

TAB 2

**City Commission
Administrative Policies
And
Executive Actions**

Administrative Policies:		Information
Policy Number	Policy Title	Information
04-01	Attorney contact list	List of job titles authorized to directly contact the City Attorney
04-02	Budget amendments	Any transfer between cost centers or between funds will require Commission approval by resolution; any allocation of personnel budget or change to job descriptions require Commission approval
04-04	Vacation of streets, alleys, easements, right-of-ways, or canals	Authority to grant vacation requests shall be guided by Policy 2.10.3 of the Palmetto Comprehensive Plan
05-05	Information distribution	List of information that is required to be distributed to Commission in a timely manner
05-06	Grants administration policy	
05-07	Anti-displacement and relocation policy	Policy adopted by Resolution No. 04-17 on March 15, 2004, reaffirming Resolution No. 00-30 adopted December 18, 2000. Approved by City Commission February 28, 2005.

05-08	City board appointments	
05-09	Public Works "Storm Team" on-call policy	Adopted June 7, 2004 Reaffirmed by Commission February 28, 2005
05-10	Emergency work policy	
05-11	Use of electronic and computer systems	Adopted June 2, 1997 Approved by Commission February 28, 2005
05-12	Forfeiture case negotiation	
05-13	Development plans	Developers on major projects are required to submit both a paper and an electronic version of all plans requiring the signature and seal of an architect and/or engineer.
05-14	Traffic regulations amendment public notification	
07-01	City co-sponsorship of special events	
08-01	Advance notice of utility bill inserts	Commissioners will be provided a copy of any item or notice of information being inserted into monthly water bills
09-02	Rules of procedure for agenda and public appearances before City Commission	Adopted by Resolution No. 08-40 December 15, 2008 Amended and approved by Resolution No. 09-21 April 6, 2009
09-03	Background check policy	
09-04	City Commission participating in board meetings by telephone	

09-05	Cell phone policy	
09-06	Title VI/Nondiscrimination policy statement	
09-07	Disability nondiscrimination and reasonable accommodation policy and plan	(Still has Ron Koper)
09-08	Title VI and nondiscrimination policy and plan	
Resolution 09-19	Establishing a policy pertaining to the capitalization of the City's physical assets	
10-01	City of Palmetto citizen participation plan and grievance procedure for CDBG programs	
Executive Actions:		
	Employee position designations	

CITY COMMISSION
ADMINISTRATIVE POLICY
NO. 04-02

BUDGET AMENDMENTS

In as much as the City Commission approves the City's budget by line item at the cost center level, any transfer between cost centers or between funds will require Commission approval by resolution.

Commission has requested any allocation of personnel budget or change to job descriptions require their approval.

Commission has requested they be advised and provided an explanation for any capital expenditure within a cost center for items not previously listed in the capital expenditure detail. This should include transfers out of the capital expenditure line item.

Approved by the City Commission October 4, 2004.



J. E. Free, Jr.
City Clerk

**City of Palmetto
Administrative Policy 04 -04**

**VACATION OF STREETS, ALLEYS, EASEMENTS,
RIGHT-OF-WAYS OR CANALS**

The City Commission's authority to grant vacation requests shall be guided by the following Palmetto Comprehensive Plan Policy:

Policy 2.10.3: *The City shall not vacate public right-of-way until it has been determined that the right-of-way is not required for future mobility, utility infrastructure, or storm water needs.*

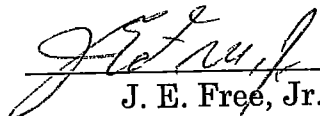
The following guidelines implementing the above policy shall apply:

1. Unless expressly permitted herein, the City shall not vacate, abandon, discontinue or close any existing public street, alleyway, road, highway, easement, canal or portion thereof, or any land delineated on any recorded map or plat as a street, alleyway, road, highway, canal or other place used for vehicular travel, or renounce or disclaim any right of the City or the public in and to any land in connection therewith.
2. Unless expressly permitted herein, the City shall not vacate, abandon, renounce or disclaim any right of the City or the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road, or highway purposes
3. Unless expressly authorized by the appropriate governmental agency, or as otherwise provided by law, the City shall not vacate, renounce or disclaim any right of the City or the public in and to land constituting or acquired for a state or federal highway.
4. The City Commission may grant a vacation request where it determines that granting the vacation is necessary to resolve an illegality or inequity created by some action or inaction of the City
Example: if the City erroneously permits a portion of a house to be built in a right-of-way and, for the purposes of transfer of ownership of the house, the owner of the house subsequently requests that the City vacate that portion of right-of-way on which the house is located, The City Commission may grant the vacation.
5. The City shall not grant a vacation request for the sole purpose of relieving the City of its obligation to maintain the subject property. It

is the responsibility of the City to maintain public property to the extent that such property will not constitute a nuisance to surrounding neighborhoods.

6. In implementing Policy 2.10.3, reprinted above, the City Commission shall interpret the term "future mobility" to include the potential future use of the City's unimproved alleyways as linear parks for recreational purposes to meet stipulations of the City's Comprehensive Plan. In accordance with the City of Palmetto's Comprehensive Plan, the City shall ascertain the extent of connectivity between the unimproved alleyways and neighborhood parks. At the direction of the Public Works Director, staff may develop and propose a plan to improve such unimproved alleyways for neighborhood use.
7. The City Commission shall not grant a vacation request for the sole reason that more than one, or all, adjacent landowners have submitted or assented to the request. Example: Where a group of adjacent landowners requests a vacation so that they may construct improvements on the land to be vacated, the City shall not grant the vacation. (As an alternate course of action, the City may choose to construct the improvements and, where authorized by ordinance and/or applicable law, to fund such improvements by assessing the owners of property benefited by the improvements.).
8. Notwithstanding anything to the contrary contained herein, the City Commission shall not grant a vacation request unless it finds that such action is in the best interest of the general public, does not violate individual property rights and is in accordance with the City's ordinances, comprehensive plan, administrative policies, and applicable state law and regulations.

Approved by City Commission December 6, 2004.



J. E. Free, Jr.
City Clerk

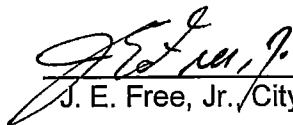
CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-05

INFORMATION DISTRIBUTION

The City Commission of the City of Palmetto hereby adopts a policy that the following information be distributed to the Commission in a timely manner (prior to the public so Commissioners may be able to address potential questions):

- Notices received of all educational, informational or ceremonial meetings, which would be beneficial to the City Commission's role as the legislative branch of the City.
- Any information received by the Mayor's office that would be beneficial to the City Commission's role as the legislative branch of the City, or any information deemed necessary by the Mayor, such as invitations, etc.
- Any threat to the safety and/or well-being of the citizens of Palmetto, including matters of financial security or environmental matters.
- Any accident causing bodily harm involving City personnel or physical damage to City property exceeding \$10,000.
- Any pending or threatened litigation.
- Any topic or event that will be reported by the media.

Approved by City Commission on February 28, 2005.


J. E. Free, Jr. City Clerk

CITY OF PALMETTO
ADMINISTRATIVE POLICY NO. 05-06

CITY OF PALMETTO
GRANTS ADMINISTRATION POLICY

APPLICATIONS:

The Grants Coordinator shall serve as the central point for receipt and processing of all requests for grant applications and related documents forwarded to the City, and will prepare complete and responsive grant proposals.

- A copy of all applications prepared by any City Department must be provided to the Grants Coordinator before submission. The Grants Coordinator shall be given the opportunity to review formally and comment on proposed program guidelines, regulations, announcements, general operating procedures, and obligations the City will incur as a result of funding, etc.
- The Grants Coordinator shall perform a cost analysis on all proposed programs prior to submitting an application. All applications will be reviewed by the Deputy Clerk-Finance to ensure that the application is fiscally feasible and advantageous for the City and to provide for accurate budgeting.
- Department heads shall ensure that all relevant materials and supporting documents are properly prepared and delivered to the Grants Coordinator in a timely manner. The Grants Coordinator shall attempt to ensure that deadlines allow sufficient time for carrying out required actions in an effective manner.
- The Grants Coordinator will distribute a quarterly report describing grant applications submitted. Recipients will include the City Council, Mayor, Deputy Clerk-Finance and appropriate Department Heads.

ADMINISTRATION:

The Grants Coordinator shall have the authority, in coordination with authorized City officials, to submit and/or issue:

- Programmatic reports; and
- Public notices as required, regarding grant applications and agreements; and
- Amendments to notices or grant agreements; and
- Correspondence involving the business management aspects of grants, except that which falls under the cognizance of the Deputy Clerk-Finance, indirect cost rate negotiators or auditors.

The documents listed above may not be issued without the Grants Coordinator's signature unless the City Clerk and Chief Executive sign them. A Grants Coordinator may not relegate this authority.

The Grants Coordinator shall investigate any significant changes in the rate of expenditure from that anticipated and, when programs, functions, or activities are separately budgeted for, compare actual expenditures to budgeted amounts. To the extent appropriate, review of financial status reports should be coordinated with review of performance reports to relate the financial information to the programmatic information.

FISCAL RESPONSIBILITY:

The Grants Coordinator shall have information available that shows the status of funds available for each City program. This information should reflect the current amounts of funds obligated and other financial information necessary for effective management of grant programs. In performing this function, the Grants Coordinator should not duplicate the functions of the finance or budget office, nor keep extensive records.

- The Grants Coordinator shall review all financial status reports.
- The Grants Coordinator shall serve as a mandatory control point for all official communications and contacts with the funding agency which commit or may result in committing the City to a change in the amount of the grant, the grant budget, or any terms and conditions of the grant. This shall include all correspondence requesting changes to the terms of the grants, such as to the scope or objectives of the grant, for rebudgeting, or for subgranting or transferring project activities, etc. It shall also include correspondence interpreting grant management policies.
- The Grants Coordinator, in conjunction with the Deputy Clerk-Finance, will be responsible for all requests for funds/reimbursements. and will ensure that funds are requested and received in a timely manner. The affected Department Head will be notified upon the receipt of funds by way of memorandum.
- The Grants Coordinator shall, with the Deputy Clerk-Finance, resolve or participate in the resolution of audit findings involving grant programs for which he is the Grants Coordinator.
- With Purchasing Agent, the Grants Coordinator will assist in the establishment of sub-contractual arrangements as required to ensure compliance with grant requirements.

