with the Town established employee policies and procedures.

2. Provides staffing for the appointed boards, committees, and agencies of the Town, as necessary or directed by the Town Commission.

3. Prepares and submits to the Town Commission a monthly report. Also, directs all department heads to file monthly reports with the Office of Town Manager, which shall collect and forward these reports to the Town Commission without correction or modification.

4. Prepares, with the assistance of the Finance Director an annual budget and presents the same to the Town Commission with a message describing the important features, and is responsible for the administration of such budget after adoption.

5. Prepares and submits to the Town Commission at the end of each fiscal year a complete report on the preceding year's finances and administrative activities, which report shall include an annual audit for the preceding fiscal year prepared by an independent auditor retained by the Town Commission.

6. Keeps the Town Commission advised of the financial condition and future needs of the Town, and make such recommendations as may be desirable on a timely basis. The Town Manager is encouraged to actively seek out potential grant monies that may be available to support Town projects.

Approved on
6/20/12 pursuant
to Resolution 14-06-12.

7. Recommends to the Town Commission a standard schedule of pay for all Town positions, including minimum and maximum rates of pay.

8. Organizes, reorganizes, consolidates, combines or abolishes positions, offices, department divisions or departments of the Town only with the approval of the Town Commission.

9. Recommends in consultation with the Town Attorney appropriate action with respect to negotiation, approval and/or rejection of labor agreements with public employee organizations acting on policy directives provided by the Commission in proper sessions.

10. Recommends to the Town Commission the adoption of such Ordinances and policies as may be necessary or expedient for the health, safety or welfare of the community, or for the improvement of administrative services.

11. Attends meetings of the Town Commission, Town committees and boards, and other Town meetings, as the Town Manager deems necessary, or as directed by the Town Commission. At such meetings, the Town Manager shall have the right to take part in the discussion, but without a vote.

12. Serves as purchasing agent for the Town; responsible for overseeing the purchase of equipment and supplies pursuant to Town policy.

13. Provides staff support services for the Mayor and Commission members which shall be limited to those necessary in support of Town activities.

14. In consultation with the Town Attorney, enforces the Town's laws and Ordinances.

15. Investigates the affairs of the Town, or complaints regarding any department or division; investigates all complaints in relation to matters concerning administration; investigates complaints regarding service maintained by public utilities; and, sees that all terms and conditions imposed in favor of the Town in any franchise, contract or agreement are faithfully observed.

16. Devotes all working time to the discharge of official duties.

REQUIREMENTS:

A. **Education and Experience:**

Bachelor's degree in Public Administration or a closely related field from an accredited college or university and at least five (5) years of experience as a full-time employee in Public Administration at the administrative level. Must possess a valid Florida driver's license.

B. **Knowledge, Skills and Abilities:**

- Knowledge of the organization, functions of a municipal government
- Knowledge of budgetary development, administration and control
- Knowledge of local Codes, Ordinances and regulations
- Ability to plan and coordinate complex administrative activities
- Ability to formulate plans, budgets and related policy papers, synthesizing information from a variety of sources
- Ability to delegate authority and responsibility appropriately
- Ability to communicate effectively both orally and in writing
- Ability to follow complex oral and written instructions
- Ability to work effectively with the Town Commission, the general public and Town staff

PHYSICAL REQUIREMENTS:

While performing the duties of this job, the employee is frequently required to walk, sit and talk or hear. The employee will be required to use hands to manipulate, handle, feel or operate objects or controls and reach with hands and arms. The employee is occasionally required to climb, stand or balance, stoop, kneel or crouch. Task may involve extended periods of time at the computer keyboard. The employee must occasionally lift and/or move up to 20 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus. Extensive close work, and extensive PC monitor work are required.

ENVIRONMENTAL REQUIRMENTS:

Tasks performed without exposure to adverse environmental conditions (dirt, cold, rain, fumes).

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide

occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

CHIEF INFORMATION TECHNOLOGY OFFICER

CLASSIFICATION CODE: 112
PAY GRADE: **
DEPARTMENT: Information Technology Department

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager, responsible for the operation and support of the Town's data and voice transmission networks, operating system software, and personal computer workstation hardware and software components. Also, oversees the installation and maintenance of telecommunication and voice mail systems at all Town facilities. Prepares and approves specifications for computer and associated equipment purchases. Performs related duties as directed when such duties are a logical and appropriate assignment to the position. This is an exempt position

EXAMPLES OF ESSENTIAL FUNCTIONS:

1. Establishes guidelines and programs for effective information technology management;
2. Plans, organizes, coordinates and directs the activities of the Town's centralized information technology systems;
3. Conducts long-range and short-range planning, development, design and management of management information systems;
4. Prepares the annual budget for the Information Technology Department;
5. Reviews and advises the Town Manager on staff recommendations and requests for technology systems and/or research projects, and makes recommendations as appropriate on alternative system options;
6. Researches management information systems hardware and software including applicable vendor applications, data base management, and operational control packages and makes recommendations to the Town Manager;
7. Recommends written policies and procedures for information technology acquisition and utilization;
8. Recommends guidelines and programs for effective database management utilization;
9. Serves as Systems Manager and recommends policies to ensure privacy of data and security of data processing facilities;
10. Consults with and advises other department heads on information technology management needs and problems;
11. Coordinates the purchase, maintenance and operation of Town telecommunication and radio equipment and serves as liaison with computer consultants, computer hardware manufacturers and software suppliers;
12. Oversees the daily operational activities of technology systems to ensure the integrity of the network server, Internet access, Town web site, Channel 18 telecasts and web casts, including the installation and maintenance of peripheral hardware, software and auxiliary power supplies;
13. Provides technical assistance to Town departments and coordinates training for Town personnel in the proper use of information technology equipment and software applications;
14. Demonstrates continuous effort to improve operations, decrease turnaround times, streamline work processes and work cooperatively and jointly to facilitate the provision of quality customer service to the Town of Lake Park via the Town's management information systems.

Approved on 2/21/07 per Resolution 11-02-07

KNOWLEDGE, SKILLS AND ABILITIES:

Bachelor's degree from an accredited college or university with major coursework in computer science or closely related field plus at least three years of management experience in directing a major information technology program in the public sector, or any equivalent combination of training and experience. Must possess demonstrated and comprehensive knowledge of principles, applications and techniques of information technology systems and computer operations. Must be able to prepare technical reports as required and to establish and maintain effective and cooperative working relationships with departmental officials, associates, subordinates and the general public

PHYSICAL REQUIREMENTS:

Must possess manual dexterity and the ability to lift, move or carry moderate-to-heavy weight objects (20-35 pounds), such as monitors, CPUs, auxiliary power supply units, etc

ENVIRONMENTAL REQUIREMENTS:

Tasks generally performed without exposure to adverse environmental conditions (dirt, cold, rain, fumes)

The Town of Lake Park is an Equal Opportunity Employer. In compliance with Equal Opportunity guidelines and the Americans with Disabilities Act, the Town of Lake Park provides reasonable accommodation to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

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COMMUNITY DEVELOPMENT DIRECTOR

CLASSIFICATION CODE: 115
PAY GRADE: 24
DEPARTMENT: COMMUNITY DEVELOPMENT

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager, directly responsible for the administration, management and direction of the Community Development Department which includes construction plan review and inspections, planning, Code compliance, occupational licensure, and community redevelopment. Manages departmental budgets, personnel and all administrative aspects of this department. Responsible for promoting the attributes of the Town through contact with officials, citizens, media and business representatives. Develops and maintains database of Town demographics. Requires independent judgment and discretion in all matters pertaining to this department. Reports to the Town Manager. Performs related duties as directed when such duties are a logical and appropriate assignment to the position. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of anyone position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the position.

1. Develops and coordinates plans and strategizes for growth and expansion of the economic base of the Town, and coordinates planning with town's management, elected officials, and business and civic leaders

2. Receives inquiries from businesses and citizens interested in establishing or expanding business in the Town; responds to specific requests for information regarding Codes governing suitability of areas of the Town for business and industry; makes oral presentations and conducts tours of the Town. Serves as the Town's liaison to developers and other business interests. Serves as liaison to and advises appropriate Town boards such as Planning and Zoning, Code Compliance, Historic Preservation, the Tree Board, the Local Planning Agency, and the Community Redevelopment Agency Board.

3. Reviews all development permits, requests and applications. Determines the completeness of development applications.

Approved on 4/4/07 pursuant to Resolution 26-07-07

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4. Responsible for planning, analysis and implementation of all elements of the Town's Comprehensive Plan.

5. Collects demographic, geographical, economic and other related data about the Town, investigates all issues related to establishing and maintaining business within the Town. Collects and maintains data necessary in competing for federal, state and local grant monies.

6. Manages the total operations of the Building Division, oversees the functions of inspections, plans review, contracts, cost estimates, Code interpretation and enforcement and licensure. Supervises employees performing these tasks, reviewing, guiding and evaluating their work.

7. Responsible for developing and implementing comprehensive economic community development programs.

8. Develops cooperative relationships with citizens, business representatives, civic leaders, and elected officials to ensure smooth functioning of all aspects of the Department.

9. Develops and writes Ordinances and Resolutions for approval by the Town Manager and Town Commission concerning community development issues, and develops the annual fiscal budget for the Community Development Department for approval by the Town Manager and presentation to the Town Commission.

REQUIREMENTS:

A. Education and Experience:

Bachelor's degree from an accredited college or university in Urban Planning, Public Administration, Building Construction or similar related field is required. Must have a minimum of three years of managerial experience as a planner, community development director or similar position. Master's degree in Public Administration or related field and American Institute of Certified Planners (AICP) certification preferred.

B. Knowledge, Skills and Abilities:

- Ability to meet and deal constructively with people from all facets of the public.
- Ability to judge observable, functional, structural or composite characteristics of data, plans and demographics.

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- Ability to read, absorb, interpret and present for change a wide variety of statutes, codes, projects, reports, grants, and project proposals, and to apply principles of logical or scientific thinking to define, interpret and explain these types of documents. Must be able to communicate these concepts effectively to professionals and lay people.
- Ability to plan, organize, project and use initiative and judgment in the operations of the department.
- Basic understanding of the standard building, plumbing, gas and mechanical codes and the national Electrical Code or similar basic model codes relating to construction.
- Knowledge of codes and ordinances which govern building activities and certification and licensure of contractors.
- Knowledge of computer operations, PowerPoint, GIS, and network systems including the Microsoft Office Suite.
- Excellent writing, speaking and presentation skills.
- Ability to establish and maintain effective working relationships with departmental officials, associates, subordinates and the general public.

PHYSICAL REQUIREMENTS:

Tasks involve limited physical activities, light lifting, standing and walking, and dexterity in use of hands, arms and fingers for the operation of a computer keyboard or other office equipment. Must be able to exert up to 50 pounds of force, to life and carry moderately heavy loads up to 50 pounds. Work involves walking over uneven surfaces, bending, stooping, and working in confined spaces.

ENVIRONMENTAL REQUIRMENTS:

Tasks may require frequent exposure to adverse environmental conditions, and require form perception and discrimination.

BLOODBORNE PATHOGENS:

Category III – Minimal to No Risk Exposure

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

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FINANCE DIRECTOR

CLASSIFICATION CODE: 130
PAY GRADE: 24
DEPARTMENT: FINANCE

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager, performs a variety of complex supervisory, professional, administrative and technical accounting and finance functions in maintaining the fiscal records and systems of the Town. Answers to the Town Manager. Performs related duties as directed. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of anyone position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the Finance Director position.

1. Manages and supervises assigned operations to achieve goals within available resources; plans and organizes workloads and staff assignments; trains, motivates and evaluates assigned staff; review progress and directs changes as needed.

2. Provides leadership and direction in the development of short and long range plans; gathers, interprets, and prepares data for studies, reports and recommendations; coordinates department activities with other departments and agencies as needed.

3. Provides professional advice to supervisors; makes presentations to supervisors, boards, commissions, civic groups and the public.

4. Communicates official plans, policies and procedures to staff and the public.

5. Assures that assigned areas of responsibility are performed within budget; performs cost control activities; monitors revenues and expenditures in assigned area to assure sound fiscal control; prepares annual budget requests, assures effective and efficient use of budgeted funds, personnel, materials, facilities and time.

6. Manages the total operations of the Finance Department and supervises employees.

Approved on
5/21/07 per
Resolution 22-03-07

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7. Prepares a variety of studies, reports and related information for decision-making purposes.

8. Serves as chief financial advisor to the Town Manager.

9. Establishes and maintains internal control procedures and assures that state and national standard accounting procedures are maintained.

10 Supervises the collection of taxes, fees and other receipts in accordance with laws and regulations.

11. Maintains financial records. Prepares financial statements and cost reports at regular intervals, including operating and capital outlay expenditures and revenue projections and annual budget preparation. Directs the audit and approval of disbursements for goods and services within budget appropriations.

12. Oversees the central computerized financial and management information system of the Town.

13. Prepares proposed and final budget for Town Manager and Town Commission approval.

14. Oversees the posting and reconciliation of ledgers and accounts. Directs the preparation of state and federal reports, including tax reports.

15 Administers the insurance program for the Town.

16. Administers grants funds to ensure that all post-award recording, reporting and review requirements are met.

17. Oversees payroll and accounts payable processing. Oversees billings.

18. Coordinates and oversees the investment of Town funds.

19. Serves as Finance Director for the Community Redevelopment Agency.

20. Writes Ordinances and Resolutions for approval by the Town Manager and Town Commission concerning Town finance.

21 Performs general management duties for the Town Manager as assigned.

22. Represents the Town at various conferences and meetings.

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REQUIREMENTS:

A. Education and Experience:

Bachelor's degree from an accredited college or university in Accounting, Finance, Business Administration or Public Administration plus five years of experience as a finance director for a municipal government required Certified Public Finance Officer (CPFO) certification preferred.