PROGRAM RESPONSIBILITY

The Grants Coordinator shall maintain general program information files and individual grant folders and shall ensure that the files and folders contain all required materials, records, and documentation.

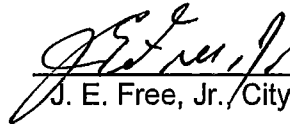
- These records should at a minimum include applications, award letters, contracts, fiscal and performance tracking, all reporting and change orders.
- The Grants Coordinator shall ensure that all documents and reports needed by the funding agency are sent to that office and will be required to attend monitoring and/or evaluation meetings.

- Site visits are an important part of effective grants management. Joint site visits by the Grants Coordinator and funding agency program officials are encouraged.
- Appropriate Department Directors shall review all performance reports.

CLOSE OUT

The Grants Coordinator shall take all necessary actions to close out grants when all applicable administrative actions and required work of the grant have been completed. In performing this function, the Grants Coordinator shall see that each grant file is reviewed to ensure that the interest of the City has been adequately protected and that all significant actions are fully documented before the closeout process is completed.

Approved by City Commission on February 28, 2005.



J. E. Free, Jr., City Clerk

**CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-07**

ANTI-DISPLACEMENT AND RELOCATION POLICY

Reference: Community Development Block Grant Projects

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THE CITY OF PALMETTO

TENANT ASSISTANCE, RELOCATION & REAL PROPERTY ACQUISITION PLAN

I. Displacement Avoidance Policy

THE CITY OF PALMETTO is committed to a policy to make all reasonable efforts to ensure that activities undertaken through the use of Community Development Block Grant (CDBG) and/or other federal funding will not cause unnecessary displacement or relocation. Such federally funded programs will be administered in such a manner that careful consideration is given during the planning phase with regard to avoiding displacement. The City will also provide information to and keep citizens involved in the process regarding pending land use changes, zoning and rezoning actions that threaten the preservation of residential areas. Involuntary displacement shall be reserved as a last resort action necessitated only when no other alternative is available and when the activity is determined necessary in order to carry out a specific goal or objective that is of benefit to the public. In this case, community development and housing programs will be planned in a manner which avoids displacement of households or business.

However, "voluntary" displacement (temporary or permanent) may be necessary in order to achieve a benefit to a household or business (such as rehabilitation or replacement of the building). Such benefits shall be identified and requested by the displacee. Voluntary displacement may also occur when a property owner voluntarily offers his home or business property for sale to the City. In these cases, the seller may be required to waive rights as a condition of sale of the property, and the Uniform Relocation Act provisions will govern actions of the City and/or its representative. 24 CFR part 570 is a governing document on displacement and is incorporated by reference. 49 CER Part 24 provides Uniform Relocation Act information and is incorporated by reference. As pertains to the City's Tenant Assistance, Relocation and Real Property Acquisition Plan, the U.S. Department of Housing and Urban Development Handbook #1378, September 1990, shall be adopted in its entirety.

II. Definitions of 'Standard' and 'Non-Standard Suitable for Rehabilitation' Dwelling Unit Condition.

In the absence of federal and state provided definitions, the following is provided to establish a frame of reference and context when dealing with matters of displacement and/or relocation as defined in 24 CFR Part 570 and 49 CFR Part 24.

A. Standard Condition

A dwelling unit is considered standard if it has no major defects or only slight defects which are correctable through the course of regular maintenance. It must be in total compliance with applicable City housing and occupancy codes; be structurally sound, watertight and in good repair; be adequate in size with respect to number of rooms and area of living space and contain the following:

1. A safe electrical wiring system adequate for lighting and other normal electrical devices.
2. A separate, well-lighted and ventilated bathroom that provides user privacy and obtains a sink, commode, and bathtub or shower stall.
3. An appropriate, sanitary and approved source of hot and cold potable water.
4. An appropriate, sanitary and approved sewage drainage system.
5. A fully useable sink in the kitchen.
6. Adequate space and service connections for a refrigerator.
7. An unobstructed egress to a safe, open area at ground level, and
8. Be free of any barriers which would preclude ingress or egress if the occupant is handicapped.

Failure to meet any of these criteria automatically causes a dwelling to not be considered "standard".

B. Substandard Condition Suitable for Rehabilitation

A dwelling unit is considered substandard if it does not fully comply with the standard criteria or has minor defects which require a certain amount of correction but can still provide safe and adequate shelter or has major defects requiring a great deal of correction and will be safe and adequate once repairs are made.

To be suitable for rehabilitation, a trained housing specialist must carefully inspect the dwelling and prepare a work write-up of repairs necessary to bring it up to standard condition. A cost estimate of repairs will be prepared based on the needs identified in the work write-up.

If these costs are equal to or less than 65% of the value of a comparable replacement unit as obtained from more than one licensed contractor, the dwelling will be considered suitable for rehabilitation. If the predicted cost exceed 65%, the unit will be deemed unsuitable.

This criteria is arbitrary, however, and the City Council or the City's Board of Adjustment may authorize deviations based on the unique aspects of each dwelling, owner, tenant, etc. on a case by case basis. Each deviation so approved must be thoroughly documented.

III. Permanent Involuntary Displacement

The City will provide reasonable relocation assistance to persons (families, individuals, businesses, nonprofit organizations), displaced and moved permanently and involuntarily, as a result of the use of CDBG/federal assistance to acquire or substantially rehabilitate property. Assistance to displaced persons may include:

- a) Payment for actual moving and relocation expenses documented by receipt and/or vouchers from service providers and utility companies. The documents shall be submitted prior to the disbursement of payment.
- b) Advisory services necessary to help in relocating.
- c) Financial assistance sufficient to enable the displaced person to lease and occupy a suitable, decent, safe and sanitary replacement dwelling where the cost of rent and utilities does not exceed 30 percent of the household gross income of a family earning 80 percent of the median income for the jurisdiction.

A. Provisions for One-on-One Replacement

The City will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to use other than a low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR Part 570. Replacement low/moderate-income units may include public housing or existing housing receiving Section 8 project based-assistance.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion and will meet the following requirements:

1. The units will be located within the City.
2. The units will meet all applicable City housing, building, and zoning ordinances and will be in standard, or better, condition.
3. The units will be designed to remain low/moderate- income dwelling units for at least 10 years from the date of initial occupancy (applies to initial tenant only).
4. The Unit will be sufficient in size and number (functionally equivalent) to house at least the number of occupants who could have been housed in the units that are demolished or converted.

Before obligating or expending CDBG/federal funds that will directly result in such demolition or conversion, the local government will make public and submit to the Florida Department of Community Affairs and/or the U.S. Department of Housing and Urban

Development the following information in writing:

1. A description of the proposed assisted activity.
2. The general location on an area map including approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than low/moderate-income dwelling units.
3. A time schedule for commencement and completion of the demolition or conversion.
4. The general location on a service area map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units.
5. Identification of the source of funding at the time of submittal and the time frame, location and source for the replacement dwelling unit.
6. The basis for concluding that each replacement dwelling unit will be designed to remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.
7. Information demonstrating that any proposed replacement of a unit with a smaller unit is consistent with the housing needs of LMI persons in the jurisdiction.

B. Provisions for Relocation Assistance for Residential Displacement

The City will provide relocation assistance, as described in 24 CFR Part 570, to each low/moderate-income household involuntarily displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of CDBG/federally assisted activities. Persons that are relocated are entitled to:

1. A choice between actual reasonable moving expenses or a fixed expense and dislocation allowance.
2. Advisory services.
3. Reimbursement for reasonable and necessary security deposits and credit checks.
4. Interim living costs, and
5. Replacement housing assistance which may include a Section 8 housing voucher/certificate and referral to assisted units; cash rental assistance to reduce the rent and utility cost or lump sum payment equal to the present value of rental assistance installments to be used toward purchasing an interest in a housing cooperative or mutual housing association for a period up to 60 months (5 years).

C. Provisions for Non-Residential Relocation

Businesses, non-profit organizations, etc., shall not be relocated unless the move is voluntary, essential to the project from the public view, and the owner waives his/her rights under the Uniform Act except for the following relocation assistance:

1. Actual moving and reasonable re-establishment expenses not less than \$1,000 nor more than \$20,000 equal to pro-rated share for the period of interruption of operations of the average annual net earnings. Average annual net earnings before taxes during the two taxable years immediately prior to the taxable year it was displaced.
2. No other benefits will be provided and a signed waiver acknowledging that fact will be required.

IV. Temporary, Voluntary Displacement and Relocation

- A. Persons occupying housing which is to be rehabilitated using CDBG/federal funds must voluntarily agree to inclusion in the program and shall vacate the housing at the direction of the City (or its designated agency), in order to facilitate the safe, timely and economical rehabilitation process.
- B. A moving allowance of \$300 will be provided each family unit so displaced. This allowance will be provided in two payments of \$150 each on move out and move back in.
- C. The City may provide a safe, decent and sanitary housing unit for use as temporary relocation housing. The unit shall be available free of charge to temporarily displaced households for the time period authorized by the City's designated agency, generally for the period of rehabilitation construction. Households who occupy the unit shall have a \$75 refundable deposit withheld from their initial moving allowance payment. This deposit shall be refunded in full immediately after the relocation unit is vacated in a clean and undamaged condition. The deposit refunded shall be denied in full or in part for payment of damages to the owner/lessee due to the occupants, (a) failure to properly clean or maintain the unit, (b) physical damage to the unit, (c) loss of keys to the units, or (d) need for any special condition such as fumigation. A \$25 per day penalty may also be assessed for the household's failure to properly vacate the relocation unit when directed to do so by the City's designated agency.
- D. A storage allowance of up to \$150 will be provided each family unit displaced if storage is necessary and essential to the move.
- E. Insurance cost of up to \$100 for the replacement value of the household property in connection with the move will be provided each family unit displaced if storage is necessary and essential to the move.

V. Permanent, Voluntary Displacement and Relocation.

If it is determined by the City that occupants of a dwelling should be permanently relocated, and the occupants voluntarily consent, the government will assist in the relocation to a decent, safe and sanitary dwelling unit. Benefits, if provided, will be limited to increases in monthly housing costs incurred by the occupant in an amount equal to the lesser of 60 times the increase or 30 percent of the person's annual income. 24 CFR Part 570 must be consulted to determine specific limitations.