B. Knowledge, Skills and Abilities:

- Considerable knowledge of modern governmental accounting theory, principals and practices; considerable knowledge of internal control procedures and management information systems; considerable knowledge of office automation and computerized financial applications; considerable knowledge of public finance and fiscal planning, considerable knowledge of payroll and accounts payable functions; working knowledge of budgetary, accounting and reporting systems, Government Accounting, Auditing, and Financial Reporting (GAAFR), Generally Accepted Accounting Principles (GAAP), and Government Accounting Standards Board (GASB).
- Skill in operating the listed tools and equipment.
- Ability to prepare and analyze complex financial reports; ability to maintain efficient and effective financial systems and procedures; ability to effectively supervise staff; ability to establish and maintain effective working relationships with employees and Town officials.
- Excellent writing, speaking and presentation skills.
- Must be bondable.

PHYSICAL REQUIREMENTS:

While performing the duties of this job, the employee is frequently required to sit and talk or hear, use hands to finger, handle or feel objects, tools, or controls, and to reach with hands and arms. The employee is occasionally required to walk. The employee must occasionally lift and/or move up to ten pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus

ENVIRONMENTAL REQUIRMENTS:

Tasks performed without exposure to adverse environmental conditions (dirt, cold, rain, fumes).

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GRANTS WRITER

CLASSIFICATION CODE: 489
PAY GRADE:
DEPARTMENT: TOWN MANAGER

CHARACTERISTICS OF THE CLASS:

Under general direction of the Town Manager, the purpose of the position is to perform specialized professional work involving researching grant opportunities, preparing grant applications and proposals, to enable the Town to attain its goals and objectives established from time to time by the Town Commission and the Town Manager. Reports to the Town Manager. Performs related duties as requested. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the grants writer position.

1. Provides ongoing in-depth research and analysis of potential funding sources, including federal, state, local public agencies, private foundations, and individuals, identifying those appropriate to support Town priorities and programs that match funding agency interests and requirements and maximize fundability

2. Monitors and reviews local, state, and federal guidelines concerning all grant programs; initiates the preparation of documentation, applications, forms, and requests specific guidelines to aid in determining grant applicability to the Town's goals and objectives

3. Develops, writes and edits applications and proposals for submission to federal, state and local public agency funding sources, and private foundations and individuals.

4. Assists department heads in researching, developing, writing, and editing grant proposals and applications generated by department heads

5. Maintains primary responsibility for monitoring the budgetary and funding cycles of federal, state, and local public agency funding sources, and private foundations; monitors grant application deadlines to ensure that grant applications and proposals are submitted by the Town in a timely manner.

Approved on 3/21/07 per Resolution 24-03-07

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GRANTS WRITER

6 Develops and maintains a master file on all active and pending grants.

7. Develops and maintains resource files on all Town grant priorities

REQUIREMENTS:

A. Bachelor's degree from an accredited college or university in Public Administration, Communications, English, Business or related field and a minimum of three years of experience as a grants writer are required.

B. Knowledge, Skills and Abilities:

- Considerable knowledge of federal, state, local and foundation grant application procedures, to include organizational structures and funding mechanisms
- A proven record of securing major grants.
- Excellent writing, speaking and presentation skills.
- Extensive experience in researching funding opportunities.
- Knowledge of the principles, concepts, methods and techniques associated with computers and on-line researching methods.
- Ability to establish and maintain effective working relationships with department heads, funding agencies and private organizations.

PHYSICAL REQUIREMENTS:

Tasks involve the ability to exert very light physical effort in sedentary to light work, involving some reaching, handling, fingering and/or feeling of objects and materials. The employee is occasionally required to walk. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

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HARBOR MARINA DIRECTOR

CLASS CODE: PAY 620
GRADE: 18
DEPARTMENT: Lake Park Harbor Marina

CHARACTERISTICS OF THE CLASS

Under the administrative direction of the Town Manager, is responsible for the administration, direction and supervision of all Lake Park Harbor Marina activities and employees, including the planning, directing and coordinating of all Marina-related operations and activities. Oversees slip rentals, and assists the Town Finance Director with the collection and accounting of all income generated by the Marina, including, but not limited to, slip rentals, fueling charges, transient boater fees, ramp fees, concession sales and other miscellaneous revenues. Attends meetings of the Harbor Marina Advisory Board, the Town Commission and other meetings that may impact the functioning and performance of the Marina. Prepares and presents verbal and written reports to the Town Manager outlining the achievement of desired results on a regular basis. Performs related duties as directed when such duties are a logical and appropriate assignment to the position. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of anyone position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the position.

- Develop, write and implement a comprehensive business plan for the operation of the Lake Park Harbor Marina and update such business plan on an annual basis.
- Continuously seek to identify strategies for advertising Marina services and implement such strategies with the approval of the Town Manager, including but not limited to participation by the Marina in marine industry events such as the Palm Beach County Boat Show.
- Continuously seek to identify and develop proposals for revenue enhancing activities such as fishing tournaments and art shows at the Marina for approval by the Town Commission.
- Coordinate all Marina events.
- Ensure positive customer service by establishing and maintaining a cordial and friendly relationship with all Marina patrons and with the general public.
- Enforce the Marina rules and regulations in accordance with the Town Code.
- Ensure that the Marina is maintained as a safe recreational and work environment pursuant to the Town's Workplace Safety and Health Manual, and recommend to the Town Manager steps needed to maintain the Marina in a neat, safe and orderly manner.
- Supervise, direct and coordinate all activities necessary for the operation, building maintenance, repair and upkeep of the Marina.
- Supervise the assignment of rental boat slips pursuant to establish procedure and maintain comprehensive and updated records relating to such rentals.
- Supervise all functions relating to boat launching, parking and related activities.
- Establish and implement, in conjunction with the Town Finance Director, a system of checks and balances to ensure accurate accounting of all revenue and inventory.
- Supervise the collection, accounting and delivery to the Town Finance Department of all launching fees and revenues resulting from the daily operation of the Marina.
- Maintain accurate and current records of all Marina operations, and provide periodic written and verbal reports as required by the Town Manager or the Town Commission.
- Prepare annual departmental budget for approval by the Town Manager.

Approved on 2/21/07 per Resolution 12-02-07

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HARBOR MARINA DIRECTOR (page 2)

REQUIREMENTS

A. Training and Experience:

Minimum requirements. Must possess a minimum of three (3) years of experience as a marina manager which includes the complete operation and maintenance of a marina. Bachelor's degree from an accredited college or university majoring in Business, Accounting, Public Administration or related field, along with the stipulated experience, preferred but not required.

B. Knowledge, Abilities and Skills:

- Knowledge of the principles, practices and methods for the operation of a business
- Knowledge of the principles, practices and methods of the operation of a marina.
- Knowledge of boating and seamanship functions.
- Knowledge and understanding of standard office procedures
- Familiarity with Dock Master, Microsoft Word and Excel spreadsheet programs, and demonstrated ability to use same.
- Ability to prepare and implement budgets.
- Ability to establish and maintain effective public relations, with emphasis on generating excellent customer service
- Ability to develop short-term and long-term strategic plans and to effectively present them to policymaking bodies
- Ability to maintain accurate records
- Excellent oral and writing skills and the ability to prepare verbal and written reports.
- Ability to maintain and repair Marina facilities as necessary
- Ability to perform required work without direct supervision.
- Ability to plan, prioritize and supervise the work of other employees.
- Ability to conduct themselves professionally in the eyes of elected officials and the general public.
- Flexibility to work independently as well as functioning as a team member.

C. Physical Requirements:

Performance of the duties of this position may involve frequent walking, standing; some lifting and carrying objects of moderate-to-heavy weight (12-50 pounds); as well as operation of vehicles, office equipment, computers, shop or hand tools in which manipulative skills and hand-eye coordination are important ingredients of safe and/or productive operations. Must be able to swim.

D. Environmental Requirements:

Task may require frequent exposure to adverse environmental conditions.

E. Sensory Requirements:

Task requires color, sound, odor, form and texture perception and discrimination.

HARBOR MARINA DIRECTOR (page 3)

F. Blood Borne Pathogens:

Category I - Moderate to Minimal Risk Exposure.

The Town of Lake Park is an Equal Opportunity Employer. In compliance with Equal Opportunity guidelines and the Americans with Disabilities Act, the Town of Lake Park provides reasonable accommodation to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

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HUMAN RESOURCES DIRECTOR

CLASSIFICATION CODE: 120
PAY GRADE: 15
DEPARTMENT: HUMAN RESOURCES

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager, directly responsible for performing activities relating to all aspects of the Human Resources function including human resources planning, directing and controlling all activities including policy development, job evaluation, recruitment, selection, training, compensation, safety, risk management, conflict resolution, and performance evaluations. Answers to the Town Manager. Performs related duties as directed. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of anyone position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the human resources director position.

1. Annually reviews and makes recommendations to the Town Manager for improvement of the Town's human resource policies, procedures and practices
2. Communicates changes in Town human resource management policies and procedures to department heads to ensure proper compliance.
3. Assists the Town Manager in the annual review, preparation and administration of the Town's wage and salary program.
4. Reviews and classifies positions for approval according to position duties and responsibilities, essential functions, job competencies, reporting structure, physical requirements, and exempt or non-exempt status.
5. Develops and administers an effective employee recruitment program including the development and placement of ads, collection and review of employment applications, pre-employment screening of applicants, and conducting pre-employment and exit interviews.
6. Maintains knowledge of industry trends and employment legislation and ensures the Town's compliance with state and federal requirements pertaining to human resource management.
7. Consults with department heads regarding matters of employee discipline, guidance and employee management, and to assist them in carrying out their responsibilities on personnel matters.

Approved on
3/21/07 per
Resolution 21-03-07

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HUMAN RESOURCES DIRECTOR (page 2)

8. Coordinates risk management and administers the Drug Free Workplace Policy, and monitors worker's compensation claims. Coordinates the reporting of worker's compensation and property/liability insurance claims to the Town's insurance carriers.
9. Develops and coordinates employee benefit programs and plan, and coordinates and facilitates annual employee open enrollment.
10. Consults with legal counsel as appropriate or as directed by the Town Manager on personnel matters.
11. Prepares answers to pending litigation, equal employment opportunity complaints and liability matters, and investigates employee grievances.
12. Participates in collective bargaining negotiations.
13. Develops and maintains a human resource information system that meets the Town's personnel information needs.
14. Coordinates training programs for Town employees.
15. Writes Ordinances and Resolutions for approval by the Town Manager and Town Commission concerning human resource policies, procedures and practices, and develops the annual fiscal budget for the Human Resources Department for approval by the Town Manager and presentation to the Town Commission.
16. Supervises the staff of the Human Resources Department.
17. Performs general management duties for the Town Manager as assigned.
18. Serves as liaison to the Town's Merit Board, and coordinates and prepares for such cases as needed.

REQUIREMENTS:

A. Education and Experience:

Bachelor's degree from an accredited college or university with significant coursework in human resource management, organizational development or closely related field plus at least three years of experience in exempt level human resource management preferably in the public sector required. Professional in Human Resource Management (PHR) or Senior Professional in Human Resource Management (SPHR) certification preferred. Must possess knowledge of human resource information systems and computer operations including Microsoft Outlook, Microsoft Word, and Excel.

B. Knowledge, Skills and Abilities:

- Knowledge of local, state and federal laws pertaining to human resource management
- Knowledge of the current principles and practices of human resource management

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HUMAN RESOURCES DIRECTOR (page 3)

- Ability to develop long-term and short-term human resource management plans and programs consistent with the Town's mission, goals and objectives
- Ability to establish and maintain effective working relationships with other management staff, employees and the general public
- Ability to research, develop and write policies and procedures relating to human resource management
- Ability to present facts and recommendations effectively in oral and written form
- Ability to maintain confidentiality in personnel matters

PHYSICAL REQUIREMENTS:

Tasks involve limited physical activities, light lifting, standing and walking, and dexterity in use of hands, arms and fingers for the operation of a computer keyboard or other office equipment. Work involves extended periods of time at a computer screen. Tasks involve sound and form perception and discrimination.

ENVIRONMENTAL REQUIRMENTS:

Tasks performed without exposure to adverse environmental conditions (dirt, cold, rain, fumes)

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

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LIBRARY DIRECTOR

CLASSIFICATION CODE: 150
PAY GRADE: 18
DEPARTMENT: LIBRARY

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager, directly responsible for performing professional and administrative duties related to the operation and functions of the Town Library. Responsibilities include planning, directing, implementing and coordinating Library services for the community These duties include hiring and evaluating staff, budget preparation, monitoring expenditures, preparation and implementation of policies and procedures, maintenance and development of library technology systems, library programming, the library collection and library services for the general public Answers to the Town Manager and consults with the Library Board. Performs related duties as directed. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of anyone position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the library director position

1. Serves as the library's executive officer, planning, directing, coordinating and managing all phases of library operations

2. Supervises library personnel, including hiring, scheduling, payroll preparation, training, annual reviews, performance evaluations and discipline

3. Prepares and administers the library budget, within the guidelines established by the Town Manager and the Finance Department.

4. Formulates goals and objectives, prepares the annual long range plan and incorporates these into the ongoing management of library services.

5. Monitors and evaluates library services, reporting to the Library Board, the Town Manager and the Town Commission, as appropriate, and/or, as required.

6. Supervises programming for the public (adults, teens and children) and where appropriate, plans in cooperation of the Friends of the Library and other local civic organizations.

7. Establishes procedures and policies for keeping the collection of materials and library resources current, timely and up-to-date with new technologies.

Approved on 5/16/07
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42-05-07

8 Supervises communication and promotional activities, such as maintenance of the library's web site, library submittals to the Town newsletter and television channel, library brochures and other publications, press announcements and photo opportunities

9 Promotes the library to the community through participation in local organizations, sponsoring ongoing art exhibits, special programs, publications, speeches, and other activities.

10. Maintains library connectivity, through membership in the Palm Beach County Library Cooperative, Southeast Library Information Network (SEFLIN), library automation system with the cities of Delray Beach, Boynton Beach and Palm Springs through the Cooperative Authority for Library Automation (COALA), and by cooperating with Florida State Library programs.