VI. Tenant Assistance Policy/Federal Rental Rehabilitation Program.

- A. It is not the local government's policy to displace families in rental units. Participating landlords will be required to warrant that the proposed rehabilitation will not cause any tenant to be permanently displaced unless the owner will be able to relocate the tenant displaced in accordance with HUD relocation criteria. Rental Rehabilitation funds will not be used to rehabilitate the structures if the rehabilitation will cause the permanent displacement of LMI families.
- B. If it becomes necessary for an owner to temporarily move a tenant from a unit as a direct result of rehabilitation assisted through rental rehabilitation funds, the owners will assure that the tenant is offered a decent, safe and sanitary dwelling unit at an affordable rate as described in the applicable regulations. No tenant will be considered displaced if the owner has offered the tenant a decent, safe, sanitary and affordable unit and the tenant has declined the offer.
- C. Should temporary displacement become necessary for an LMI family as a result of the rental rehabilitation assistance, the owner will assure that tenants are provided the necessary financial assistance, information, counseling, referrals and housing location options regarding Federal Fair Housing Ordinance and other relocation services as needed without regard to race, color, religion, sex, familial status, age, handicap or national origin, so as to enable the family to obtain decent, safe, and sanitary housing at an affordable rent.
- D. Appropriate City agencies, if any, shall provide federal preference to any qualified LMI family subject to relocation. Where Section 8 Housing vouchers are available, such preference will apply.
- E. Where required, compensation to obtain replacement housing shall not exceed \$3,000 threshold. Should such projected compensation to the tenant exceed this threshold, consideration shall be given to not performing the demolition rehabilitation, which would cause the displacement.

VII. Displacement of Homeowners

When rehabilitation of the dwelling is not feasible or cost effective, demolition of house with CDBG/federal funds may be considered, only as a voluntary action by the home-owner. Although homeowners have a right to assistance as previously discussed, CDBG/federal funds available for relocation assistance are limited. Therefore, financial assistance shall not exceed that

described in accordance with 49 CFR 24.401, and the regulations under U.S. HUD Handbook 1378.

VIII. Appeals/Counseling

- A. If a claim for assistance is denied by the City the claimant may appeal where applicable to either the State of Florida or U.S. Department of Housing and Urban Development, and their decision shall be final unless a court determines the decision was arbitrary and capricious.
- B. Counseling will be provided to displacees in the areas of household finance, fair housing rights, real estate transactions, and locating and evaluating replacement housing options. Counseling shall be provided by the City or its designated agency.

To permanently displaced households to ensure that:

- 1. No person is discriminated against based upon age, race, color, religion, sex, handicap, familial status, national origin, or presence of children in the household.
- 2. Displacees receive information concerning the full range of housing opportunities within the local housing market.

This plan was passed this 15th day of March, 2004, by the City Council of the City of Palmetto, Florida.

ATTEST: J. E. FREE, JR.
ACTING CITY CLERK

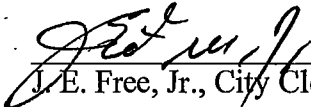
CITY OF PALMETTO, FLORIDA
THROUGH THE CITY COUNCIL OF THE
CITY OF PALMETTO

BY: _____
City Clerk

Lawrence E. Bustle, Jr., Mayor

Policy adopted by Resolution No. 04-17 on March 15, 2004, reaffirming Resolution No. 00-30 adopted December 18, 2000.

Approved by City Commission February 28, 2005.



J. E. Free, Jr., City Clerk

CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-08

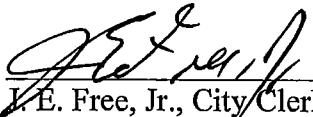
CITY BOARD APPOINTMENTS

The City Commission of the City of Palmetto hereby adopts the following policy pertaining to the appointment of citizens to City boards or committees:

CITIZENS MAY BE APPOINTED TO NO MORE THAN ONE STANDING BOARD/COMMITTEE; HOWEVER, THEY MAY BE SIMULTANEOUSLY APPOINTED TO AD HOC COMMITTEES.

COMMISSION MEMBERS MAY APPOINT FAMILY MEMBERS TO SERVE ON AD HOC COMMITTEES ESTABLISHED BY THE CITY COMMISSION.

Approved by City Commission February 28, 2005.



J. E. Free, Jr., City Clerk

CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-09

PUBLIC WORKS "STORM TEAM" ON-CALL POLICY

The City of Palmetto Public Works Department finds it necessary to ensure we will be able to respond to flooding and other storm problems that may occur during weekend hours. Accordingly, the following policy is implemented, effective immediately:

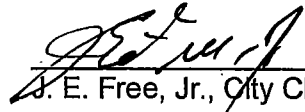
1. Affected Employees: This policy applies to foremen and service workers in the Storm Water Division and Utility Division.
2. On-Call Status: The on-call period will begin at 3:30 PM each Friday and end at 7:00 AM the following Monday, a period of 51.5 hours. During this period, the on-call employees may engage in personal pursuits, but must report for duty within thirty (30) minutes of being called. On-call employees must inform their supervisor of a phone number or other means of communication where they can be reached during the on-call period. Employees who fail to report when called will be subject to disciplinary action. The City of Palmetto will provide a pager and/or a cellular telephone, and a city-owned vehicle to the "on-call" employee.
3. Compensation
 - a. On-Call Pay

On-call employees will be paid 5.25 hours of pay at their regular rate of pay for being on-call from Friday afternoon to Monday morning. (This amount will be reduced pro-rata if a shorter on-call time occurs.) This is extra compensation for being on-call, and will not count towards time worked.
 - b. Duty Pay

If an on-call employee is actually called in to work, he will be paid a minimum of two (2) hours at his regular rate of pay, even if he does not work a full two (2) hours. On-call duty pay will count as time worked.
4. Schedule: Affected Employees will be placed on-call on a rotating basis. The on-call roster will be posted at the time clock fourteen (14) days in advance. Employees may trade on-call duty with the prior permission of their supervisors.

Previously approved by City Commission: June 7, 2004

Reaffirmed by City Commission February 28, 2005



J. E. Free, Jr., City Clerk

CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-10

EMERGENCY WORK POLICY

Purpose

The purpose of this policy is to provide direction regarding employee work assignments and pay status during an impending or declared disaster or declared emergency condition, and when applicable, during the recovery period. This includes events due to inclement weather conditions and various types of emergency situations. Departments shall refer to the City's Emergency Management Manual for execution of response activities and emergency roles.

Declaration of Emergency Conditions

The provisions and procedures contained in this policy shall be implemented only after authorization of the Mayor or his designee. Employees shall be notified of the specific date and time an Emergency Status Period is declared.

Job Duties

In order to continue addressing the needs of the community during emergencies and to provide essential services, employees may be temporarily assigned duties other than the essential functions of their regular positions and may be assigned to work at different job sites. All employees are required to work overtime when necessary.

Emergency Phases

For purposes of job assignments and pay status, emergency conditions are addressed according to three phases as follows:

1. *Pre-Impact Period* - The time period prior to the impending emergency condition. This period includes emergency response preparation and preventative measures by the City in preparing for the emergency.
 - a) The decision to close work sites either entirely or partially, and/or to implement disaster emergency duties for City employees, is at the sole discretion of the Mayor or his designee. Accordingly, the Mayor or his designee may determine that non-essential employees at all or certain work sites are to have an early work dismissal, late work arrival, or site closure for one or more shifts.
2. *Emergency Status Period* - This is the time period during which emergency response activities are conducted to protect life and property. Most routine City services are suspended.
3. *Post-Impact/Recovery Period* - The time period during which activities are performed to restore City operations and services to pre-disaster conditions. This period that signifies the end of Emergency Status Period, and all employees are expected to return to work.

Employee Emergency Status

All employees shall be assigned an Employee Emergency Status as follows:

1. *Emergency Assigned* - those employees who are assigned duties that require reporting during the Pre-Impact or Emergency Status Period. Dismissal or work-site closure announcements may not apply to these employees.
2. *Non-essential Assigned* - those employees who are not required to work during the Pre-Impact or Emergency Periods when routine City services have been suspended.

**All City employees are considered
Post-Impact/Recovery Assigned employees**

Pay Status

Upon a Declaration of Emergency conditions by the Mayor or designee, the following pay status guidelines will be followed for the Pre-Impact and Emergency Periods as outlined above:

1. *Non-Exempt employees* who are scheduled to work but are not required to work may be released from duty and will be paid regular pay for the declared emergency time-frame. If any employee has a scheduled day off during the Emergency Status Period, the employee will not receive additional compensation.
2. *Non-Exempt employees* who are required to work due to emergency conditions will be compensated for the Emergency Status Period at one and one-half times their regular rate of pay for actual time worked. There will be no duplication or pyramiding of overtime or premium pay for the same hours worked.
3. *Exempt employees* who are scheduled to work but are non-essential may be released from duty and will be paid regular pay for the Emergency Status Period. No additional compensation will be given to employees not scheduled to work during an Emergency Status Period.
4. *Exempt employees* who are required to work due to emergency conditions will be compensated with regular pay for the Emergency Status Period.

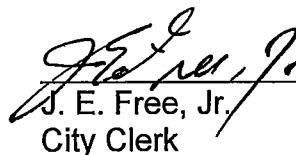
Declaration to Resume City Operations

The Mayor or designee will declare a specific date and time when routine City operations are to resume. This will be the date and time that signifies the end of the emergency status period and all employees are expected to return to work. Employees that worked during the Emergency Status Period as noted above will be compensated according to this policy.

In the event an employee is unable to report for his/her assigned recovery duties, the employee may request use of accrued leave to include vacation and sick (or leave without pay if accruals are exhausted).

Any employee not performing their assigned recovery duties shall not receive pay during the recovery period unless they are on an approved paid leave status.

Approved by the City Commission February 28, 2005.



J. E. Free, Jr.
City Clerk

CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-11

USE OF ELECTRONIC AND COMPUTER SYSTEMS

PURPOSE:

To establish the proper use of electronic and computer equipment, systems and/or tools provided by the City of Palmetto to its employees for the purpose of performing job functions including communication, information exchange, and research.

DEFINITION:

Electronic and computer systems are all hardware, software, tools, and any computer-related equipment owned by the City of Palmetto and available for official use by City of Palmetto employees, contract employees, temporary personnel, elected officials and anyone representing the City of Palmetto including, but not limited to, electronic mail, voice mail, calendaring, spreadsheets, word processing, database management and systems such as the internet.