REQUIREMENTS:

1. **Training and Experience:**

Master's degree in library science (MLS) from a university accredited by the American Library Association, with at least three years of professional experience in library administration are required. Evidence of substantial experience in public services with increasing supervisory and/or managerial responsibilities preferred. Must possess knowledge of computer operations and network systems including the Microsoft Office Suite.

2. **Knowledge, Abilities and Skills**

a) Knowledge of professional library principles, ethics, and standards
b) Knowledge of local, state and federal laws pertaining to public library management
c) Ability to establish and maintain effective working relationships with other management staff, library staff and the general public
d) Ability to develop long-term and short term plans and programs consistent with the Town's mission, goals and objectives
e) Ability to develop and present reports and recommendations effectively in oral and written form
f) Ability to lead effectively, to direct skilled efforts and interject enthusiasm into the services provided by the library for the entire community
g) Ability to keep abreast of new library services and technology for possible applicability to the Lake Park Public Library

PHYSICAL REQUIREMENTS:

Tasks involve limited physical activities, light lifting, standing and walking and dexterity in use of hands, arms and fingers for the operation of a computer keyboard or other office equipment. Work involves extended periods of time at a computer screen. Tasks involve sound and form perception and discrimination. Long hours are frequently required since the Library Director needs to be present for Town meetings, library meetings and library programs.

ENVIRONMENTAL REQUIREMENTS:

Tasks performed without exposure to adverse environmental conditions (dirt, cold, rain, fumes).

SENSORY REQUIREMENTS:

Work requires color and form perception and discrimination

BLOOD BORNE PATHOGENS:

Category II -- Minimal to No Risk of Exposure

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

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PUBLIC WORKS DIRECTOR

CLASS CODE: 170 PAY
DEPARTMENT: PUBLIC WORKS

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager the Public Works Director is responsible for the hands-on administration, direction and supervision of all Public Works Department activities and employees, including road and right-of-way maintenance, sanitation, storm water, grounds and building maintenance and central garage. Performs duties with considerable independence and latitude. Responsible for technical operation of the public works function in accordance with municipal policies, rules and regulations. Performs other work as requested.

EXAMPLES OF ESSENTIAL FUNCTIONS:

1. Directs the activities of the Department of Public Works, including sanitation, central garage, parks, grounds, building maintenance, streets, sidewalks, paving and storm water.
2. Develops, reviews and approves plans and prepare construction specifications and cost estimates, schedule maintenance and repair of infrastructure, equipment and vehicles.
3. Prepares department budget, control expenditures and recommends staffing level, material and equipment.
4. Directs hiring, staff development, evaluation and supervision of department personnel.
5. Establishes departmental operating policies and procedures.
6. Acts as technical advisor and works in close cooperation with other department directors and advisory boards.
7. Maintains liaison with engineers and contractors to ensure that construction projects are completed in accordance with engineering plans and specifications.
8. Conducts research and special studies for Town Manager, prepare reports and present findings and recommendations.
9. Responds to citizen inquiries and complaints regarding Town services performed under the jurisdiction of Public Works.
10. Researches and prepares special reports, recommendations and specifications for special Town construction and other municipal improvements.

Approved by Town Mgr. [illegible] on 10/24/08.

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REQUIREMENTS:

Training and Experience:
Bachelor's degree in civil engineering **or related field from an accredited college or university; supplemented** by five (5) years of progressively **responsible experience** in **public works or civil engineering**, of which three (3) years must have been at the administrative/**supervisory** level, or any equivalent **combination** of training and **experience.**

B. **Knowledge, Abilities and Skills:**

- **Knowledge of professional** public works **engineering** as applied to the design and **construction of streets, storm sewers** and **related public facilities.**
- **Knowledge of the principles**, practices, **techniques and equipment** used in modern **public works** project administration
- **Knowledge of the laws** and regulations **applicable** to the construction and maintenance **methods, materials and equipment used in municipal public works**
- **Knowledge of the principles** and practices of organization and management, budgeting and funds control, and personnel management and administration.
- **Knowledge of methods** for utility **installations** and right-of-**way** regulations **for all types of utilities, both underground** and overhead
- **Ability to read, understand and review site** plans and determine **compliance** with **drainage, utilities** and other requirements.
- **Ability** to plan, develop specifications and supervise construction of a **wide** range of **municipal facilities and improvements**
- Ability to prepare **written** reports and make presentations **advising the Town Manager** and other **officials** on proposed and ongoing **projects.**
- Ability to establish and maintain effective working relationships **with** other Town **Department Heads**, employees, **public agencies** and the general public.
- Ability **to plan, organize and coordinate public works functions.**
- Ability to **motivate, manage** and supervise employees with varying levels of education and work experience
- Ability to **communicate effectively, orally** and in writing.
- **Skill in use of** a **wide range of tools and equipment** used in public **work project** design and engineering

C. **Physical Requirements:**
Tasks involves frequent walking; **standing;** some lifting **and** carrying **objects of** moderate weight (12-20 pounds); and/or the operation of vehicles, office equipment, shop keyboard, or **hand** tools in which manipulative skills and hand-eye coordination are important ingredients **of safe and/or** productive operations.

D. **Environmental Requirements:** Task may **require** infrequent exposure to adverse environmental conditions

E. **Sensory Requirements:** Task requires color, sound, **odor**, form and texture **perception** and discrimination

F. **Bloodborne Pathogens:**
Category II - Moderate to Minimal Risk Exposure

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees

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RECREATION DIRECTOR

JOB CODE: 180
PAY GRADE: 18
DEPARTMENT: PARKS AND RECREATION

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager, responsible for the implementation and direction of a comprehensive year-round recreation program including youth and adult activities, all community events, and the management of Town rental facilities. Performs related duties as directed. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of all job duties. The omission of a job duty does not preclude management from assigning duties not listed herein if such duties are a logical assignment to the Recreation Director position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

- Assume full management responsibility for planning, implementing, directing and supervising the activities of the Recreation Department; develop and implement departmental operating policies and procedures; establish program goals and objectives, develop an ongoing strategic plan for the effective operation of the Parks and Recreation Department and its recreational programs
- Prepare and administer departmental budget, control expenditures, evaluate needs and recommend staffing levels, materials, equipment and capital improvements for the effective operation of the Parks and Recreation Department
- Implement the planning of new parks, playgrounds and construction and maintenance of these facilities
- Coordinate the Town recreation program with other Town departments and outside recreational organizations, schools and various community-based organizations; serve as liaison between the Recreation Department and the community
- Solicit appropriate volunteers to implement a well-rounded recreation program

Approved pursuant to Resolution 39-11-11 adopted on 11/10/11.

Continuously seek to identify strategies for marketing and advertising the Town's recreation programs and implement such strategies, and serve as the public information officer for such programs

- Coordinate and manage all aspects of events including the planning and development of event site plans, recruitment of all vendors and entertainment, and the management of all event logistics
- Maintain accurate and current records of all Parks and Recreation Department operations, and provide periodic written and verbal reports as required by the Town Manager or the Town Commission.
- Maintain financial records and accounts for monies received and submit reports to the Finance Department; prepare requisitions, field purchase orders, and department payroll
- Coordinate and oversee Town bus trips; register participants; drive Town bus as needed
- Coordinate and oversee the rental of all Town facilities
- Manage, train, motivate and evaluate departmental staff; review progress and direct changes as needed
- Represent the Town at various community events, meetings and conferences
- Perform other duties as assigned

REQUIREMENTS:

A. Education and Experience:

Bachelor's degree in sports management, education or physical education, or related field from accredited college or university; supplemented by five (5) years of progressively responsible experience and a demonstrated record of success in developing and implementing innovative community-wide recreation programs and events. Membership in the Florida Recreation and Parks Association required. Must have valid Florida CDL Class C Drivers License.

B. Knowledge, Skills and Abilities:

- Knowledge and understanding of the strategic planning process
- Knowledge of community recreation needs and resources
- Knowledge of the principles and practices of office management, work organization and supervision
- Knowledge of the principles and practices of modern parks and recreation programs
- Ability to plan, organize, coordinate, implement and manage a comprehensive parks and recreation program

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- Must be able to work independently and exercise sound judgment with very little direction on routine matters
- Ability to communicate effectively, verbally and in writing
- Ability to select, manage, train and evaluate assigned staff
- Skill in the operation of general office equipment
- Ability to establish and maintain effective working relationships with departmental officials, associates, subordinates and the general public.

PHYSICAL REQUIREMENTS:

Task involves frequent walking; standing; lifting and carrying objects of moderate to heavy weight; and/or the operation of vehicles, office, computer keyboard, or hand tools in which manipulative skills and hand-eye coordination are important ingredients of safe and/or productive operations.

ENVIRONMENTAL REQUIREMENTS:

Task may require infrequent exposure to adverse environmental conditions.

SENSORY REQUIREMENTS:

Task requires color, sound and form perception.

BLOODBORNE PATHOGENS:

Category 11 – Moderate to Minimal Risk Exposure.

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

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TOWN CLERK

JOB CODE: 190
DEPARTMENT: TOWN CLERK

CHARACTERISTICS OF THE CLASS:

Under the administrative direction of the Town Manager, directly responsible for the management of the budget, personnel and all administrative aspects of this department. Provides customer service to all Town residents and customers in matters pertaining to Town government. Serves as the Supervisor of Elections for all municipal elections, as the Financial Disclosure Coordinator with the Florida Commission on Ethics, and the Records Management Liaison to the Florida Department of State. Performs related duties as directed. This is an exempt position.

EXAMPLES OF ESSENTIAL FUNCTIONS:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of all job duties. The omission of a job duty does not preclude management from assigning duties not listed herein if such duties are a logical assignment to the Town Clerk position.

- Attends Commission meetings and records the minutes of such proceedings
- Transcribes Commission meeting minutes and prepares them for approval by the Town Commission
- Prepares, tracks and publishes items for the Commission meeting agendas
- Ensures that all Ordinances are codified in a proper and timely manner
- Issues public notification of all official meetings
- Prepares, maintains, and updates documents such as the Commission agendas, Town Code of Ordinances, the Town Charter, advertisements, public notices, Ordinances, Resolutions and proclamations
- Responds to information requests from the public and other municipalities, state officials, and federal legislative offices
- Supervises all Town municipal elections
- Maintains and updates fiscal records and contracts
- Maintains custody of the Town seal
- Serves as the Town's chief records custodian by protecting and preserving all official records and documents, such as Ordinances, Resolutions, Commission and board minutes, contracts and agreements.
- Develops the annual fiscal budget for the Town Clerk's Department for approval by the Town Manager and presentation to the Town Commission
- Performs other duties as directed

Approved 5/18/11
pursuant to
Resolution 14-05-11

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REQUIREMENTS

A. Training and Experience:

Graduation from an accredited high school or GED, supplemented by a minimum of five (5) years of experience in the maintenance of complex records and the preparation of official documents with at least three (3) of those years as a municipal clerk or deputy clerk, including a minimum of three (3) years of managerial experience. Must be a Florida notary public. Certification as a municipal clerk preferred.

B. Knowledge Skills and Abilities:

- Thorough knowledge of the procedures of the office of the Town Clerk, Town Commission, and related Town operations
- Thorough knowledge of clerical and modern office practices and procedures
- Thorough knowledge of Florida election laws, procedures and activities
- Thorough knowledge of Code of Ordinances of the Town of Lake Park and the Florida State Code
- Ability to read and understand laws, resolutions, ordinances, codes, etc.
- Knowledge of standard business English, spelling, grammar and punctuation
- Ability to prepare business correspondence
- Ability to prepare and present accurate and reliable reports containing findings and recommendations
- Strong interpersonal skills
- Excellent organizational skills
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language
- Ability to understand and follow oral and/or written policies, procedures and instructions
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under pressure of time-sensitive deadlines
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology
- Ability to establish and maintain effective working relationships with departmental officials, associates, subordinates, Town officials, and the general public

PHYSICAL REQUIREMENTS:

- While performing the duties of this job, the employee is frequently required to walk, sit and talk or hear. The employee will be required to use hands to manipulate, handle, feel or operate objects or controls and reach with hands and arms. The employee is occasionally required to climb, stand or balance, stoop, kneel or crouch. Task may involve extended periods of time at the computer keyboard. The employee must occasionally lift and/or move up to 20 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus. Extensive close work, and extensive PC monitor work are required.

It is the policy of the Town of Lake Park to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

APPENDIX C

PERFORMANCE EVALUATIONS FORMS{tc "APPENDIX C" \f C \l 1}

Appendix C, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) constitutes the Town of Lake Park Performance Evaluation Forms.

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TOWN OF LAKE PARK

DEPARTMENT HEAD/DESIGNATED SUPERVISORY EVALUATION FORM

Name of Employee: _____

Position Title _____ Department _____

The purpose of the evaluation is to formally assess job performance over a designated period of time and to provide an opportunity for the employee and his/her immediate supervisor to discuss all aspects of the job position, and if applicable, to determine performance based (i.e., merit) pay increases [1]

Type of Evaluation: Annual ☐ Other _____
Please specify

Evaluation Period: _____ to _____

Step 1. Self-Evaluation:
The following section is to be completed by the employee and presented to the employee's immediate supervisor (attach additional pages if more space is needed). *Please do not use pencil, or revise or reformat this form in any way.*

1. What were your goals/objectives during this evaluation period?

2. What were your achievements/accomplishments during this evaluation period?

3. How well did you do in meeting your goals and objectives? (Use a rating factor of 0 to 4 as specified in Step 2 of this Form and explain how and why you gave yourself that rating.)

4. In what areas of your job do you believe you could improve and how would you accomplish those improvements?

[1] For a more detailed discussion of the employee evaluation process, please refer to the Town of Lake Park Handbook of Procedures for Employees of the Town, Section 4.

5. What can the Town of Lake Park and your immediate supervisor do to better assist you in performing your job and fulfilling your job requirements, goals and objectives?