POLICY:

This policy will be provided to all electronic and computer systems users.

Ownership:

All electronic and computer systems, hardware, software, temporary or permanent files and any related systems or devices are the property of the City of Palmetto. These include, but are not limited to, computers, network equipment, printers, controllers, modems, cable systems, software, voice mail, documents, spreadsheets, calendar entries, appointments, tasks, and notes which reside in part or in whole on any City electronic or computer system or equipment.

Department heads have the authority to inspect the contents of any equipment, files, diskettes, tapes, CDs, DVDs, USB mass storage device or other storage media, calendars or electronic mail of their employees in the normal course of their supervisory responsibilities. Information Technology staff shall extract information, files, documents, voice mail, etc. when requested by an authorized department head. Reasons for review include, but are not limited to: system, hardware or software problems, general system failure, a lawsuit against the City, suspicion of a crime or violation of policy, or a need to perform work or provide a service when the employee is unavailable.

Confidentiality/Privacy:

Employees who use electronic or computer systems and/or tools provided by the City of Palmetto cannot be guaranteed absolute privacy. Any and all opinions made using these systems, whether implied or expressed, are those of the individual and not necessarily of the City of Palmetto or management.

Information produced on City of Palmetto electronic equipment is subject to Chapter 119, F.S. – Public Records.

Work produced by City employees on City time becomes the property of the City.

Electronic and computer systems, hardware, software, tools, and information are provided for the purpose of conducting business for the City of Palmetto.

A. Allowable uses of electronic systems and information include the following, to the extent that these uses are for the purpose of conducting City of Palmetto business:

1. To facilitate performance of job functions.
2. To facilitate the communication of information in a timely manner.
3. To coordinate meetings of individuals, locations, and City resources.
4. To communicate with departments throughout the City.
5. To communicate with outside organizations, as required, in order to perform an employee's job functions.

B. Prohibited uses of electronic and computer systems and information include, but are not limited to, the following:

1. Illegal activities.
2. Threats.
3. Harassments.
4. Slander.
5. Defamation.
6. Obscene or suggestive messages or offensive graphical images.
7. Political endorsements.
8. Commercial activities.
9. Using non-business software including games or entertainment software.
10. Violation of copyright laws.
11. Copying of software in violation of software licensing agreements.
12. Dissemination of City information to unauthorized parties.

13. Personal business.
14. Unauthorized access of data files and /or software.
15. Use of passwords other than those authorized.

C. Activities requiring the employee's department head and the information technology director's written approval, include, but are not limited to, the following:

1. Using hardware, related computer equipment, and software not purchased and/or owned by the City.
2. Listening to voice mail or reading electronic mail of another employee without prior written approval of the employee's department head or the Mayor. An employee's supervisor may inspect the contents of voice mail or electronic mail pursuant to paragraph 2, under section "Ownership" of this policy.
3. Using any City software or system to conduct non-City business or for personal purposes.

Internet Access:

Request for internet access must be approved by the employee's department head.

1. Internet access shall be strictly limited to City-related business activities.
2. Time is to be limited on the internet to that necessary to conduct City-related business.
3. The downloading of software from non-city sources is prohibited unless the computer equipment is equipped with virus detection software.
4. Information posted on the internet shall be approved by the Mayor, Vice Mayor or a department head.
5. Employees and elected officials using the internet should advise others that their opinions expressed are their own and not necessarily those of the City of Palmetto.

Unauthorized Access:

All suspected intrusions via the internet or by unauthorized employees are to be reported to the department head immediately.

Passwords: The Information Technology Director will monitor the use of passwords and, upon consultation with the appropriate department head, may change passwords, if necessary, to protect the security of the system.

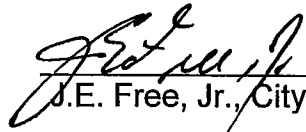
Loss of Information: Employees shall notify their department head if sensitive City information is lost, if they suspect unauthorized use of the electronic information system or if passwords or other system access control mechanisms are lost, stolen or disclosed.

Violations of Policy:

Violations of this policy will be reviewed on a case-by-case basis and can result in disciplinary action as listed in Article 6 of the City of Palmetto Personnel Policies.

Adopted by City Council on June 2, 1997

Approved by City Commission on February 28, 2005.



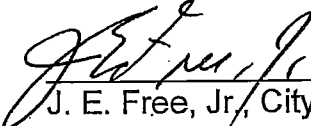
J.E. Free, Jr., City Clerk

**CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-12
FORFEITURE CASE NEGOTIATION**

The City Commission of the City of Palmetto hereby adopts the following policy:

The Mayor, and in his absence the Vice Mayor, is hereby authorized to negotiate forfeiture cases involving seized property on behalf of the City.

Approved by City Commission on March 21, 2005.



J. E. Free, Jr., City Clerk

DYE, DEITRICH, PRATHER, PETRUFF & ST. PAUL, P.L.

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Board Certified:

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Reply To: P. O. Box 9480
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Telephone: (941) 748-4411
Facsimile: (941) 748-1573
(941) 746-4302
Email: rgroff@dyefirm.com
phornsby@dyefirm.com

Also Admitted In:

¹California

²Colorado

³Louisiana

Of Counsel:

Robert L. Scott

MEMORANDUM

TO: Diane Ponder, Administrative Assistant
FROM: Richard G. Groff, Esq.
CC: Michele S. Hall, Esq.
DATE: March 14, 2005
RE: Forfeiture Cases

When the Palmetto Police Department seizes property incident to an arrest, state law provides a mechanism by which the police department/city can obtain title and ownership of that property. Customarily we hear about sums of cash or vehicles and boats being seized and used by the municipality. We currently have a case pending concerning a boat.

The statutory scheme under which this is done requires that it be done in a short period of time, which makes typical litigation decision-making something that needs to be done at an accelerated pace. Accordingly, the typical means of obtaining city authority to negotiate settlements of these cases is not available.

Settlement of these cases is sometimes beneficial, because the amount of money at stake is not worth the projected costs of litigation. However, arranging meetings with the commission to discuss possible alternatives could run contrary to the expedited nature of these cases.

Therefore, I believe it would be beneficial to give settlement authority for forfeiture cases to a city official who could make the decision in a timely manner.

I, therefore, would recommend that by resolution, the city appoint an appropriate official to make these decisions.

**CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-13**

The City Commission of the City of Palmetto hereby adopts the following policy:

Developers of major projects are hereby required to submit both a paper and an electronic version of all plans requiring the signature and seal of an architect and/or engineer.

Approved by City Commission on May 16, 2005.



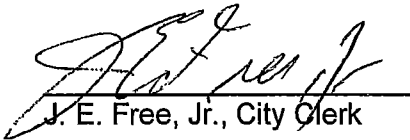
J. E. Free, Jr., City Clerk

**CITY COMMISSION
ADMINISTRATIVE POLICY NO. 05-14**

**TRAFFIC REGULATIONS AMENDMENT
PUBLIC NOTIFICATION**

All proposed traffic regulation amendments shall be in writing and shall require public notification to surrounding property owners prior to a public hearing to consider such proposed amendments.

Approved by City Commission May 16, 2005, by a consensus vote.


J. E. Free, Jr., City Clerk

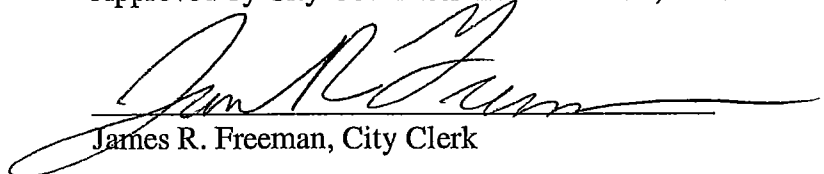
**CITY COMMISSION
ADMINISTRATIVE POLICY NO. 07-01**

CITY CO-SPONSORSHIP OF SPECIAL EVENTS

Proposed criteria to be considered by the City Commission when evaluating a request for co-sponsorship of a special event:

1. Whether the applicant resides or maintains an office within the City
2. Whether, outside the context of the event, the applicant generally provides a service or benefit to the community
3. Whether the event is open to the public
4. Whether the event is free
5. Whether the event will serve or benefit the public, as opposed to a specific organization
6. Whether the event permits involvement of City residents who are interested in participating
7. Whether the event promotes diversity within the City
8. Whether the event promotes the cultural or historic character of the City
9. Whether the event has the potential to provide a substantial benefit to the community
10. Whether the event previously has been held in the community and demonstrated a benefit to the community
11. Whether the event will encourage people outside the community to visit and learn more about the City

Approved by City Commission December 3, 2007.

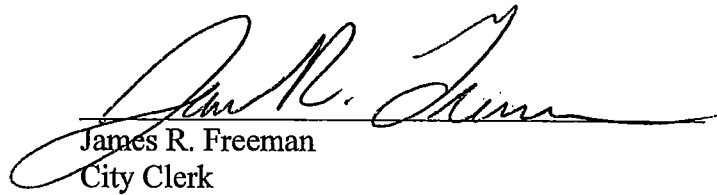

James R. Freeman, City Clerk

CITY COMMISSION
ADMINISTRATIVE POLICY NO. 08-01

ADVANCE NOTICE OF UTILITY BILL INSERTS

Effective immediately, City Commissioners will be provided a copy of any item or notice of information being inserted into the monthly water bills.

Adopted and approved by City Commission
April 7, 2008


James R. Freeman
City Clerk

**CITY COMMISSION POLICY #09-02
ADOPTED BY RESOLUTION NO. 08-40**

**RULES OF PROCEDURE FOR AGENDA AND
PUBLIC APPEARANCES BEFORE CITY COMMISSION**

PLEASE PLACE CELL PHONES ON SILENT MODE

DATE AND TIME FOR COMMISSION MEETINGS: With the exception of holidays and pre-approved meeting schedule changes, the Commission meets every 1st and 3rd Monday of the month in the Commission Chambers located at City Hall. A Commission workshop meeting begins at 4:30 p.m. and concludes at 6:00 p.m. unless extended by motion of the Commission. Commission can change the starting time of the workshop meeting as necessary, which will be noticed accordingly. The regular Commission meetings begin at 7:00 p.m. and last until 10:00 p.m. unless extended by motion of the Commission. Commission meeting calendars are posted on the City's website: www.palmettofl.org.

PRIOR TO COMMISSION MEETING: Agenda will be prepared and available to the public by 5:00 pm of the Friday preceding the Commission meeting. Anyone wishing to be placed on the agenda must contact James Freeman, CMC, City Clerk at City Hall by phone 941-723-4570, email: jfreeman@palmettofl.org or fax 941-723-4576, giving their name, business name (if applicable), whether they are resident taxpayers of the City and must state their business. Appearances before Commission will be scheduled per the Mayor. Be advised that, in accordance with the American With Disabilities Act, persons needing a reasonable accommodation to participate in this proceeding should contact the City Clerk at PO Box 1209, Palmetto, FL 34220, telephone 941-723-4570, not later than seven (7) days prior to the proceeding.

PURSUANT TO FLORIDA STATUTE 286.0105: If a person decides to appeal any decision made by the board, council, agency, or commission at this meeting, such 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.

WORKSHOP MEETING: Commission workshop meetings are held to allow Commission to review and formulate items that will be placed on a future 7:00 meeting agenda. Commission takes no action at a workshop meeting. The meetings are open to the public, but generally public comment is not presented unless approved by the Commission or Mayor.

REGULAR MEETING: Commission regular meetings allow the legislative body of the City to adopt Ordinances and Resolutions to establish laws and policies to protect the health, safety and welfare of Palmetto residents, as well as providing public services and facilities. The Commission holds public hearings on issues that are of special importance to residents.

WHO MAY SPEAK: Meetings of the City Commission are open to the public. They are not, however, public forums. Any resident who wishes to address the Commission, on any subject within the scope of the Commission's authority, may do so, providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

SPEAKING ON ITEMS ON THE AGENDA: Citizens wishing to speak to an agenda item must complete a Speakers Form and submit it to the Deputy Clerk-Administration. Public comment will be received prior to Commission action on any agenda item.

- **CONSENT AGENDA ITEMS.** These are items which the Commission does not need to discuss individually, and which are voted on as a group. Any commissioner who wishes

to discuss any individual item on the consent agenda may request the Mayor to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.

- **REGULAR AGENDA ITEMS.** These are items which the Commission will discuss individually in the order listed on the agenda. The chair, at its discretion, may permit any person to be heard on an item at a non-public hearing.
- **PUBLIC HEARING ITEMS.** This portion of the agenda is to obtain input from the public. The chair will permit any person to be heard on the item during formal public hearings.

SPEAKING ON SUBJECTS NOT ON THE AGENDA: Citizens wishing to speak on a subject not on the agenda must complete a Speakers Form and submit it to the Deputy Clerk-Administration. Any citizen may address the Commission on any item pertaining to City business during the Public Comment period at the beginning of the 7:00 meeting. Public comment will be received prior to Commission action on any non-agenda item.

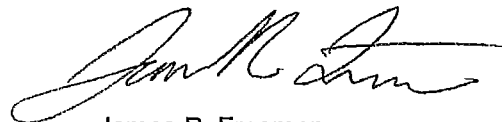
ADDRESSING THE COMMISSION, MANNER, TIME: Citizens shall state their name and address. The length of time each individual may speak will be limited to two (2) minutes in the interest of order and conduct of the business at hand, unless time is extended by action of the Commission. All comments or questions of the public are to be directed to the Mayor as presiding officer. There shall be no cross conversation or questions of any other persons.

PLEDGE OF PUBLIC CONDUCT: We, the Mayor, City Commission and Employees of the City of Palmetto agree to:

Establish a process to promote positive interaction among ourselves and the citizens of Palmetto in a positive and non-threatening environment. Encourage visible, involved and active participation among all. Promote improved communication through active listening, providing feedback and honest expression of ideas. Utilize consensus for decision making. We realize that though we may disagree, we will be respectful of each other. We will direct all comments to the issues and will avoid personal attacks.

DECORUM: If a member of the audience becomes unruly, the Mayor has the right to require the person to leave the room, and may order this done by the Police Department, if necessary. If a crowd becomes unruly, the Mayor may recess or adjourn the meeting.

Adopted by Resolution No. 08-40, December 15, 2008.



James R. Freeman
City Clerk

Amended and approved by Resolution No. 09-21 April 6, 2009.

City of Palmetto Background Check Policy

1. PURPOSE AND INTENT

The purpose of this policy is to provide uniform procedures for performing criminal background checks on potential and current employees of the City. The policy is intended to provide the City with a means of ensuring that no potential or current employees pose a threat to public safety or security, and that potential and current employees are properly qualified for the positions they hold with the City. This policy shall apply to employees of the City of Palmetto Police Department except as expressly stated herein.

2. AUTHORITY

This policy is adopted by City Commission pursuant to and consistent with sections 166.0442 and 112.011, Florida Statutes.

3. DIRECTION

The Human Resources Director and the appropriate Department Head will review all background checks.

4. METHOD OF OPERATION

Level 2 criminal background checks, as defined by section 435.04 of Florida Statutes, as amended, shall be conducted on all applicants for employment with the City and on current employees as a term and condition of continued employment. In addition, all employees must notify their Supervisor or Department Head within two (2) working days of a conviction of any crime, or of an arrest for any of those crimes listed on **Exhibit A**, attached hereto and incorporated herein. (For purposes of this policy, conviction includes pleading guilty, or nolo contendere, regardless of adjudication.) Failure to comply will result in disciplinary action, up to and including termination. When considering an employee's failure to comply, the Department Head shall take into account whether the employee was incarcerated or otherwise unable to provide timely notification. The Department Head shall immediately notify the Human Resources Director of the conviction or arrest for a crime listed in **Exhibit A**, attached hereto and incorporated herein.

The initial determination of whether a conviction or an arrest for any of those crimes listed on Exhibit "A" may affect initial or continued employment will be made by the Human Resources Director and appropriate Department Head. Each conviction or arrest for any of those crimes listed on Exhibit "A" will be considered on an individual, case-by-case basis, with attention being given to the nature and seriousness of the crime, the time elapsed from the conviction date, relevance to the

applicant's or employee's job duties, job location, and the term and nature of an employee's service to the City. Any action recommended by the Human Resources Director and the appropriate Department Head shall be reviewed by the City Attorney and approved by the Mayor.

Employees arrested for a crime listed on Exhibit "A" shall be suspended with pay or, after following the procedures provided in Section 5.02 of the Personnel Policy Manual, may be suspended without pay after notification to the City by the employee in order to allow the City to evaluate the affect on the employee's employment status based on the criteria set forth herein.

Employees convicted of any crime listed on **Exhibit A** may be suspended without pay in accordance with the procedures provided in Section 5.02 of the Personnel Policy Manual until the City's determination of final action. Final action taken by the City shall be evinced in writing and provided to the employee.

5. GUIDELINES

The below general guidelines shall be used to evaluate whether and to what an extent conviction of a crime impacts an employee's qualification for service with the City.

A. Positions that involve close contact with private property, children, or individual members of the public

In furtherance of public security and recognition of the fact that certain staff positions within the City (1) provide employees with access to private property, (2) place employees in proximity to children, and (3) require employees to work in locations or on shifts where there is little or no supervision, employees serving in the following position may be disqualified from employment if they have pled guilty, or nolo contendere, or been adjudicated guilty of any of the crimes or have been arrested for any of the crimes listed on **Exhibit A**, attached hereto and incorporated herein, provided that the crime is classified, or was classified at the time of offense, as a felony or first degree misdemeanor. Disqualification may result in action including but not limited to demotion, job change or termination.

B. Positions that handle money or negotiable instruments

Employees serving in positions that handle money or negotiable instruments may be disqualified from employment if they have been convicted of any of the following crimes, provided that the crime is classified, or was classified at the time of offense, as a felony or first degree misdemeanor. Disqualification may result in action including but not limited to demotion, job change or termination.

1. Possession, sale, manufacture, or delivery of a “controlled substance” as defined in Chapter 893, Florida Statutes
2. Theft
3. Robbery
4. Fraud
5. Embezzlement
6. Any other felony or first degree misdemeanor evidencing dishonesty (uttering a forged document, etc.)

C. Positions that require a valid driver’s license or operation of a City vehicle

Employees serving in positions that require a valid driver’s license or operation of a City vehicle may be disqualified from employment if they have been convicted of any of the following crimes, provided that the crime is classified, or was classified at the time of offense, as a felony or first degree misdemeanor. Disqualification may result in action including but not limited to demotion, job change or termination.

1. Driving under the influence
2. Leaving the scene of a crash involving a death or personal injury
3. Any other felony or first degree misdemeanor resulting in suspension or forfeiture of one’s driver’s license.

D. Positions that have access to sensitive information

Employees with access to sensitive information may be disqualified from employment if they have been convicted of any of the following crimes, provided that the crime is classified, or was classified at the time of offense, as a felony or first degree misdemeanor. Disqualification may result in action including but not limited to demotion, job change or termination. For purposes of this subsection “sensitive information” includes social security numbers, bank account numbers, information protected by HIPPA, criminal background reports, and any other information determined by the City Clerk and to be critical to the safety and welfare of individuals or the general public. All such determinations must be in writing.

1. Theft
2. Robbery

3. Fraud
4. Embezzlement
5. Any other felony or first degree misdemeanor evidencing dishonesty (uttering a forged document, etc.)

THESE GUIDELINES ARE NOT ALL INCLUSIVE. ALL CONVICTIONS OR ARRESTS FOR ANY OF THE CRIMES LISTED IN EXHIBIT "A" WILL BE REVIEWED BY THE HUMAN RESOURCES DIRECTOR IN CONSULTATION WITH THE APPROPRIATE DEPARTMENT HEAD AND CITY ATTORNEY. EACH PLEA OF GUILTY OR NOLO CONTENDERE, OR ADJUDICATION OF GUILT, WILL BE CONSIDERED ON A CASE-BY-CASE BASIS FOR CONFORMANCE WITH FLORIDA LAW AND CONSISTENCY WITH THE BEST INTERESTS OF THE RESIDENTS AND EMPLOYEES OF THE CITY OF PALMETTO.

EMPLOYEES CONVICTED OF ANY CRIME LISTED ON EXHIBIT A MAY BE SUSPENDED WITHOUT PAY PENDING THE CITY'S DETERMINATION OF FINAL ACTION. FINAL ACTION TAKEN BY THE CITY SHALL BE EVINCED IN WRITING AND PROVIDED TO THE EMPLOYEE.