_____

_____

_____

_____

6. What do you believe should be your goals/assessments for your next evaluation period?

_____

_____

Step 2. Employee Evaluation:
Upon completion of Step 1 Self-Evaluation by the employee, the following evaluation section is to be completed by the employee's immediate supervisor using the following rating factors:

Rating Factor	Level	Definition
4	Excellent	Job performance that consistently achieves and exceeds the expectations of the job
3	Above Expectations	Job performance that routinely is above the expectations of the job
2	Meets Expectations	Job performance that routinely meets the expectations of the job
1	Needs Improvement	Job performance that needs improvement in meeting the expectations of the job
0	Below Expectations	Job performance that routinely falls below the minimum expectations and requirements of the job
N/A	Not Applicable	Rating factor is not relevant to this position or not observable

NOTE: After completing the evaluation of the employee, the immediate supervisor shall forward the Evaluation Form to the Department Head, if applicable, or the Town Manager for review before the evaluated employee receives his/her evaluation.

1. Planning

	4	3	2	1	0	N/A
How effectively does the employee . . .	***	***	***	***	***	***
Set goals/objectives with end results that can be met?						
Develop strategies/tactics to meet schedules and deadlines?						
Communicate plans by involving appropriate parties?						

2. Organizing

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Arrange and allocate department resources?						
Prioritize, schedule and organize work activities?						
Arrange and allocate equipment/material resources?						

3. Communication

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Use clear, logical and concise verbal communications?						
Use clear, logical and concise written communications?						
Communicate his/her expectations to departmental staff?						
Establish clear lines of communication within his/her Department and/or with consultants?						

4. Leadership

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Motivate, guide and influence staff (set a good example)?						
Create a work environment that fosters employee participation?						
Provide appropriate feedback through praise/discipline?						

5. Decision Making

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Follow established policies and procedures?						
Make timely decisions?						
Implement decisions (follow through)?						

6. Delegating

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Assign authority/responsibility when delegating tasks?						
Assign work to meet goals and promote employee growth?						
Delegate tasks that challenge and motivate employees?						
Delegate tasks that are consistent with employee job responsibilities?						

7. Problem Solving

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	**
Identify problems and utilize or suggest alternative strategies for resolving problems?						
Develop and implement innovative ideas that have a positive impact?						
Resolve daily, short-term and long-term issues?						
Evaluate alternatives?						

8. Knowledge of Area and Job Effectiveness

How effective is the employee at. . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Demonstrating knowledge and skills necessary to manage/supervise the department?						
Understanding general plans and goals of the department?						
Recognizing job priorities?						
Developing realistic plans for accomplishing assignments?						

9. Cooperation and Customer Service

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Accept guidance willingly?						
Work with others to accomplish tasks?						
Respond to and interact positively and courteously with the public and co-workers?						

10. Staffing

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Assess strengths/developmental needs of staff?						
Assign staff consistent with employee job responsibilities?						

11. Financial Management

How effectively does the employee. . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Plan (budget) for and allocate financial resources?						
Stay within appropriated funding amounts?						
Consistently secure products and/or services that are cost effective?						

12. Goals

How effectively does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Establish departmental goals?						
Achieve departmental goals?						
Assist the Town in meeting its goal of providing quality customer service to residents and businesses in the Town of Lake Park?						

13. Work Ethic

How well does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Demonstrate adherence to Town rules, regulations and policies?						
Observe work hours, attendance and punctuality consistent with an exempt, management or supervisory employee?						
Foster a leadership role in ensuring that the employee's individual work ethic sets a positive example for Town employees?						

Step 3. Evaluation Instructions:

Upon completion of scoring the employee, the evaluator must add up each rating of 0 to 4 to achieve a total score. If each assessment is scored and no "N/A" ratings are used, there is a possible 42 assessment ratings. Divide the total score (e.g., 128) by the number of ratings (e.g., 42) to arrive at an overall rating (e.g., 3.04) and round to closest rating under Total Rating Factor (e.g., 3.0).

TOTAL RATING FACTOR	PERCENT MERIT INCREASE
0 to 1.9	0 percent
2.0 to 2.5	2 percent
2.6 to 3.0	3 percent
3.1 to 3.5	4 percent
3.6 to 4.0	5 percent

Overall Evaluation Rating_____

***Please note that the Town reserves the right to not provide a merit pay increase to Town employees in the absence of sufficient Town finances as set forth in Section 4 of the Handbook of Procedures for Employees of the Town of Lake Park.**

Evaluator's Comments**

_____

_____

_____

_____

Step 4. Post Evaluation Scoring:

The evaluator shall record a total overall rating of the employee in Section 3 above. Prior to meeting with the employee, the evaluator shall confer with his/her Department Head, if applicable, in order for the evaluation to be reviewed.

**NOTE: If the evaluator is not the Town Manager, the completed evaluation is to be sent to the Human Resources Director for review by the Town Manager before it is presented to the employee.

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List any job-related education or training programs for the employee to undertake during the next rating period.

_____
_____
_____
_____

List agreed upon goals/objectives for the next evaluation period.

_____
_____
_____
_____

Signature: _____ Date: _____
Evaluator

Signature: _____ Date: _____
Town Manager

Employee's Comments

_____
_____
_____
_____

Signature: _____ Date: _____
Employee's Signature Acknowledging Receipt

For Human Resource Dept. Use Only

Current Hourly Rate: $_____ Merit Percent Increase: _____% Proposed Hourly Rate: $_____

*Revised ***, 2012.*
Previous editions obsolete

TOWN OF LAKE PARK

GENERAL EMPLOYEE EVALUATION FORM

Name of Employee: _____

Position Title: _____ Department: _____

Employee Status: Full-Time ☐ Part-Time ☐

The purpose of the evaluation is to formally assess job performance over a designated period of time and to provide an opportunity for the employee and his/her immediate supervisor to discuss all aspects of the job position, and if applicable, to determine performance based (i.e., merit) pay increases.[1]

Type of Evaluation: Probationary ☐ Annual ☐ Other _____
Please specify

Evaluation Period: _____ to _____

Step 1. Self-Evaluation:
The following section is to be completed by the employee and presented to the employee's supervisor (attach additional pages if more space is needed).
Please do not use pencil, or revise or reformat this form in any way.

1. What were your strengths and accomplishments during this evaluation period?

_____
_____
_____
_____

2. In what areas do you think you could improve?

_____
_____
_____
_____

3. How will you accomplish your improvements (i.e., what can you do to improve your job performance)?

_____
_____
_____
_____

[1] For a more detailed discussion of the employee evaluation process, please refer to the Handbook of Procedures for Employees of the Town, Section 4.

*Revised ***, 2012.*
Previous editions obsolete

4. How can the Town of Lake Park or your supervisor assist you in performing your job and fulfilling your job requirements?

5. What would you like to accomplish during the next evaluation period?

6. What suggestions do you have for improving department or Town services?

Step 2. Employee Evaluation:
Upon completion of Step 1 Self-Evaluation by the employee, the following evaluation section is to be completed by the employee's supervisor using the following rating factors:

Rating Factor	Level	Definition
4	Excellent	Job performance that consistently achieves and exceeds the expectations of the job
3	Above Expectations	Job performance that routinely is above the expectations of the job
2	Meets Expectations	Job performance that routinely meets the expectations of the job
1	Needs Improvement	Job performance that needs improvement in meeting the expectations of the job
0	Below Expectations	Job performance that routinely falls below the minimum expectations and requirements of the job
N/A	Not Applicable	Rating factor is not relevant to this position or not observable.

1. Job Knowledge

How well does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Apply knowledge and skills necessary to perform job?						
Understand and use standard procedures?						
Demonstrate job knowledge, skills and abilities?						
Recognize job priorities?						
Develop realistic plans to accomplish assignment(s)?						

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2. Quality of Work

How well does the employee . . .	4	3	2	1	0	N/A
	****	***	***	***	***	***
Pay attention to accuracy and detail?						
Perform work according to job requirements?						
Recommend and/or implement creative, innovative and practical solutions?						
Assist the Town in meeting its goal of providing quality customer service to residents and businesses of the Town of Lake Park?						

3. Job Dependability

How well does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Follow instructions and complete work on time?						
Assume full responsibility for assigned tasks?						
Demonstrate reliability with respect to work completion?						

4. Job Initiative

How well does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Perform tasks with independence appropriate to the assignment?						
Actively seek additional assignments?						
Take effective action without being told?						
Communicate timely and accurate information to appropriate personnel?						

5. Judgment

How well does the employee . . .	4	3	2	1	0	N/A
	***	***	***	***	***	***
Assist identifying solutions to problems or alternate courses of action?						
Evaluate the pros, cons and impact prior to making decisions?						
Take appropriate action when difficult situations arise?						

6. Cooperation and Customer Service

How well does the employee . . .	4 ***	3 ***	2 ***	1 ***	0 ***	N/A ***
Accept guidance willingly?						
Work with others to accomplish tasks?						
Respond promptly and courteously to co-workers?						
Respond promptly and courteously to the public?						

7. Safety

How well does the employee . . .	4 ***	3 ***	2 ***	1 ***	0 ***	N/A ***
Show concern for the safety of co-workers and the public?						
Operate equipment and machinery in accordance with established safety rules and regulations?						
Utilize personal protective equipment (PPE) suitable to the job performed?						

8. Employee Attendance and Compliance with Town and Departmental Rules

How well does the employee . . .	4 ***	3 ***	2 ***	1 ***	0 ***	N/A ***
Adhere to the Town's rules and regulations concerning attendance?						
Adhere to the Town's rules and regulations concerning punctuality?						
Observe and follow the Town's rules, regulations and procedures?						
Demonstrate a willingness to follow departmental rules, regulations and directives?						

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*Revised ***, 2012.*
Previous editions obsolete

Step 3. Evaluation Instructions:

Upon completion of scoring the employee, the evaluator must add up each rating of 0 to 4 to achieve a total score. If each assessment is scored and no "N/A" ratings are used, there is a possible 36 assessment ratings. Divide the total score (e.g., 100) by the number of ratings (e.g., 30) to arrive at an overall rating (e.g., 3.33) and round to closest rating under Total Rating Factor (e.g., 3.3.)

TOTAL RATING FACTOR	PERCENT MERIT INCREASE
0 to 1.9	0 percent
2.0 to 2.5	2 percent
2.6 to 3.0	3 percent
3.1 to 3.5	4 percent
3.6 to 4.0	5 percent

Overall Evaluation Rating _____

Evaluator's Comments**

_____
_____
_____
_____

Signature: _____ **Date:** _____

Step 4. Post Evaluation Scoring:

The evaluator shall record a total overall rating of the employee. Prior to meeting with the employee, the evaluator shall confer with his/her Department Head, if applicable, in order for the evaluation to be reviewed.

****The completed evaluation is to be sent to the Human Resources Director for review by the Town Manager before it is presented to the employee.**

List any job-related education or training programs for the employee to undertake during the next rating period.

_____
_____
_____
_____

List areas for employee improvement in the next evaluation period.

_____
_____
_____

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*Revised ***, 2012.*
Previous editions obsolete

Signature: _____ Date: _____
Town Manager

*Please note that the Town reserves the right to not provide a merit pay increase to Town employees in the absence of sufficient Town finances as set forth in Section 4 of the Handbook of Procedures for Employees of the Town of Lake Park.

Employee's Comments

_____
_____
_____
_____
_____

Signature: _____ Date: _____
Employee's Signature Acknowledging Receipt

For Human Resource Dept. Use Only

Current Hourly Rate: $_____ Merit Percent Increase: _____% Proposed Hourly Rate: $_____

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Previous editions obsolete

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APPENDIX D

CELLULAR PHONE AND MOBILE COMMUNICATION DEVICES POLICY

Appendix D, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) constitutes the Town of Lake Park Cellular Phones and Mobile Communication Devices Policy.

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TOWN OF LAKE PARK CELLULAR PHONES AND MOBILE COMMUNICATION DEVICES POLICY

Objective:

The objective of this policy and its procedures is to provide guidelines to Town employees regarding Cellular Phones and Mobile Communication Devices (CP/MCD) required for the purpose of conducting Town business and to provide issuance and procurement processes and reimbursement procedures.

Scope:

This policy applies to all Town employees who are required to carry a Cellular Phone or Mobile Communication Device in the performance of their duties with the Town.

Policy:

The Town is committed to providing tools and equipment that enhance or improve the employee's ability to perform their job functions effectively. CP/MCD provide employees with the ability to perform the functions of their duties in a much more efficient manner therefore management requires certain employees, positions, functions or shifts to be equipped with these devices.

Personal Devices; Stipends and Use:

The Town will offer a taxable monthly stipend for CP/MCD usage to employees whose duties and responsibilities require access. The Town Manager will determine which employees should receive monthly stipends and at what rate.

Authorization of monthly stipends should be determined by one or more of the following performance criteria:

- Critical decision maker
- An integral part of performing duties of the job
- Required to be contacted on a regular basis
- Work is regularly conducted in the field
- Required to be on-call

Instances of exceptional situations and/or emergency use may require service beyond the normal usage and control of employees. Under these circumstances the employee and Department Head should review the situation and reimbursement may be approved by the Town Manager.

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For employees not eligible for a monthly stipend, the use of privately-owned CP/MCD for Town business will be reimbursed after a detailed accounting of the use is provided and approved by the Department Head.

Use of privately-owned CP/MCD must not interfere with the employee performing their job duties.

Town Issued Devices:

In the course of Town business a determination may be made to issue CP/MCD to employees that are deemed to be used for the sole purpose of conducting Town business. Town issued devices will be the direct responsibility of the employee. In this instance, the Town will receive and pay invoices directly to the vendor for services and equipment. Whenever practical, employees should use landline phones or other means of communication that would otherwise save minutes on their ~~t~~Town issued devices. Prudent use of the Town's resources is an integral part of Town employment.

Personal use of Town issued devices must be reimbursed by the employee. If a direct cost of personal use is not able to be determined from the monthly bill, a percentage of the personal use compared to the business use will be determined and the employee will reimburse the Town for the personal use percentage of the entire monthly bill. *De minimus* (minimal) or emergency type use on occasion will not warrant reimbursement.

Any misuse or negligent acts to Town owned ~~property~~ CP/MCD may result in disciplinary action or termination~~.~~ of employment.