Adopted by City
Commission on:

January 5, 2009

Background Check Policy

EXHIBIT A

The following references are to Florida Statutes, as amended from time to time:

Section 415.111, relating to adult abuse, neglect, or exploitation of aged or disabled persons.

Former section 748.011, relating to assault, if the victim of the offense was a minor.

Section 782.04, relating to murder.

Section 782.07, relating to manslaughter.

Section 782.071, relating to vehicular homicide.

Section 782.09, relating to killing of an unborn child by injury to the mother.

Section 783.03, relating to battery, if the victim of the offense was a minor.

Section 784.021, relating to aggravated assault.

Section 784.045, relating to aggravated battery.

Section 787.01, relating to kidnapping.

Section 787.02, relating to false imprisonment.

Section 794.011, relating to sexual battery.

Former section 794.041, relating to prohibited acts of persons in familial or custody authority.

Chapter 796, relating to prostitution.

Section 798.02, relating to lewd and lascivious behavior.

Chapter 800, relating to lewdness and indecent exposure.

Section 806.01, relating to arson.

Section 812, relating to theft, robbery, and related crimes.

Section 825.102, relating to abuse or neglect of an elderly person or disabled adult.

Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

Section 825.103, relating to exploitation of an elderly person or disabled adult.

Section 826.04, relating to incest.

Section 827.03, relating to aggravated child abuse.

Section 827.05, relating to negligent treatment of children.

Section 827.071, relating to sexual performance by a child.

CITY COMMISSION POLICY #09-04

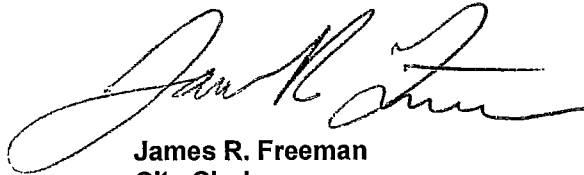
City Commissioners Participating in Board Meetings by Telephone

Members of the City Commission who are unable to be physically present for a Board meeting due to extraordinary circumstances may participate in Board meetings by telephone, provided there is equipment available which allows the members of the Board, as well as the public in attendance at the meeting, to hear the comments of the Board member. However, Board members participating by telephone shall not count towards the Board's quorum requirement. The existence of such "extraordinary circumstances" shall be determined by the Board on a case-by-case basis, as provided herein.

Any Board member who wishes to participate in a Board meeting by telephone shall, prior to the meeting, make a written request to the Board setting forth the circumstances justifying the need for participation by telephone. Any such request shall be placed as the first item on the agenda of the subject meeting, and the Board members who are physically present at the meeting shall make a formal determination as to whether such extraordinary circumstances exist. If the Board determines that the circumstances justify participation by telephone, the Board member participating by phone shall be entitled to participate fully in the Board meeting, including the ability to vote on all matters coming before the Board.

Staff members may participate by phone as requested by the City Commission without the need for a finding of "extraordinary circumstances."

Passed and duly adopted, with a quorum present and voting, this 9th day of March, 2009.



James R. Freeman
City Clerk



CELLULAR TELEPHONE POLICY

Administrative Policy 09-05

Purpose:

To identify the process for support and usage of cellular telephones for City of Palmetto business.

Policy:

City cellular telephones must be used properly and efficiently, for City business to ensure cost-effectiveness.

Procedure:

Cell Phones and Other Wireless Communication Devices

1 **Introduction** - Cellular telephones and other wireless communication devices have become common place and are often necessary for City staff to carry out the responsibilities of their positions in an effective and efficient manner. The cost of the business use of cell phones are subject to scrutiny by the Internal Revenue Service (IRS) and auditors who look for assurance that the costs incurred for cell phone use are only for official business. To support that calls are only for business use, the IRS requires that all calls be specifically and properly identified as to their purpose; business or personal. This policy provides guidance on guidelines associated with providing cell phone service and the responsibilities that cell phone users have regarding the appropriate use and record keeping of cell phone calls.

2 **Cell Phone Authorization Criteria:** Department Heads will authorize the use of a City cell phone based on an employee meeting one or more of the following criteria:

Summary of Cell Phone Options - Departments have the following options of how they provide for the business use of cell phones and other wireless communication devices:

- Works a significant amount of time (more than 50%) away from the office
- Supervises/oversees personnel in the field, away from the central office area
- Needs to travel frequently between City buildings
- The employee spends 35% or more of their time traveling to customer locations.
- Deemed "Critical" personnel if a City emergency is declared.
- Is assigned an after-hours customer service function. Needs to be on-call, taking customer (citizen or employee) calls after normal working hours.

- Travels frequently outside of the City to conduct City business.

3 **City Provided Cell Phones** - Provide City owned cell phones to staff that have a demonstrated and documented need for such equipment and service. Departments must maintain documentation of the justification for the staff's need for the device as well as require a detailed record of all calls made and received (both business and personal). Calls should only be made or received for official City business except in the case of emergencies or special situations, which should be infrequent. Staff should reimburse the City for all personal calls made at the rate being charged to the City by the cell phone provider for the applicable period, plus any applicable long distance or roaming charges, up to the amount of the total monthly bill.

a. **Use of Cell Phones** - City provided cell phones should be used primarily for official business purposes. However, it is recognized that occasions may occur where personal calls may be unavoidable. On such occasions, personal use should be limited in duration and infrequent. To ensure the appropriate use of City provided cell phones, the staff should follow the procedures outlined in this policy. When City owned equipment is provided to staff it remains the property of the City and should be returned to the department head or designee whenever the equipment is no longer needed or if the staff member terminates employment with the City.

b. **Justification for Cell Phones** - When departments make requests for cell phones, departments should review their cellular telephone contracts relative to their choice of billing plans considering:

- i. The demonstrated need for the cell phone for each specific user;
- ii. The most economical billing plan for each specific user, and
- iii. That consistent personal use should not be used as a reason to force the use of higher value services.

c. **Review and Approval of Cell Phone Statements** - Cell phone statements showing a detail of cell phone usage are expected to be reconciled by the cell phone user and sent to the appropriate department cell phone billing designee on a quarterly basis. The department shall review the bills as follows:

- i. The department cell phone designee shall distribute the applicable portion of the statement, showing the detail of calls made to and from each cell phone user. The cell phone user shall indicate if the calls were business or personal (including detailed explanations as may be required by the department).
- ii. Once the employee has reconciled his/her cell phone log to the monthly statement it should be sent to the departmental billing designee for review. The Department designee shall review and approve the designation and collect any payments for charges resulting from incidental personal use.
- iii. The Cell Phone Statement of Use (see Attachment B) must be signed and submitted to the Department designee with the employee's cell phone invoice.

d. **Reimbursement for Personal Calls** - Staff must submit a check payable to the City of Palmetto for the total amount of reimbursable personal use and provide the reimbursement to the department's cell phone designee to be handled in accordance with City cash handling policies and procedures. Cell phone calls will be reimbursable at the rate being charged to the City by the cell phone provider for the applicable period, plus any

applicable long distance or roaming charges, up to the amount of the total monthly bill.

4. Departmental Responsibility - The department is responsible for the following:

a. Determining whether the staff's position requires a cell phone based upon his or her job responsibilities and maintaining appropriate documentation to support this in the departmental files.

b. If a City owned cell phone is provided, to ensure that appropriate detail documentation is maintained to support the business and personal use of all calls and in the event that personal calls are made, that appropriate reimbursement is obtained.

c. City of Palmetto provided equipment remains the property of the City and must be turned into the department head or designee when the equipment or cell phone service is no longer needed or if the staff member terminates employment with the City.

5. Cell Phone User Responsibility – City cell phone users are responsible for the following.

a. The staff member should also notify their department head when there has been a significant change in the need for the business use of a cell phone allowance.

b. For City owned devices, ensuring that the device is used for City business only. The City recognizes that incidental use not initiated by the employee is possible but under any circumstances, it should be both infrequent and non-routine. The City also recognizes that there may be emergency or extenuating circumstances under which the phone is needed for personal use. Those occasions also must be infrequent and non-routine. Reimbursement for incidental personal use should be made when appropriate.

d. Ensuring the physical protection of City owned cell phones from damage or unauthorized use.

e. Ensuring that City owned cell phones are returned to the City when it is no longer needed or when the staff member terminates employment with the department.

f. Providing the City department designee with the current contact phone number or address of the cell phone within five working days of activation.

g. Notifying the department head immediately of inactivation of the device

h. For City owned devices, use for commercial "for profit" activities is prohibited.

i. For City owned devices, political use pursuant to current IRS rulings is prohibited.

8. Effective Date - This policy was approved by City Commission on June xx, 2009 and will remain in effect until canceled or updated.

Approved by City Commission on June 1, 2009

City of Palmetto Cell Phone Statement of Use

I _____ (print your name), an employee of the City of Palmetto, hereby claim that I have used a City owned cell phone for the period of _____ (print month and year of invoice), and that the phone was used:

(Please check one)

- Solely for the purpose of conducting City business. I claim that there was no personal use of this cell phone during the period stated above.
- Primarily for the purpose of conducting City business. I claim that there was limited personal use of this cell phone during the period stated above as allowed by the City Cellular Telephone Administrative Policy. Personal calls are highlighted on the attached invoice. I have attached a check to cover the cost of these personal calls at the rate stated in the policy so that there will be no taxable benefit reported on my W-2 statement at the end of the calendar year.

This statement must be attached to the appropriate invoice each month and signed by the City employee who is assigned use of the City owned cell phone. By signing this Statement of Use and attaching it to the associated invoice, you are acknowledging that you have or have not used the phone for personal use, and you understand the appropriate IRS implications for personal use of the City cell phone. Failure to reimburse the City for personal calls will result in a taxable benefit reported on your W-2 for the calendar year.

Signed by: _____ **Date:** _____

**CITY OF PALMETTO
TITLE VI/ NONDISCRIMINATION POLICY STATEMENT
Administrative Policy 09-06**

Title VI/Nondiscrimination Policy Statement, Administrative Policy 0906, shall be applicable only to projects funded by or through the Florida Department of Transportation, Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration.

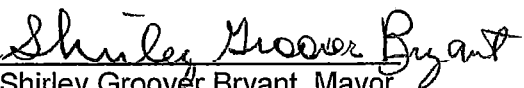
The City of Palmetto assures the Florida Department of Transportation that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The City of Palmetto further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendix A* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.