Procurement:

The procurement of Town issued CP/MCD, accessories and service plans shall be the direct responsibility of the Chief Information Technology Officer. Every effort should be made to pool the resources and needs of all departments when procurement of services and plans are being considered. Department Heads will approve the service maximum monthly requirements for each Town issued service.

For employees receiving the monthly stipend the procurement of CP/MCD, accessories, service plans, termination fees, and all associated costs is the direct responsibility of the individual receiving the stipend. In this instance eligible employees will establish personal service with the company of their choice. The Town reserves the right to specify certain minimum capabilities and access of equipment and service used in conjunction with this stipend.

The Town Manager may allow reimbursement of expenses for replacement equipment not to exceed $100 in each fiscal year.

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~~Financial hardships brought on to employees that are a direct result of decisions of the Town (other than employee misconduct) may be reimbursed by the Town. These types of decisions might include a reduction or cancellation of stipend, etc. and would thereby adversely impact an employee who had already committed to a long term contract.~~ In the event that the Town decides to reduce or cancel an employee's stipend for CP/MCD that results in a financial hardship for the employee, the employee may seek reimbursement by the Town. Appropriate documentation by the employee ~~will be~~ is required and must be approved by the ~~provided by the employee and approved by the~~ Department Head, and ~~reimbursement would not be taxable.~~ submitted to the Town Manager for consideration of reimbursement.

Invoice Review, Expense Reimbursement and Payment:

Town issued devices will be billed to and paid by the Town. Detailed Invoices must be reviewed for accuracy by the employee or department to whom the device is issued and approved by the Department Head or their designee for payment. Any discrepancies, errors or fraudulent use should be documented and dealt with appropriately and effectively. Employees ~~that~~ who are issued Town devices will reimburse the Town for non-minimal personal use as provided herein.

Reimbursement for business related expenses to employees who do not receive a monthly stipend will be processed after a detailed accounting of the use is provided and approved by the Department Head.

Reimbursement up to $100 per fiscal year to employees that do receive the monthly stipend will be processed after approval is obtained from the Town Manager.

Reviewed ~~Approved~~ invoices must be returned ~~forwarded~~ to the Finance Department. ~~for payment.~~

Safety Guidelines:

Use of a CP/MCD while driving is strongly discouraged. When driving a Town vehicle or off road equipment, the use of a CP/MCD shall be with a hands-free device to ensure the promotion of safety practices and accident prevention. Text messaging while driving a Town vehicle is strictly prohibited.

All Town issued devices are the property of the Town of Lake Park. Employees may be financially responsible for the loss, damage, or failure to return assigned property. In the event of loss or damage to a Town issued CP/MCD the employee is required to immediately notify the Chief Information Technology Officer. Failure to do so will be grounds for disciplinary action.

Cellular transmissions may not be secure, and employees should use discretion when relaying confidential information.

Social Media Policy:

Advances in social media have encouraged new methods of communication and sharing of information. The Town supports the use of authorized social media sites as an alternative and timely method of communication with its citizens and employees and as a way to help fulfill its mission and promote the Town brand. The objective of this policy is to provide direction to Town employees on the acceptable uses of social media sites.

This policy applies to any social media sites which communicate with site users concerning Town government business. This policy does not apply to Town employees' personal social media sites.

Definitions:

- Blog – A type of website usually maintained by an individual with regular entries of commentary, descriptions of events, or other material such as graphics or video

- Social Media Sites – Types of websites that allow for the exchange of digital words, sounds, videos and pictures between users on the Internet, such as blogs, social networking sites or Wiki. Popular social media sites include, but are not limited to, Facebook, Twitter, MySpace, LinkedIn, YouTube, blogs and microblogs.

- Social Networking Site – A type of website where users can join to connect and interact with other users and organizations.

Standards:

- The Town websites (***www.lakeparkflorida.gov, www.lakeparkcra.com, www.lakepark-fl.gov, and www.lakeparkmarina.com***) shall remain the Town's official websites and predominant Internet presence.

- All social media sites shall provide a link to the Town's official websites, either on the site profile or other area visible to the user.

- Social media sites concerning Town government shall only be used to provide information regarding Town official business. It is prohibited for any employee to use a Town-authorized social media site for personal use.

- The Chief Information Technology Officer and the Town Manager or his or her designee shall have the right to restrict or require the removal of any content on the social media site that is in violation of this Social Media Policy, or other Town policy, or federal, state, county, or local law, or is otherwise not in the best interest of the Town. Content concerning official Town business that is removed must be digitally retained, stored and timely disposed of pursuant to the requirements of Chapter 119, Florida Statutes.

- The Chief Information Technology Officer shall be responsible for establishing the procedures for authorizing Town social media sites, provided that such procedures meet with the approval of the Town Manager.

Administration:

- Before a site is created, the Town Manager or his or her designee must approve of the use of the site and must appoint an employee to be the Site Administrator. A Site Administrator must be appointed for each social media site (e.g., if the Town Manager approves use of social media sites for the Library or the Recreation Department, a Site Administrator must be designed for each such site).

- Before a social media site may be created, the Site Administrator must complete and submit a Town Media Registration Form, which must be completed for each social media site. The Chief Information Technology Officer shall maintain a record of the completed Town Media Registration Forms and must be notified promptly of any change in the Site Administrator, account information or removal/deactivation of the site.

- The Site Administrator is responsible for the administration, updating and monitoring of the site. The Site Administrator shall not reveal an account password to anyone (with the exception of the Chief Information Technology Officer) or allow another individual to post content on the site.

- The profile/username shall clearly identify the name of the Town department, office or program for which the site is being estabished.

- Any email address used in the account set-up must be a Town-issued email address. No personal email address may be registered with an account.

- Social media sites shall clearly indicate that any content posted or submitted for posting is subject to public disclosure pursuant to Chapter 119, Florida Statutes.

- The use of the Town seal shall be the official seal as approved by the Town Commission.

- No copyrighted material shall be shared, posted, or uploaded on any social media site authorized under this policy unless the Town has an active, legitimate license for such purpose or the written consent of the copyright owner.

Records:

- It is the responsibility of the Site Administrator to retain, store and dispose of all content made or received relating to Town business, so as to ensure compliance with Chapter 119 Florida Statutes. Specifically, the Site Administrator shall keep a record of all posts, direct messages, tweets, retweets, responses, or replies made by the Site Administrator, and must configure the account settings or use a service which either delivers the account to a Town email mailbox, or to a database (e.g., TweetBack.com), pursuant to procedures established by the Chief Information Technology Officer.

- To encourage public participation, the Site Administrator shall set any privacy settings on the social media site so that the content on the site is as open to as many members of the general public as possible. No user may be denied from viewing (e.g., liking, being a fan, follower, etc.) the site.

- All content posted on the site and all responses to a user of the site shall be factual, accurate, and in compliance with Town policies. The Site Administrator shall seek assistance before offering advice, support or comment on any topic that falls outside the Site Administrator's specific duties or responsibilities as a Town employee.

Any violation of the Town's Social Media Policy may result in disciplinary action or termination of employment.

Authority:

Any changes or variations to this policy must be approved in writing by the Town Manager.

APPENDIX E

MOTOR VEHICLE POLICY{tc "APPENDIX E" \f C \l 1}

Appendix E, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) constitutes the Town of Lake Park Motor Vehicle Policy.

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TOWN OF LAKE PARK MOTOR VEHICLE POLICY

Purpose:

The primary purposes of this motor vehicle policy and procedures are to establish standards governing the system of motor vehicle assignment, utilization and operation; maximize the efficient and effective use of the Town's fleet in support of organizational goals and program objectives; control the use of Town owned and/or leased and personally owned and/or leased motor vehicles in the conduct of Town business; limit liability to the Town; and, hold employees accountable for any violations of policy or safety standards.

Scope of Applicability:

This policy applies to all employees and any appointed or elected officials or independent contractors who operate Town owned and/or leased motor vehicles including special use motor vehicles such as construction and excavation equipment designed to operate primarily off-road but driven on public roads to a job site.

Definitions:

The following definitions shall be used in interpreting and applying this policy:

- "Town Manager/Department Head/Foreman" shall also mean "or designee";
- "Official business, " business of the Town" or "services" shall mean any activity carried out by an employee in the performance of Town business;
- "Department/Division Pool Vehicle" shall mean a vehicle that has been provided to a department / division for use by employees on an as needed basis;
- "Motor Vehicle Assignment" shall mean the exclusive issue of a vehicle to an employee;
- "Take Home Authorization" shall mean the approval for an employee to take a vehicle home and to use the vehicle for daily commuting purposes between work and home;
- "Town Vehicle" shall mean any Town owned and/or leased motor vehicle; and
- "Pool Vehicle" shall mean any Town Vehicle assigned to a department for shared use by department employees.

Standards and Procedures:

General

- A Town vehicle is to be used for official Town business and shall not be used by an employee for personal reasons except as provided in this policy.
- A Town vehicle will be used for local travel whenever available.
- Any abusive, reckless or negligent act while operating any Town vehicle or personal vehicle while on Town business may result in a suspension or termination of an employee's driving privileges and may be grounds for further disciplinary action as provided for in the Employee Handbook or collective bargaining unit agreements.
- Employees shall obey all Town, County, State and Federal laws while operating any motor vehicle.
- Transporting non-employees for other than Town business must be approved in advance in writing by the Town Manager.
- When cargo, materials or tools are being transported, the driver is responsible for assuring that all items are properly secured to prevent them from shifting or falling from the motor vehicle or trailer and from being stolen.
- No person shall be allowed to ride on a running board, fender, hood, tailgate, bed or other location on a motor vehicle not designed or approved by the motor vehicle manufacturer for passengers.
- The operator shall not operate any motor vehicle when the normal field of vision is obstructed in any way.
- A qualified operator must be positioned at the motor vehicle's controls any time it is running. No motor vehicle except those responding to emergency situations shall be left unattended without first stopping the motor, locking the ignition, removing the key, setting the parking brake and locking the doors or otherwise securing the motor vehicle to prevent theft, vandalism or unintentional movement.
- The Town shall not be responsible for any personal property left in Town vehicles when used in the performance of Town business.

- Any employee receiving a ticket/citation for a violation of a Motor Vehicle Law, while operating his/her own vehicle or a Town Vehicle, will be responsible for payment of ticket/reinstatement of driver's license.

- No cell phone usage is permitted while operating a Town vehicle if the phone is not equipped with a hands free device. In addition, the following guidelines must also be adhered to: Whenever possible pull off the road to receive or place a call. If traffic is congested you shall not answer the phone or place a call. The stored phone number feature should be used to minimize the amount of numbers needed to be dialed to place a call. If traveling in an area where laws or ordinances prohibit cell phone usage, you must not use your phone at all.

- Text messaging while operating a Town vehicle or off road equipment is strictly prohibited.

Motor Vehicle Operation:

Town Vehicle Care

- An employee who operates a Town vehicle is responsible for the proper care of that vehicle.

- Fluid levels including brake, transmission, engine oil, and coolant shall be maintained. Missed service appointments may lead to loss of Town vehicle assignment.

- Any defects that will affect safe operation of the Town vehicle shall be reported promptly to the operator's supervisor and Vehicle Maintenance Foreman. No employee shall operate a Town vehicle that is in an unsafe condition.

- Any Town vehicle damage beyond normal wear and tear must be documented and reported to the operator's supervisor and Vehicle Maintenance Foreman.

Driver License

- A valid Florida driver license must be in the employee's possession at all times while operating a Town vehicle.

- For employees who are required to operate a commercial vehicle, they must:

  - Successfully pass a D.O.T. medical physical every two (2) years.

- Comply with all State and Federal D.O.T. rules and regulations.
- Comply with the Federal Commercial Motor Vehicle Safety Act of 1986, and obtain a Commercial Driver's License (CDL).

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- Pass the qualifying training and proficiency review provided by the supervisors, where applicable (e.g. vehicles exceeding 26,000 GVWR or larger).

- Commercial operators must notify in writing ~~Human Resources and~~ their Department Head and Human Resources ~~no later than the end of the next business day~~ immediately of a conviction for any traffic violation (except parking) that occurs during a workday. This is true no matter where or what type of vehicle is driven.

- An employee who operates a Town vehicle must notify ~~Human Resources and~~ the employee's Department Head and Human Resources ~~no later than the end~~ beginning of the next business day immediately following the suspension, revocation or cancellation of an employee's issued driver's license. ~~when the employee's an issued driver's license has been suspended, revoked or canceled.~~ or if for any other reason the employee is disqualified from driving.

- An employee who may operate a motor vehicle on official Town business shall provide a photocopy of his or her current Florida driver license to the Human Resources Department for his or her personnel file.

Accident Reporting Requirements

Any accident involving a Town vehicle or personal vehicle used in the performance of Town business shall be reported as follows:

- summon medical care for any injured parties;

- notify appropriate law enforcement authorities;

- notify immediate supervisor;

- employees involved in an accident should not offer any admission of guilt or information regarding the cause of the accident without first consulting with the Human Resources Director ~~Risk Management~~;

- the supervisor shall immediately notify the Human Resources Director ~~Risk Management Division~~, initiate departmental investigation of the accident or act at the direction of the Human Resources Director ~~Risk Management Division~~ and complete all required Town reports and recommend any follow-up preventive actions to the Human Resources Director as the Town's Risk Manager;

NOTE: ~~f~~Failure to ~~report~~ adhere to the procedure ~~as~~ set forth above may result in disciplinary action, up to and including termination of employment.

NOTE: ~~a~~A drug and alcohol test is required in accordance with the Town's Drug Free Workplace Policy ~~Employee Handbook~~ and/or Collective Bargaining Agreement.

NOTE: ~~w~~When an operator on Town business is determined to be at fault in a motor vehicle accident, the supervisor may recommend disciplinary action in accordance with Town policy and/or collective bargaining agreements. ~~; and~~

NOTE: ~~a~~An employee who uses an assigned Town vehicle for any purpose outside the direct scope of Town business and is involved in an accident may be denied workers' compensation benefits in accordance with the policy.

Use of Safety Restraints

- All Town motor vehicles must be equipped with seat belts and all occupants of Town motor vehicles must properly wear seat belts any time the motor vehicle is in motion.
- The operator of construction, excavation and other off-road equipment shall use the occupant restraint system any time the motor vehicle is in operation.
- Employees are prohibited from removing, deactivating, modifying or otherwise defeating any occupant restraint installed by the manufacturer unless approved or instructed by the manufacturer.

Parked Motor Vehicles

Any motor vehicle left unattended shall be legally parked in a designated parking space. Motor vehicles responding to emergency situations or those parked on job sites shall be parked with due regard to safety and security considerations.

All Town vehicles except those taken home shall be secured in a Town parking lot during non-duty hours. When it is necessary to leave a motor vehicle at a job site overnight, the operator shall ensure the motor vehicle is parked and secured in an area which provides reasonable security.

Trailers and Towing

- An operator whose motor vehicle is towing a trailer, dolly or other equipment shall assure that the trailer weight does not exceed the rated capacity of the vehicle or trailer hitch, that the trailer is coupled properly to the hitch and that the safety chains are properly fastened.

- The operator shall ensure that the trailer or other towed equipment is supplied with proper and functioning lights including brake lights turn signals and running lights.
- Any motor vehicle having a load which extends more than four (4) feet beyond the rear of the vehicle shall have the end of the load marked with a red flag. The red flag must be a least twelve (12) inches square.

Mandatory Personal Auto Insurance Coverage

- Employees who elect to receive car allowances to use their personal vehicles to conduct Town business are required to maintain and provide to the Human Resources Director evidence of an insurance limit of $100,000 per person/$200,000 per accident or occurrence. The monthly car allowance offsets the cost associated with the increased insurance limit.

- Employees to whom this policy applies are subject to an annual drivers' license review by the Town's ~~Risk Management Office~~ Human Resources Director. Departments are responsible for verifying proof of insurance each year and submitting to ~~Risk Management.~~ the Human Resources Director.

- The Town will not assume any liability for bodily injury or property damage the employee may become personally obligated to pay arising out of an accident occurring in connection with the operation of his/her personal vehicle.

- The Town does not specify and assumes no responsibility for any other coverage employees carry on their own cars since this is a matter of individual status and preference.

- Failure to maintain the mandatory insurance limit will result in disciplinary action, up to and including termination of employment.

Tobacco Use Prohibited

The use of any tobacco product (smoking or smokeless) is prohibited in any Town vehicle.

Assignments:

Upon recommendation assignments of Town vehicles shall be as follows:

Assignments while on duty:

- Exclusive Use Assignments: Where dictated by job responsibilities of a classification/position, a motor vehicle may be assigned for the exclusive use ~~of~~ by an employee.

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- Pool Vehicles: Where dictated by need a department/division may be assigned pool vehicles. Such vehicles are requested by the Department Head and approved by the Town Manager. Employees may use pool vehicles as approved by the Department Head. Pool vehicles are intended for shared use by department employees and shall not be exclusively assigned.

Authorization to Take a Town Vehicle Home:

- Authorization to take a Town vehicle home must be requested by the employee on a completed Vehicle Take-Home Authorization Form, recommended by the Department Head and approved by the Town Manager.

- The Town Manager may authorize the occasional take-home use of a department/division pool vehicle for specific authorized functions or activities requiring a Town vehicle at nighttime to transport people and /or equipment to/from an activity provided that:

  (1) the domicile of an employee is such that it would be inefficient to pick up and return the vehicle to its normal storage location before and after the event; or

  (2) for early morning business travel, picking up a vehicle at its normal storage location would be inefficient, in which case an employee may be permitted to park a Town vehicle at their domicile overnight as long as adequate security is provided.

The Town Manager may authorize the take-home use of a department/division pool vehicle when an employee is placed on standby or call-back status, for a period not to exceed fifteen (15) consecutive days for any one assignment.

Reimbursement for the Use of Personal Vehicles:

Each employee who is required to use their personal vehicle in the performance of Town business shall be reimbursed for such usage at the prevailing mileage rate in accordance with the Town Travel Policy. An employee shall be responsible for all insurance, maintenance and fuel costs associated with the operation of their personal vehicle. Employees will not be reimbursed for the use of a personal vehicle if a Town vehicle was available unless specifically approved by the Town Manager.

An employee may be awarded a monthly motor vehicle allowance as approved by the Town Manager. Employees who receive a monthly allowance may not receive reimbursement for in-town travel but may be reimbursed for out-of-town travel.

Appropriate Use of Town Vehicles:

A Town vehicle shall be used only for official travel while in the performance of Town business or services. Infrequent limited personal use of Town vehicles may be permitted when such use is incidental to the conduct of official business, such as:

- Stopping at a restaurant or fast food establishment for the purpose of eating during the designated meal period when the meal period coincides with official business travel requiring a Town vehicle, when working in a remote area and a Town vehicle is the only transportation available to reach a food establishment or when attending Town-approved meetings, conferences presentations or functions. The food establishment must be on the normal route to the work location or in close proximity to the work location.

- Stopping at a convenience store, gas station or food establishment for the purpose of buying refreshment during an official work break period or for using restroom facilities if such stop is in concert with official duties requiring travel in a Town vehicle and does not deviate from the normal route of travel.

At no time will a Town vehicle be parked at an adult entertainment establishment or an establishment whose primary business is the sale of alcoholic beverages.

A Town take-home vehicle shall not be used to replace an employee's personal vehicle for leisure-time use.

Taxable Benefit:

The employee is responsible for any taxable benefit that may accrue as a result of the use of a Town assigned take-home motor vehicle and must submit the required documentation to the Finance Director. Failure to submit required documentation may result in:

- loss of Town assigned take-home vehicle; and

- additional personal income tax liability

APPENDIX F

TRAVEL POLICY

Appendix F, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) constitutes the Town of Lake Park Travel Policy.

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TOWN OF LAKE PARK PER DIEM AND TRAVEL EXPENSE POLICY

PURPOSE

The primary purpose of this per diem and travel expense policy is to establish the specific procedures related to travel by Town employees, the Town Manager, Mayor and Commissioners, as well as to establish the required procedures to be used to obtain reimbursement of travel expenses. This policy additionally establishes the allowable travel reimbursement rates. By way of definition, wherever employees are referenced, such definition includes the individuals listed above.

POLICY

- Authorization – All travel by Town employees to attend conventions, conferences, or training programs must be approved in advance by the appropriate Department Head. The Town Manager will approve requests for ~~d~~ Department ~~h~~ Head travel and training.
- Budget Provisions – No employee will be authorized to attend any convention, conference or training program at Town expense, unless funding is available in the annual budget, and budget constraints do not prohibit travel.
- Advance/Reimbursement – All authorized persons required to travel on Town business shall be reimbursed in accordance with established procedure. Reimbursement must be properly documented and must include receipts when required.

RESPONSIBILITY

- The Finance Director is responsible for implementing this policy, under the direction of the Town Manager. The Department Heads are responsible for the application and implementation of the policy within their departments.

PROCEDURES

Registration fees for authorized conventions, conferences and training seminars shall be

paid by the Town.

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Travel expenses – It is the intent of this section that employees attending approved conferences shall utilize the most economical means of transportation available unless specifically approved by the Town Manager. Any deviation from this policy shall result in the employee being responsible for the additional expenses and travel time off.

Mileage Reimbursement – Employees attending approved conferences shall be paid according to the Internal Revenue Code rate for the use of the employee's personally owned vehicle.

Parking and tolls will be reimbursed according to receipt verification.

Meal Reimbursement – The Town will reimburse the employee for meals in accordance with the reimbursement schedule set forth below:

Meal	Amount	Travel Time Departure/Arrival
Breakfast	$ 7.00	Before 6:00 A.M/After 8:00 A.M.
Lunch	$ ~~10.50~~ $11.00	Before 12 noon/After 2:00 P.M.
Dinner	$ 24.50	Before 6:00 P.M./After 8:00 P.M.

- This reimbursement will be made without the necessity of receipts being maintained.

Short or Day Trips – All travelers who do not require overnight accommodation away from home, will be paid in accordance with the above reimbursement schedule. The total amount of reimbursement will be included in the employee's paycheck following the date of attendance and submission of a travel expense report.

Meals provided as part of the registration fees will not be reimbursed.

Lodging – Lodging is paid on an actual cost basis, and its expense must be substantiated by a receipt. Lodging costs must be paid by Town check or purchasing card in order to avoid paying taxes. The Town is exempt from state sales tax and therefore, will not pay sales tax on lodging within Florida. It is the employee's responsibility to provide the lodging vendor with a copy of the Town's sales tax exemption certificate and ensure that no State taxes are charged.

Car Rental – When, subject to prior approval of the Department Head, a vehicle is rented by an individual traveling on Town business, the individual renting the vehicle shall

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purchase, at the Town's expense, the vehicular insurance offered by the rental agency. Failure to do so will result in the individual's own insurance being considered primary in the event of an accident and place the individual renting the vehicle at personal financial risk.

Incidental Expenses – The following incidental expenses of the traveler may be reimbursed when receipts are provided:

- Reasonable taxi fare.
- Communication expense (must be documented as official business).
- Registration fees not paid in advance.
- Reasonable tipping and baggage charges (receipts not necessary – up to $10.00 per day maximum).

Travel Expense Report – at the conclusion of travel a Travel Expense Report must be submitted together with all of the required receipts to the Finance Department. Application for payment of travel expenses must contain a statement that the expenses were actually incurred by the traveler as necessary travel expenses in the performance of official duties and shall be verified by a written declaration that it is true and correct as to every material matter.

Fraudulent Claims – Any person who willfully makes and subscribes any such claim that he or she does not believe to be true and correct as to every material matter, or who willfully aids or assists in, or procures, counsels, or advises the preparation or presentation of such a claim that is fraudulent or is false as to any material matter, whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such claim, commits a misdemeanor of the second degree, punishable as provided by State law. Whoever receives an allowance or reimbursement by means of a false claim is civilly liable in the amount of the overpayment for the reimbursement of the public fund from which the claim was paid.

Prohibition Against Reimbursement of Travel Expenses by Contractors, Vendors, Service

Providers, Bidders or Proposers – Unless specifically waived by the Town, Town employees cannot accept payment or reimbursement of any travel expenses from any contractor, vendor, service provider, bidder or proposer doing business with the Town.

- Travel expenses include, but are not limited to, transportation, lodging, meals, registration fees and incidentals
- This prohibition does not extend to expenses reimbursed or paid directly by the Town.
- This prohibition does not extend to expenses reimbursed or paid by other governmental entitles or by organizations of which the Town is a member if the travel is related to that membership (Examples: The National or Florida League of Cities).
- The Town may waive this prohibition by majority vote.

For additional information, please see the Palm Beach County Code of Ethics.

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APPENDIX G

DOMESTIC VIOLENCE VICTIMS LEAVE POLICY

Appendix G, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) constitutes the Town of Lake Park Domestic Violence Victim's Leave Policy.

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TOWN OF LAKE PARK DOMESTIC VIOLENCE LEAVE POLICY

Any employee of the Town or an employee who has a family member or household member who is a victim of domestic violence is eligible for up to three (3) workdays of unpaid leave from work in any twelve (12) month period to participate in activities resulting from an act of domestic violence. The Town will permit leave for an employee to participate in the following specific activities:

a. Seek a protective or injunctive order for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;

b. Obtain medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence or sexual violence;

c. Obtain services from a victim services organization, including, but not limited to, a domestic violence shelter or program or a rape crisis center as a result of the act of domestic violence or sexual violence;

d. Make the employee's home secure from the perpetrator of the domestic violence or sexual violence or to seek new housing to escape the perpetrator; or

e. Seek legal assistance in addressing issues arising from the act of domestic violence or sexual violence or to attend and prepare for court-related proceedings arising from the act of domestic violence or sexual violence.

For purposes of the Town's policy, the following definitions apply:

a. Domestic and sexual violence include any assault, aggravated assault, battery, ~~A~~aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

b. Family or household member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

c. Victim means an individual who has been subjected to domestic or sexual violence.

d. The twelve-month period for determining whether the three (3) workdays of leave is based on a rolling twelve (12) month period commencing upon the first date of leave.

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APPLYING FOR LEAVE FOR VICTIMS OF DOMESTIC OR SEXUAL VIOLENCE:

Except in cases of imminent danger to the health or safety of the employee, or to the health or safety of a family or household member, an employee seeking leave from work under this policy must submit to the Human Resources Director a written Request for Leave for approval along with ~~sufficient documentation of the act of domestic or sexual violence~~ a copy of the police report, physician's certification, or certified court documentation verifying the act of domestic or sexual violence.

MAXIMUM LEAVE ALLOWABLE:

Employees are eligible for a maximum of three (3) workdays of unpaid leave per twelve (12) month period.

PAY STATUS:

Employees seeking leave under this policy ~~must have exhausted all~~ may utilize any available vacation, personal leave, sick leave and compensatory time in order to remain in a paid status. ~~before unpaid domestic violence leave will be granted.~~

CONFIDENTIALITY:

Information relating the employee's leave under this policy will be kept confidential and is exempt from disclosure to the extent permitted by law.

NON-RETALIATION:

An employee will not be discharged, demoted, suspended, retaliated against or in any other manner discriminated against for exercising his or her rights under the Town's policy.

APPENDIX H

DRUG FREE WORKPLACE POLICY

Appendix H, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) constitutes the Town of Lake Park Drug Free Workplace Policy and Procedure.

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TOWN OF LAKE PARK DRUG FREE WORKPLACE POLICY AND PROCEDURES
POLICY STATEMENT, SECTION 8
"DRUG FREE WORKPLACE POLICY"

I. PURPOSE

As a part of its commitment to safeguard the health of its employees, to provide a safe place for its employees to work and to promote a drug-free community, the Town has established its Drug Free Workplace Policy and Procedures on the use or abuse of alcohol and drugs by its employees. Substance and alcohol abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity and a decline in the quality of products and services provided. Continuing research and practical experience have proven that even limited quantities of narcotics, abused prescription drugs or alcohol can impair reflexes and judgment. For these reasons, the Town policy requires that all employees must report to work and work completely free from the presence of illegal drugs or alcohol in their bodies, and to assist employees in overcoming any dependence on drugs and/or alcohol in accordance with the following guidelines.