Dated: 8/3/09

By 
Shirley Groover Bryant, Mayor
Chief Executive Officer

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- (1.) **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2.) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3.) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (4.) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5.) **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
 - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or

b. cancellation, termination or suspension of the contract, in whole or in part.

(6.) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the *Florida Department of Transportation*, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

CITY OF PALMETTO
Disability Nondiscrimination and Reasonable Accommodation
Policy and Plan
Administrative Policy 09-07

Disability Nondiscrimination and Reasonable Accommodation Policy and Plan, Administrative Policy 09-07, shall be applicable only to projects funded by or through the Florida Department of Transportation, Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration.

Policy Statement:

The City of Palmetto will not discriminate against any person on the basis of disability, nor will it unlawfully exclude such an individual from participation in or deny the individual the benefits of City programs, services or activities.

The City of Palmetto will take reasonable steps to make its programs, services and activities accessible to disabled persons. Anyone wishing to request a reasonable accommodation from the City of Palmetto should contact the ADA Officer:

Ronald Koper
600 17th St. W.
Palmetto, FL 34221
(941) 723-4580
(941) 7721-6736
rkoper@palmettofl.org
TTY or Relay Number

Complaint Procedures:

The City of Palmetto has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discriminatory actions. Any person who believes that he or she has been subjected to discrimination based upon disability may file a complaint with the City of Palmetto's ADA Officer:

Ronald Koper
600 17th St. W.
Palmetto, FL 34221
(941) 723-4580
(941) 7721-6736
rkoper@palmettofl.org
TTY or Relay number

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the alleged disability; and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the City of Palmetto's ADA Officer for assistance.

The ADA Officer will respond, in writing, to the complaint within thirty (30) days and will take reasonable steps to resolve the matter. Should the City of Palmetto be unable to satisfactorily resolve of the complaint, the ADA Officer will forward the complaint, along with a record of its disposition, to the Florida Department of Transportation (FDOT), Production Support Office, Statewide ADA Coordinator. FDOT will assume jurisdiction over the complaint for continued processing.

CITY OF PALMETTO
Title VI and Nondiscrimination Policy and Plan
Administrative Policy 09-08

Title VI and Nondiscrimination Policy and Plan, Administrative Policy 09-08, shall be applicable only to projects funded by or through the Florida Department of Transportation, Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration.

Policy Statement:

The City of Palmetto values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City does not tolerate discrimination in any of its programs, services or activities. The City of Palmetto will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion or familial status.

Limited English Proficiency (LEP) Guidance:

In adherence with Federal regulations, the City of Palmetto will make reasonable efforts to ensure its programs, services and activities are meaningfully accessible to those who do not speak English proficiently. The City of Palmetto will utilize its bilingual employees, State and Local Transportation partners, faith based organizations and community groups, and other language services to provide oral interpretation and translation of program documents, as required. To determine if or when alternate language usage is required for meaningful access, the City of Palmetto will assess the program, service or activity using the following four factors.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by City of Palmetto's programs, services or activities.
2. The frequency with which LEP individuals come in contact with these programs, services or activities.
3. The nature and importance of the program, service, or activity to people's lives and;
4. The resources available to the City of Palmetto and costs.

Persons requiring special language services should contact the City of Palmetto's Title VI Officer:

Sharon Jones,
516 8th Ave. W.
Palmetto, FL 34221
(941) 723-4570 X 107
(941) 723-4576
sjones@palmettofl.org
TTY or Relay number

Complaint Procedures:

The City of Palmetto has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discriminatory actions. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status may file a complaint with the City of Palmetto's Title VI Officer:

Sharon Jones,
516 8th Ave. W.
Palmetto, FL 34221
(941) 723-4570 X 107
(941) 723-4576
sjones@palmettofl.org
TTY or Relay number

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (ie, race, color, national origin, sex, religion, age, disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the City of Palmetto's Title VI Officer for assistance.

The Title VI Officer will respond, in writing, to the complaint within thirty (30) days and will take reasonable steps to resolve the matter. Should the City of Palmetto be unable to satisfactorily resolve of the complaint, the Title VI Officer will forward the complaint, along with a record of its disposition, to the Florida Department of Transportation (FDOT), Equal Opportunity Office, Statewide Title VI Coordinator. FDOT will assume jurisdiction over the complaint for continued processing.

RESOLUTION 09-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, TO ESTABLISH A POLICY PERTAINING TO THE CAPITALIZATION OF THE CITY'S PHYSICAL ASSETS FOR PURPOSES OF REPORTING, TRACKING AND ENSURING THE SAFETY OF THE CITY'S ASSETS; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission, in and for the City of Palmetto, Florida, hereinafter referred to as Commission, endorses sound financial policies and practices; and

WHEREAS, the Commission has determined that a capitalization policy tailored to the particular needs of the City is the most responsible way to provide guidelines for the accurate reporting and tracking of the physical assets of the City; and

WHEREAS, it is essential that the Commission establish and approve a policy to provide guidelines for (1) the determination of physical assets (fixed assets), (2) the acquisition and valuation of fixed assets, and (3) the thresholds by which the fixed assets are valued, reported and depreciated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PALMETTO:

SECTION 1. FINDINGS OF FACT

The above-referenced "WHEREAS" clauses are adopted herein as findings of fact.

SECTION 2. PURPOSE

The purpose of this policy is to determine the guidelines by which the city's fixed assets are valued, reported, tracked and depreciated. This Asset Capitalization Policy applies to the capitalization of capital assets in all funds of the City of Palmetto, Florida.

SECTION 3. GENERAL OBJECTIVES

This Asset Capitalization policy establishes guidelines for determining:

- which expenditures should be capitalized as a capital asset and which expenditures should be expensed.
- how to value capital assets that are reported.
- the estimated useful lives of capital assets.
- the tracking of controllable assets

SECTION 4. CAPITAL ASSETS

By definition, any asset, tangible or intangible, that benefits the City more than one fiscal period potentially could be classified as a capital asset. As a practical matter, however, governments capitalize only their higher cost assets. Capitalization thresholds are established to determine which assets are capitalized and which assets are expensed when purchased.

The City must maintain adequate control over all assets, including lower-cost capital assets. Capitalization is designed to focus on the City's financial reporting needs, and is not designed for or particularly suited for the purposes of ensuring control over lower-cost assets. Capitalizing numerous small cost items will actually overburden the overall capital asset management system. Capitalization thresholds are established based on financial reporting needs.

SECTION 5. CAPITAL ASSET TYPES

Capital assets are divided between assets that are not subject to depreciation and assets that are subject to depreciation.

Assets that are not subject to depreciation include:

- Land. The amount that should be capitalized for land should include the cost of the land itself; professional fees used to acquire the land (legal, engineering, appraisal, survey fees); costs for excavation, fill, grading, or drainage; demolition of any existing buildings or other improvements; and any other costs that are incurred to acquire the land and make the land suitable for use by the City. The value of easements should also be capitalized. Land is characterized as having an unlimited life and is therefore not depreciated.
- Construction in progress. The costs of assets that the City is constructing, where expenses are incurred over more than one fiscal year, are accumulated as construction in progress until the asset is placed in service. At that time, the total costs are then transferred to the appropriate asset type and depreciated.

Assets that are subject to depreciation include:

- Buildings and building improvements. Buildings are permanent structures that are intended for shelter of persons, materials or equipment. Building improvements are capital events that extend the useful life of a building or increase the value of a building, or both. Repairs that simply maintain the existing life or restore a building to its original condition do not constitute an improvement.
- Improvements Other Than Buildings. Improvements Other Than Buildings are those improvements, other than ordinary and regular site preparation, which ready the land for its intended use. Such improvements can include parking lots, athletic fields, fencing, paths and trails, and landscaping.
- Infrastructure. Infrastructure assets are long-lived capital assets that are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Such assets can include streets and roadways, bridges, sidewalks, water mains and distribution lines, sewer mains and collection lines, and treatment plants.
- Equipment. Equipment is an item of tangible, nonexpendable personal property with a useful life of more than one year, and includes machinery and vehicles.
 - Leased assets are all assets acquired by a capital lease and shall be treated as a City owned asset and capitalized according to the appropriate capitalization threshold. Assets acquired through an operating lease are returned to the lessor at the end of the lease term and are not deemed to be owned by the City.
- Intangible or Other Capital Assets. Intangible assets can be identified by determining if the asset can be separated or divided from the government by sale, transfer, license, rental or exchange or if it arises from contractual or other legal rights.
 - Software. Software is an intangible item that is used on a computerized piece of equipment. Software is capitalized only when it is an integrated system that entails several modules such as accounting software used city wide or the historical cost of the system exceeds \$20,000.
 - Other intangible assets could include water rights, patents.

SECTION 6. ACQUISITION AND VALUATION OF ASSETS

All capital assets are acquired in accordance with the City's budget and according to purchasing policy. Capital assets should be reported at their historical cost. In the absence of historical cost information, the assets estimated historical cost may be used. If capital assets are moved from

one fund or activity to another, the recipient fund or activity should continue to report those assets at their historical cost as of the date they were originally acquired.

The historical cost of a capital asset should include ancillary charges necessary to place the asset in its intended location (freight charges, for example); ancillary charges necessary to place the asset in its intended condition for use (installation or site preparation charges, for example); and capitalized interest (only for those assets that are utilized in enterprise funds that are reported as a part of business-type activities).

Estimating the historical cost of capital assets for which invoices or similar documentation of historical cost are not available can use either standard costing or normal costing. Standard costing involves using historical sources, such as old vendor catalogs, to establish the average cost of obtaining the same or a similar asset at the time of acquisition. Normal costing involves establishing the current cost of the same or similar asset and deflating that cost using an appropriate price index.

Donated capital assets are recorded at fair market value at the time of acquisition. Assets estimated to have a value in excess of \$5,000 must be appraised by a person knowledgeable and qualified with respect to that type of asset.

All land or building acquisitions with an estimated value in excess of \$20,000 must be appraised by a licensed real estate appraiser. The value of the land or building will then be recorded at historical cost.

Assets acquired through capital leases meeting the capitalization requirements should be recorded at the historical cost of the asset, not including any lease interest payments.

Assets acquired by the exercise of eminent domain powers shall be capitalized in the General Fixed Asset Account Group in the amount of compensation awarded the property owner plus legal service costs incidental to the acquisition.