This policy is hereby implemented pursuant to the Drug-Free Workplace Program under Florida law, Chapter 440, ~~et seq.,~~ Florida Statutes. This law provides that an employee who is injured in the course and scope of his/her employment and who either tests positive on a drug or alcohol test or who refuses to be tested forfeits his/her eligibility for workers' compensation medical and indemnity benefits.

Questions concerning the Town's policy should be presented to the Human Resources ~~Department~~ Director for guidance or clarification.

II. SCOPE

All current and future applicants and employees are covered by this policy and, as a condition of employment, are required to abide by the terms of this policy. Because of state or federal laws and regulations, certain employees may be subject to additional requirements. Employees covered by a Collective Bargaining agreement may have specific language in their agreement concerning the Town's Drug Free Workplace policy; however, all employees of the Town are expected to comply with the provisions contained in the Town's policy, including any enacted amendments or supplements to Florida law or administrative regulations.

III. DEFINITIONS

The definitions set forth in Chapter 440, Florida Statutes, and the Florida Administrative Code will apply to the terms used in this policy.

IV. ALCOHOL USE PROHIBITIONS

A. All employees are prohibited from distributing, dispensing, possessing, using or being impaired, intoxicated or under the influence of alcohol while ~~at work, on duty or while operating a Town vehicle.~~ on duty, operating a Town vehicle or equipment or on Town property including parking areas or while otherwise performing Town duties away from the Town.

B. Off-duty abuse of alcohol which adversely affects an employee's job performance, or which can be expected to cause harm to the Town's image or relationship with other employees or the public, is prohibited.

C. For the purpose of this policy, an employee is presumed to be impaired, intoxicated or under the influence of alcohol if a blood test or other scientifically acceptable testing procedure shows that the employee has a level of at least .05 percent blood alcohol in his/her system at the time of testing.

D. An employee who is perceived to be under the influence of alcohol will be removed immediately from the workplace and may be evaluated by medical personnel, if reasonably available. The Town will take further action based on medical information, work history and other relevant factors. The determination of what action is appropriate in each case rests solely with the Town.

E. Employees arrested for an alcohol or drug related incident shall immediately notify their supervisor or Department Head who shall immediately notify the Human Resources Director.

V. DRUG USE PROHIBITIONS

A. All employees are prohibited from manufacturing, distributing, dispensing, possessing or using illegal drugs or other unauthorized or mind-altering or intoxicating substances while on duty, operating a Town vehicle or equipment or on Town property (including parking areas and grounds) or while otherwise performing Town duties away from the Town. Included within this prohibition are lawful controlled substances which have been illegally or improperly obtained. Employees are also prohibited from reporting to work or working with the presence of any such illegal or unauthorized controlled substances or excessive amounts of otherwise lawful controlled substances in their systems.

B. For the purpose of this policy, an employee is presumed to be impaired by drugs if the results of a urine test or any other accepted testing procedure is positive for the presence of one or more of the illegal substances for which the Town will test.

C. The proper use of medication prescribed by your physician is not prohibited; however, this policy expressly prohibits the misuse of prescribed medications. Prescription drugs may also affect the safety of the employee, fellow employees or members of the public. Therefore, any employee who is taking any prescription drug which might impair safety, performance or any motor functions must advise his/her supervisor before reporting to work under such medication. Failure to do so may result in disciplinary action. It is the employee's responsibility to determine from his/her physician whether a prescribed drug may impair job performance. If the Town determines that such use does not pose a safety risk, the employee will be permitted to work. If such use impairs the employee's ability to safely or effectively perform his or her job the Town may, at its sole discretion, temporarily reassign the employee or grant a leave of absence during the period of treatment. Improper use of prescription drugs is prohibited and may result in disciplinary action, up to and including termination of employment. Prescription medication must be kept in its original container if such medication is taken during working hours or on Town property~~.~~ , or the prescription must be available to be brought in by the employee and made available upon request by the employee's supervisor within a reasonable period of time.

D. It shall be the responsibility of each employee who observes or has knowledge of another employee in a condition which impairs the employee to perform his/her job duties, or who presents a hazard to the safety and welfare of others or is otherwise in violation of this policy, to promptly report that fact to his/her immediate supervisor.

VI. TESTING

The Town shall conduct drug tests in the following circumstances:

A. Applicant Testing

1. All job applicants will be tested for the presence of illegal drugs as part of the application process.

2. The Town may elect to conduct limited testing of job applicants and only test applicants who apply for certain job positions, based on a reasonable classification basis.

3. The Town may allow a job applicant to begin work pending the results of the drug test; however, any such employment is conditional and may be revoked if the applicant/employee fails the required test.

4. Any job applicant who refuses to submit to drug testing, refuses to sign a consent form, fails to appear for testing, tampers with the test, or fails to pass the pre- employment drug test will be ineligible for hire. Such an

individual may not reapply for employment with the Town for at least one (1) year from the date of the drug test.

B. Reasonable Suspicion Testing

Employees must submit to a drug test if the Town has reasonable suspicion that they have violated any of the rules set forth in this policy. "Reasonable suspicion" may arise from, among other factors:

1. Direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.

2. Deterioration in work performance.

3. A report of drug use provided by a reliable and credible source.

4. Evidence that an individual has tampered with a drug test during his/her employment with the Town.

~~5. Information that an individual has caused, contributed to or been involved in a workplace or vehicular accident.~~

~~6.~~5. Evidence that an employee has used, possessed, sold, solicited or transferred drugs while working or while on Town premises or while operating Town vehicles, machinery or equipment.

~~7.~~6. Abnormal conduct or erratic behavior while at work.

C. Routine Fitness For Duty Testing

An employee will submit to a drug test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the Town's established policy or that is scheduled routinely for all members of an employment classification or group.

D. Follow-up Testing

If the employee in the course of employment enters an employee assistance program for drug related problems, or an alcohol and drug rehabilitation program, the employee must submit to drug testing as a follow-up to such a program, at least once a year for a two-year period after completion of the program. Advance notice of follow-up testing will not be given to the employee being tested.

E. Random Testing

Employees who are required to have a commercial driver's license (CDL) will be required to submit to drug testing on a random basis.

Selection of employees for random testing will be conducted through the use of a neutral selection process.

When an employee is selected for random testing, both the employee and the employee's supervisor will be notified on the day the test is scheduled to occur.

Testing may be postponed only when an employee's supervisor agrees that there is a compelling need for deferral.

An employee whose random drug test is deferred will be subject to an unannounced test within sixty (60) days.

F. Job Related Accident or Injury

~~F~~. An employee who has a job related accident or injury shall report the incident to the appropriate Department Head immediately, and shall submit to a post-accident drug test immediately following such incident.

G. Additional Testing

Additional testing may also be conducted as required by applicable state or federal laws, rules or regulations, or as deemed necessary by the Town.

VII. PRIOR TO TESTING

A. The Town may test for any or all of the following drugs:

Alcohol ~~(booze, drink, distilled spirit, wine, malt beverage, intoxicating liquor, etc.)~~

Amphetamines (Desoxyn, Dexedrine)

Cannabinoids (e.g., marijuana) ~~, hashish, hash, hash oil, pot, joint, roach, spliff, grass, weed, reefer)~~

Cocaine ~~(coke, blow, nose candy, snow, flake, crack)~~

Phencyclidine (e.g., PCP) ~~, angle dust, hog)~~

Methaqualone

Opiates (e.g., opium) ~~, dover's powder, paregoric, parepectolin)~~

Barbiturates (Phenobarbital, Tuinal, Amytal)

Benzodiazepines (Ativan, Azene, Clonopin, Dalmane, Diazepam, Halcion, Librium, Restoril, Serax, T ranxene, Valium, Vertron, Xanax)

Methadone (Dolophine, Methadone)

Propoxyphene (Darvocet, Darvon N, Dolene)

Metabolites of any substances listed above

B. Job applicants required to submit to drug testing and employees required to submit to drug and alcohol testing must sign a consent agreement and release of liability prior to testing.

C. Because of the potential adverse consequences of positive test results on employees, the Town will employ a very accurate testing program. All samples will be analyzed by a qualified independent laboratory which has been selected by the Town and certified by the Agency for Health Care Administration or the U.S. Department of Health and Human Services.

D. Applicants and employees will be given an opportunity prior to and after testing to provide any information to the Medical Review Officer which they consider relevant to the test including listing all drugs they have taken recently, including prescribed drugs, and to explain the circumstances of the use of those drugs. This medical information is confidential and should be given only to the Medical Review Officer. Applicants and employees will also be provided with a notice of the most common-medications by brand name, as well as the chemical name, which may alter or affect a drug test. Finally, applicants will receive a summary of this policy and a list of employee assistance - programs and local drug rehabilitation programs.

E. An employee injured at the workplace is ~~and~~ required to be drug tested and will be taken if necessary to a medical facility for immediate treatment of injuries. If the injured employee is not at a designated collection site, the employee will be transported to one as soon as it is medically feasible and specimens will be obtained. If it is not medically feasible to move the injured employee, specimens will be obtained at the treating facility and transported to an approved testing laboratory.

F. No specimens will be taken prior to the administration of emergency medical care. Once this condition has been satisfied, an injured employee must release

to the employer the results of any tests conducted for the purpose of showing the presence of alcohol or drugs in his/her system.

G. Urine will be used for the initial test for all drugs except alcohol and for the confirmation of all drugs except alcohol. Blood will be used as the initial and confirmation test for alcohol.

H. The Town will pay the cost of initial and confirmation drug tests which it requires of employees and job applicants. An employee or job applicant will pay the cost of any additional drug tests not required by the Town.

VIII. PROCEDURE

A. The Human Resources Director ~~Personnel,~~ will coordinate all testing requests except for the random testing carried out under the DOT regulations. Questions regarding this policy or requests for testing should be directed to ~~Personnel~~ the Human Resources Director or ~~T~~the Town Manager.

B. Drug testing shall be conducted in accordance with the following procedures:

1. Collection, transportation and storage of samples shall be conducted with due regard to the privacy of the individual providing the sample and in a manner reasonably calculated to prevent substitution or contamination of the sample. The Town shall use chain-of-custody procedures as established by state and federal rules and guidelines.

2. Each specimen container shall be labeled.

3. Employees and applicants shall be given a form on which they may provide any information relevant to the test, including identification of currently or recently used prescription or non-prescription medications or other relevant medical information. The form shall provide notice of the most common medications by brand name, as well as the chemical name, which may alter or affect a drug test. The providing of information shall not preclude the administration of the drug test, but shall be taken into account in interpreting any positive confirmed test results.

4. Tests shall be conducted by a laboratory licensed and approved by the Agency for Health Care Administration or certified by the United States Department of Health and Human Services.

5. Specimens may be taken or collected by a physician, a physician assistant, a registered professional nurse, a licensed practical nurse, a nurse practitioner or certified paramedic who is present at the scene of an

accident for the purpose of rendering emergency medical service or treatment or by a qualified person employed by a licensed or certified laboratory.

6. A person who collects or takes a specimen for a drug test shall collect an amount sufficient for two (2) drug tests as determined by the Agency for Health Care Administration.

7. Specimens yielding a positive confirmed test result shall be preserved by the licensed or certified laboratory that conducted the confirmation test:

   a. for at least 210 days after the result of the test was mailed or otherwise deliver to the Medical Review Officer; or

   b. if the employee or job applicant undertakes an administrative or legal challenge to the test result and notifies the laboratory of such, until the case or administrative appeal is settled.

8. During the 180 day period after written notification of a positive test result, the employee or job applicant may obtain a portion of the sample for retesting at the employee's or job applicant's expense, by another licensed laboratory licensed and approved by the Agency for Health Care Administration. The laboratory which performed the original test and confirmation is responsible for the transfer of the sample and for the integrity of the chain-of-custody during the transfer.

9. Within five (5) workdays after receipt of a positive confirmed test result from the Medical Review Officer, the Town shall notify the employee or job applicant in writing of the result, its consequences and the employee's or job applicant's options.

10. The Town shall provide a copy of the test results to the employee or job applicant upon request.

11. Within five (5) workdays after receipt of a positive confirmed test result, the employee or job applicant may submit information to the Medical Review Officer explaining or contesting the test results, or to the Town explaining why the results do not constitute a violation of this policy. If the challenge or explanation is unsatisfactory, the employee or job applicant shall be provided with a written explanation as to why the employee's or job applicant's explanation is unsatisfactory, along with a report of the test results. All such documentation shall be kept confidential and shall be retained by the employer for at least one (1) year.

C. Employee Protection

1. The drug testing laboratory will not disclose any information concerning the health or mental condition of the tested employee.

2. The Town will not request or receive from the testing facility or the Medical Review Officer any information concerning the personal health, habit or condition of the employee including, but not limited to, the presence or absence of HIV antibodies in the body fluids.

3. The Town will not discharge, discipline, refuse to hire, discriminate against or request or require rehabilitation of an employee or job applicant on the sole basis of a positive test result that has not been verified by a confirmation test and by a Medical Review Officer.

4. The Town shall not discharge, discipline or discriminate against an employee solely upon the employee's voluntarily seeking treatment, while under the employ of the employer, for a drug-related problem if the employee has not previously tested positive for drug use, entered an employee assistance program for drug-related problems, or entered a drug rehabilitation program. The Town retains the right to select the employee assistance program or drug rehabilitation program if the Town pays the cost of the employee's participation in the program.

5. All authorized remedial treatment, care and attendance provided by a health care provider to an injured employee before medical and indemnity benefits are denied must be paid for by the carrier or self-insurer. However, the carrier or self-insurer must have given reasonable notice to all affected health care providers that payment for treatment, care and attendance provided to the employee after a future date certain will be denied. An employee who voluntarily comes forward before being confronted, tested or involved in a drug-related incident may be provided rehabilitative opportunities, leave or an opportunity to resign as determined by management in consultation with a Town coordinating physician.

6. The Town shall promptly detail in writing the circumstances which formed the basis of a determination that reasonable suspicion existed to warrant testing and shall provide this documentation to the employee upon request. The original documentation shall be kept confidential and shall be retained by the Town for at least one (1) year.

IX. DISCIPLINARY ACTION

A. In the case of a first-time violation of the Town's policy, including a positive drug or alcohol test result, the employee will be subject to discipline, up to and including termination of employment. Refusal to submit to testing under this policy ~~will~~ may result in forfeiture of eligibility for all medical and indemnity benefits and ~~will~~ may subject the employee to termination of employment.

B. The Town may, at its sole discretion, suspend employees without pay under this policy pending the results of a drug test or investigation.

C. Any employee having a second positive drug test during his/her employment with the Town will be terminated from employment.

D. Employees who are not immediately terminated for testing positive or for some other violation of the policy shall, at the Town's sole discretion, be required to execute an agreement acknowledging:

1. That they tested positive or otherwise violated the policy; and,

2. That in exchange for the Town not terminating employment for this instance of testing positive or otherwise violating the policy, they agree to undergo rehabilitation, counseling or other activities prescribed by the Town's coordinating physician in conjunction with management; to undergo periodic unannounced drug testing for a period of two (2) years, and be subject to termination from employment for any future violation of the policy.

E. Employees who test positive, admit to drug or alcohol use or related misconduct, or voluntarily seek assistance, and are not terminated from employment, will not be returned to work or continue working until they have been evaluated by the Town's EAP Program Provider in conjunction with administration to determine if they can safely return to work.

X. INVESTIGATIONS/SEARCHES

A. Where the Town has reasonable suspicion that an employee has violated the substance abuse policy, the Town may inspect vehicles, lockers, work areas, desks, purses, briefcases, tool boxes and other locations or belongings on the Town's premises without prior notice, in order to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock. Where the employee is not present or refuses to remove a personal lock, the Town may do so for him or her, and compensate the employee for the lock. Any such searches will be coordinated with a representative of management.

B. Individuals may be requested to display personal property for visual inspection upon Town request. Failure to consent to a search or display personal property for visual inspection will be grounds for discharge or denial of access to Town premises.

C. Individuals may be required to empty their pockets, but under no circumstances will an employee be required to remove articles of clothing or be physically searched.

D. Employees will be subject to discipline, up to and including termination of employment, for refusing to cooperate with searches or investigations.

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XI. ARREST OR CONVICTION FOR DRUG-RELATED CRIME

A. If an employee is arrested for or convicted of a drug-related crime, the Town will investigate the circumstances and direct the implementation of drug-testing procedures if cause is established by the investigator. In most cases, an arrest for a drug-related crime constitutes reasonable suspicion of drug use under this policy. The following procedures will apply:

1. During investigation, an employee may, at the Town's discretion, be placed on leave without pay. After the investigation is completed, the leave may be converted to a suspension without pay or other disciplinary action, or the employee may be reinstated depending upon the facts and circumstances.

2. If convicted of a drug-related crime, an employee will be terminated from employment.

3. If an employee has been suspended and the case has been dismissed or otherwise disposed of, the Town will make a determination as to whether to authorize the employee's return to work based on its investigation. If the employee is authorized to return to work, the employee must agree in writing to unannounced, periodic testing for a period of up to two (2) years.

4. Because of the seriousness of such situations, the Town reserves the right to alter or change its policy or decision on a given situation depending upon its investigation and the totality of the circumstances.

~~B.~~ As a condition of continued employment, an employee ~~will~~ shall ~~immediately~~ notify the Town of any criminal drug statute arrest or conviction immediately or by the beginning of the next business day. ~~The employee must give notice to the Town within five (5) days of such arrest.~~

XII. CONFIDENTIALITY

All information received by the Town as a result of a drug testing program is confidential and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except:

A. Confidential information may be released pursuant to a written consent form signed voluntarily by the person tested.

B. Confidential information may be released if such release is compelled by a hearing officer or a court of competent jurisdiction pursuant to an appeal taken under Florida law.

C. Confidential information may be released to a professional or occupational licensing board in a related disciplinary proceeding.

D. The Town, agents of the Town or laboratories conducting drug tests may have access to and use employee drug test information when consulting with legal counsel in connection with actions brought under or related to Chapter 440 Florida Statutes or when the information is relevant to the Town's defense in a civil or administrative matter.

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APPENDIX I

SOCIAL SECURITY NUMBER PRIVACY POLICY

Appendix I, attached hereto, and incorporated herein by reference, to the Handbook of Procedures of the Town of Lake Park (Employee Handbook) constitutes the Town of Lake Park Social Security Number Privacy Policy and Operation Procedures.

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SOCIAL SECURITY NUMBER PRIVACY POLICY AND OPERATION PROCEDURES

Statement of Town Policy. The Florida Legislature expressly acknowledged in the 2007 amendments to Section 119.071, Fla. Stat. (2007), that the social security number was never intended to be used for business purposes, but rather was intended to be used solely for the administration of the federal Social Security System. The Legislature also recognized that over time, social security numbers have been used extensively for identity verification purposes and other legitimate consensual purposes. Because social security numbers can be used as a tool to perpetuate fraud against an individual and to acquire sensitive personal, financial, medical, and familial information, the release of which could cause great financial or personal harm to an individual, state law requires the agencies that are subject to the Florida Public Records Act, Chapter 119, Fla. Stat., which includes the Town of Lake Park ("Town") implement a policy consistent with state law, to keep social security numbers that the Town collects confidential, and not subject to disclosure except in limited circumstances.

In accordance with state law, it is the policy ("Policy") of the Town to protect the confidentiality of social security numbers, which may be obtained by the Town pursuant to this Policy. All Town employees must strictly adhere to this Policy. Any employee who violates the provisions of this Policy and its operating procedures, will be subject to discipline, in accordance with the applicable provisions of the Handbook of Procedures for Employees of the Town of Lake Park, and may also be subject to the imposition of criminal and non-criminal penalties pursuant to Section 119.071, Fla. Stat., for violations, including a fine of $500.00 per violation, against any public officer who violates the provisions.

Operating Procedures.

1. Collection and Use of Social Security Numbers by the Town. Social security numbers may be collected by the Town from persons applying for employment with the Town, Town employees, applicants for certain licenses and permits issued by the Town, and persons and entities doing business with the Town and/or receiving services from the Town, or for any other Town purpose. The Town may use social security numbers that the Town acquires for any of one or more of the following purposes:

    - Employment background checks (including but not limited to, consumer credit, criminal record, driving history, verification of employment, fingerprints, NCIC/FCIC checks, FDLE checks, local and state record checks, verification of military service, clarification for duplicate names, educational background government agencies,), pre-employment physicals and drug testing and screening;
    - Credit history investigations for applicants for positions of financial responsibility or for positions that involve the handling of significant amounts of currency or other valuables;

- To identify Town employees for any purpose allowed under law not limited by state and federal privacy laws; to verify the validity of Florida driver's licenses;
- Verify eligibility for employment pursuant to the Form I-9, Employment Eligibility Verification Form
- Payroll processing (IRS, Social Security, U.S. Citizen & Immigration Service, Unemployment Compensation, Division of Retirement, State of Florida New Hire reporting);
- Withholding and reporting federal income taxes;
- Insurance, retirement/pension and benefit information; To comply with sexual predator and offender laws;
- To comply with state child support reporting requirements;
- To comply with state unemployment compensation reporting requirements;
- To facilitate enrollment in employee benefit plans;
- To facilitate the processing of employee benefit claims
- Process any application for a license or permit to be issued by the Town;
- The Town may disclose social security number to another agency or another governmental entity if such disclosure is necessary for the receiving agency or governmental entity to perform its duties and responsibilities.
- **DISCLOSURE STATEMENTS WILL BE PROVIDED WHENEVER A SOCIAL SECURITY NUMBER IS REQUESTED OR USED BY THE TOWN FOR ANY PURPOSE THAT IS NOT EXPRESSLY DISCLOSED IN THIS POLICY.**

NOTE: The form(s) used for the collection of social security numbers shall contain the complete text of the above-stated disclosure statement, and shall be provided to individuals at the time that the Town collects their social security numbers. Additionally, all Town employees are required to safeguard their own individual security numbers by ensuring that their transmittal of such numbers is done in a confidential and secure manner.

2. Receipt and Use of Social Security Numbers. Social security numbers may be obtained and used by the Town for any of the purposes stated above, and in the event the Town requires a social security number for a purpose that is not specifically listed herein, the Town shall provide a specific disclosure statement identifying the purpose for which the social security number is to be used.

   - Social security numbers or portions thereof, may not be printed on, listed or otherwise included in any of the following Town-prepared documents: identification cards, time sheets, time cards, employee rosters, employee identification records, employee paychecks, computer passwords, Town account records, agreements or contracts.

   - Social security numbers or portions thereof, may not be used in open computer transmissions.

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3. **Storage of, and Access to, Social Security Numbers:**

- Storage. To the extent reasonably possible, documents containing social security numbers shall be stored in locked secured areas. Computer applications that contain social security numbers shall, to the extent reasonably possible, be maintained in secured, authorized-access computer stations only.

- Access. Only Town employees who have a legitimate reason relating to Town business will be permitted access to social security numbers, and such access may only be granted by a Town Department Head(s) who is directly responsible for functions relating to the reporting or transporting of such data.

4. **Disposal of Records Containing Social Security Numbers.** Records that contain social security numbers shall be maintained in accordance with federal and state laws. When such records are scheduled for disposal, such disposal shall be done pursuant to the requirements of the State of Florida General Records Schedule GS1-SL for state and local government agencies, and the destruction of such records shall be by cross-cut shredding, or as otherwise permitted by state law.

5. **Procedure for the Disclosure of Social Security Numbers in Response to Public Records Request(s) from a Commercial Entity Engaged in the Performance of a Commercial Activity by Authorized Town Employees.** Employees who are authorized to disclosure social security numbers in response to a qualified public records request made by a commercial entity engaged in the performance of a commercial activity are: the Town Clerk, Deputy Town Clerk, and the Human Resources Director. A "commercial entity" means any corporation, partnership, limited partnership, proprietorship, sole proprietorship, firm, enterprise, franchise, or association that performs a commercial activity in this state. "Commercial activity" means the provision of a lawful product or service by a commercial entity. Commercial activity includes verification of the accuracy of personal information received by a commercial entity in the normal course of its business; use for insurance purposes; use in identifying and preventing fraud; use in matching, verifying, or retrieving information; and use in research activities. It does not include the display or bulk sale of social security numbers to the public or the distribution of such numbers to any customer that is not identifiable by the commercial entity.

An authorized Town employee may not deny a commercial entity engaged in the performance of a commercial activity access to social security numbers, provided the social security numbers will be used only in the performance of a commercial activity and provided the commercial entity makes a written request for the social security numbers. The written request must: (1) be verified in accordance with the requirements of Section 95.525, Fla. Stat., (made under oath or affirmation taken or administered before an officer authorized to administer oaths; or by the

signing of the written declaration which states as follows: "Under penalties of perjury, I declare that I have read the foregoing (document) and that the facts stated in it are true," followed by the signature of the person making the declaration, except when a verification on information or belief is permitted by law, in which case the words "to the best of my knowledge and belief" may be added. The written declaration shall be printed or typed at the end of or immediately below the document being verified and above the signature of the person making the declaration;) (2) be legibly signed by an authorized officer, employee, or agent of the commercial entity; (3) contain the commercial entity's name, business mailing and location addresses, and business telephone number; and (4) contain a statement of the specific purposes for which it needs the social security numbers and how the social security numbers will be used in the performance of a commercial activity.

The Town may request any other information reasonably necessary to verify the identity of a commercial entity requesting the social security numbers and the specific purposes for which the numbers will be used.

The Town Clerk shall create and maintain a written log or record of all requests for the disclosure of social security numbers by commercial entities and the stated purposes for the request of the social security numbers. The Town Clerk shall file a written report with the Executive Office of the Governor, the President of the Florida Senate, and the Speaker of the Florida House of Representatives, by January 1 of each year identifying all commercial entities that have requested social security numbers during the preceding calendar year, and the specific purposes(s) stated by each commercial entity for its intended use of the social security number. If the Town did not receive any such requests, the Town must indicate that no social security number disclosure requests were received for the subject calendar year in its report.

The annual report may be in the form of a letter from the Town Manager or other authorized Town official to the Governor's Office, the Senate President, and the Speaker of the House.

~~Example if requests have been received by the Town:~~

~~"The Town of Lake Park is hereby submitting its annual report as required by Section 119.071(5), Fla. Stat. (2007) of requests made by commercial entities to the Town for the disclosure of social security numbers. Based upon our review of Town records, the Town of Lake Park has received social security number ("SSN") disclosure requests from the following commercial entities for the following stated purposes:~~

~~Name of commercial entity Purpose for requesting SSN~~
~~1.~~
~~2. None~~
~~3.~~
~~4.~~

~~Please do not hesitate to contact this Office is if further information is required from~~

~~the Town of Lake Park in this regard."~~

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~~Example if no requests have been received by the Town:~~

~~"Based upon our review of Town's records, no requests for the disclosure of any social security numbers have been received by the Town from any commercial entity for the year 2007. Please do not hesitate to contact this Office is further information is required from the Town of Lake Park in this regard."~~

~~The addresses for the certification letter and the annual report are as follows:~~

~~The Honorable Ken Pruitt, President~~
~~The Florida Senate~~
~~Senate Office Building, Room 312~~
~~404 South Monroe Street~~
~~Tallahassee, FL 32399~~

~~The Honorable Marco Rubio, Speaker~~
~~Florida House of Representatives~~
~~420 The Capital~~
~~402 South Monroe Street~~
~~Tallahassee, FL 32399~~

~~The Executive Office of the Governor~~
~~PL 05, The Capitol~~
~~400 South Monroe Street~~
~~Tallahassee, FL 32399~~

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