SECTION 7. EXPENDITURE TYPES

Controllable assets are defined as assets (excluding software) having values of \$500 to \$2,000 and a useful life of greater than one fiscal period. These assets are required to be expensed but are to be controlled for insurance and inventory reporting purposes and will be assigned an asset number. However, these controllable assets will not be capitalized and will not be reported as capital assets in the City's CAFR. Sample controllable assets are: computer equipment and software and tools.

Repair and Maintenance costs are expenditures necessary for the upkeep of the property that neither add to the permanent value of the property nor appreciably prolong its intended life, but keep it in an efficient operating condition. All repair and maintenance costs to capital assets are to be treated as an annual operating expense and charged to the appropriate cost center or fund.

SECTION 8. CAPITALIZATION THRESHOLDS

The City establishes the following Capitalization Thresholds for the following groups of assets:

Land and easements	\$ 20,000
Buildings and building improvements	\$ 20,000
Equipment and vehicles	\$ 2,000
Infrastructure	\$ 20,000
Improvements Not Buildings	\$ 20,000
Software	\$ 20,000

SECTION 9. DEPRECIATION

Assets that are capitalized will be depreciated over their estimated useful lives. Depreciation will be calculated on the straight-line basis, using estimated useful lives as follows:

Buildings and building improvements	30 years
Furniture, fixtures, equipment and vehicles	7 years
Infrastructure – Utility systems, roads and sidewalks	50 years
Intangibles (excluding land related assets)	7 years

PASSED AND DULY ADOPTED, in regular session, by the City Commission of the City of Palmetto, with a quorum present and voting, this 6th day of April, 2009.

BY: Shirley Groover Bryant
Shirley Groover Bryant, Mayor

ATTEST:

James R. Freeman
James R. Freeman, City Clerk

**CITY OF PALMETTO
CITIZEN PARTICIPATION PLAN
AND
GRIEVANCE PROCEDURE
FOR CDBG PROGRAMS**

CITY COMMISSION ADMINISTRATIVE POLICY #2010-01

In order to provide citizens with information concerning the Palmetto Community Development Block Grant (CDBG) program, the City of Palmetto will take the following actions:

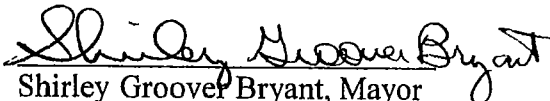
- a. Make available to the public, in a reasonable and timely manner, information concerning the amounts of funds available for various activities and the range of activities that may be undertaken.
- b. Provide citizens with adequate notice of public hearings, which are to be held at times and locations convenient to potential or actual beneficiaries and with accommodation for the handicapped. If a significant number of non-English speaking residents could reasonably be expected to attend a public hearing, an interpreter will be provided for the language expected to be represented.
- c. If any party representing low to moderate income persons requests assistance for developing a proposal for the CDBG, the governing body shall determine the eligibility of the proposed activity. If such activity is eligible for funding, the party's ideas will be discussed at the First Public Hearing in the CDBG application or amendment stage. Information available from the state regarding the application process will be provided to interested parties.
- d. Hold at least one Public Hearing to obtain the views of citizens on community development needs.
- e. A Citizen Advisory Task Force (CATF) shall be established (composed of citizens of the jurisdiction) to provide input relative to all phases of the project process. The task force members will be appointed by the governing body before the Second Public Hearing on the project. Members may be reappointed as a standing committee. The Citizen Advisory Task Force (CATF) will meet at its discretion and will offer recommendations as it deems appropriate.
- f. Develop and publish a summary of the proposed application that will provide citizens with an opportunity to examine its contents and submit their comments.
- g. Consider any comments and views expressed by citizens on the proposed application and, if appropriate, modify the proposed application.
- h. Hold at least one Public Hearing to obtain the views of citizens on the final application prior to its submission to the department.

- i. Hold at least one Public Hearing during the grant implementation process to review the program performance. This may be combined with the Public Hearing on amendments, if any such hearings are required.

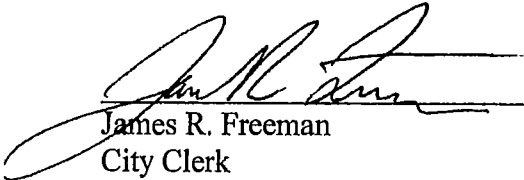
The following Complaint/Grievance Procedure will be followed for the CDBG program:

- a. Complaints or grievances may be filed by local citizens, property or business owners, or their representatives, on the basis of their belief that the CDBG program design or implementation is inappropriate or illegal based upon such factors as environmental considerations or civil rights.
- b. Complaints shall be issued in writing to the City Clerk within 30 days of the perceived problem and delivered or mailed to the official address of the local government.
- c. The local government shall investigate the complaint/grievance and respond in writing within 15 days, although conclusion of the matter may take more than 15 days.
- d. The investigation may be performed by local officials, staff, consultants, the citizen advisory task force, or others as determined appropriate by the local government.
- e. If the party filing the complaint or grievance is not satisfied with the response, they may appeal to the Florida Department of Community Affairs.
- f. Nothing in this policy shall prohibit a person from filing a complaint with HUD or any regulatory agency or court. Housing discrimination complaints may be filed directly by calling the discrimination hotlines.

HUD: 1-800-424-8590


Shirley Groover Bryant, Mayor

ATTEST:


James R. Freeman
City Clerk

Adopted by Resolution No. 2010-24, September 13, 2010

EXECUTIVE POLICY

EMPLOYEE POSITION DESIGNATIONS

As provided for in the Code of Ordinances, I, Mayor Bustle, do hereby designate the following employee positions:

CHAPTER 7 – BUILDINGS AND BUILDING REGULATIONS

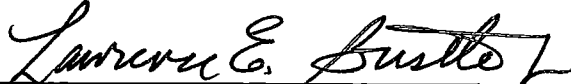
Section 7-24 Enforcement

The City Clerk shall be appointed as the Minimum Maintenance Standards Official.

Section 7-152

The Building Official shall be appointed as the Administrative Official.

Said designations are made this 8th day of March, 2005.


Lawrence E. Bustle, Jr., Mayor

Building Regulations

PALMETTO CODE

§ 7-243

(d) All natural features of a property including but not limited to rocks, trees and landscaping shall be kept free of graffiti as defined herein.

(Ord. No. 470, § 7, 12-16-91; Ord. No. 578, § 3, 6-16-97)

Sec. 7-244. Requirements for temporary coverings.

No temporary covering, including, but not limited to, a board covering a broken or missing window, on any part of a structure may remain more than fifteen (15) days after on-going construction has been completed or sixty (60) days total, whichever is longer.

(Ord. No. 470, § 8, 12-16-91)

Sec. 7-245. Applicability.

The minimum maintenance standards and guidelines shall be applicable to all unimproved and improved properties, both residential and nonresidential, within the geographic boundaries of the community redevelopment area as well as all properties located elsewhere throughout the city upon which any activity is engaged in that requires an occupational license. The minimum maintenance standards and guidelines shall be in addition to any other standards, codes, ordinances, rules, regulations or other statutory requirements applicable to such properties.

(Ord. No. 470, § 9, 12-16-91)

Sec. 7-246. Enforcement.

The minimum maintenance standards and guidelines shall be enforced pursuant to the provisions of chapter 2, article IV, section 2-81 through 2-90, inclusive, of this Code of Ordinances relating to the code enforcement board. The mayor shall designate the employee(s) to serve as the minimum maintenance standards official for purposes of enforcing compliance with these minimum maintenance standards. Such designated employee(s) shall assist property owners in an effort to achieve an understanding of and compliance with the minimum maintenance standards and guidelines.

(Ord. No. 470, § 10, 12-16-91)

Sec. 7-247. Correction of noncompliance.

Upon receipt of written notification from the minimum maintenance standards official of noncompliance with the minimum maintenance standards and guidelines, a property owner or his representative shall have ten (10) days to commence application for a certificate of review for approval of proposed correction of the cited deficiency. No building permit for the correction of a deficiency shall be issued until a certificate of review has been issued and approved by the minimum maintenance standards official. A failure to secure a certificate of review in any instance, including those in which no building permit is required, shall constitute a violation of this article, enforceable by the code enforcement board.

(Ord. No. 470, § 11, 12-16-91)

Sec. 7-152. Reporting unsafe dwellings or structures.

Members of the fire service, the police department, the public works department and any other city departments may make written reports to the administrative official of dwellings or structures which appear to be unsafe, within the terms of this article. The administrative official is authorized to utilize the services of private engineers, architects or other professionals, in order to determine the condition of the structure in question and such costs shall be assessed in the same manner as provided for in section 7-160.

(Code 1975, § 7-45)

Sec. 7-153. Unfit or unsafe dwellings or structures, declared nuisance.

(a) When a dwelling or other structure, or any portion thereof, including accessory buildings, is found unfit for human habitation, or may imperil the health, safety, welfare and morals of the occupants thereof or of the surrounding areas, upon inspection by the administrative official of the land use and development regulations, or his designee, such official shall require the repair, securing, demolition or removal thereof.

(b) The term "unfit or unsafe dwelling or structure or portion thereof, including accessory buildings," shall include:

- (1) Dwellings or structures, or portions thereof, including accessory buildings, that are structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities;
- (2) Any structure not provided with permanent means of adequately securing all openings against unauthorized entry;
- (3) Constituting a fire hazard;
- (4) Unsuitable or improper for the use of occupancy for which they are intended;
- (5) Constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment;
- (6) Dangerous to life or property; or
- (7) Otherwise in violation of the Standard Housing Code, the Standard Building Code, the National Electrical Code, the Standard Plumbing Code, the Standard Mechanical Code, the National Fire Prevention Code and Standard Gas Code.

(c) Such structures are further declared a nuisance or unsafe dwelling or structure.

(Code 1975, § 7-35)

Sec. 7-154. Authority to order disposition of unfit structure.

(a) The administrative official shall order the vacation, demolition, removal or securing of any unfit or unsafe dwelling or structure, including accessory buildings, or may order the repair, restoration or replacement of any part of any structure, including accessory buildings, in the city when any such part or parts, by reason of fire, age, decay, deterioration, structural

defects, improper design, unstable foundation or termites, affords the opportunity of being a nuisance to the public, or a haven for vagrants, criminals or trespassers, or by acts of God or