



AGENDA
WATAUGA CITY COUNCIL
WORKSHOP MEETING
MONDAY, DECEMBER 12, 2022
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:30 PM

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **City Council Workshop Meeting** of the City of Watauga, Texas will be held at which time the following subjects will be discussed and may be acted upon.

CALL TO ORDER (Council Members, City Staff, Members of the Public - when speaking during the meeting please speak directly into the microphones on the dais or podium)

ROLL CALL

ANNOUNCEMENTS

PUBLIC COMMENT If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters not posted on that particular meeting's agenda), members of the City Council and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen and report back to the City Council as soon as practicable. Such report to the City Council shall not constitute a meeting called by the City Council nor shall it constitute deliberation or formal action. Individual citizens addressing the City Council during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the Council and no formal Council action will be taken.

PUBLIC TESTIMONY FOR ACTION ITEMS Only those persons who submit a completed Request to Speak form prior to the agenda item being introduced by the Chair will be allowed to speak on agenda items set for action (this doesn't include presentations or reports). The Chair shall ask each person requesting to speak to approach the podium when called to speak. Speakers time shall generally not exceed three (3) minutes in their comments and all comments must be germane to the specific agenda item being discussed; however, the Chair may extend

or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. Members of the City Council may ask questions or discuss the item directly with the citizen during the citizen's testimony if necessary. Any discussion between a Council member and the citizen will not count toward the time limit and Council Members are encouraged not to speak until the citizen has first utilized their allocated time.

PRESENTATIONS

1. Information about a Trap-Neuter-Return (TNR) Program for the feral cat population
Tonya DeGrand, ACO
2. Discuss and provide directions to the City Secretary on amendments to the Council Rules of Procedure and Code of Conduct Manual
3. Discuss policy updates being presented for January 1, 2023 effective date.
Juliet Rodriguez, Human Resources and Civil Service Director

ADJOURNMENT

Meeting Notices and Reservation of Rights

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the to address a subject matter on the agenda. Action, if any, will be taken in open session.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625.

I, Linda Proskey, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on December 9, 2022, before 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Linda Proskey, City Secretary





AGENDA MEMORANDUM

DATE: November 11, 2022
TO: Honorable City Council Members
FROM: Tonya DeGrand, ACO
THROUGH: Jan Hill, Board Member
SUBJECT: Information about a Trap-Neuter-Return (TNR) Program for the feral cat population

BACKGROUND/INFORMATION:

Information on a TNR program for the feral cat population

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

This item does not require a recommendation as it is a presentation/report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. TNR Watauga City Council

REVIEWED BY:

Robert Parker, Police Chief
Joshua Jones, City Manager
Linda Proskey, City Secretary

Approved - 11/9/2022
Approved - 11/9/2022
Final Approval - 11/9/2022

Approved as to form for inclusion on Agenda

TNR/TNVR: An Outline for Humane Management of Feral/Stray Cats in Watauga



**Presented by:
Joe Stout
Mid-Cities Community Cats
November 14, 2022**

Definition: Feral and 'Stray' Cats

- Live outdoors in the wild
- Not owned by anyone
 - Feral: born in wild, not adoptable
 - Stray: abandoned by irresponsible owners, or lost
- Often fed by concerned citizens
- Run from people, fearful, no contact with humans
- Sometimes live in small groups
- Provide rodent and pest control
- Reproduce rapidly, which is the problem



The Problem: Cat Overpopulation

What impact will the Campaign to Save Pets' Lives have?

This chart represents one unspayed female, her mate and all of her offspring, producing 2 litters per year, with 2.8 surviving kittens per litter:

Unspayed/Unneutered
Cats & Kittens:



By spaying and neutering just one male and one female cat, more than 2,000 unwanted births can be prevented in just four years – and more than 2 million in 8 years!

Historical Policy in Many Cities: Trap and Kill



- Ineffective
- Fails to curtail population growth
- Costly to taxpayers
 - Interim sheltering contributes to shelter overpopulation
 - Manpower
 - Employee injuries – bites, scratches
 - Disposal costs
- Leads to compassion fatigue
 - High stress and employee turnover at Shelter
- Negative public image

Trap-Neuter-Vaccinate-Return (TNVR)

- Community cats are humanely trapped, taken to a low-cost clinic, vaccinated for rabies, sterilized, ear-tipped, and released back to their outdoor homes where caretakers feed and monitor them.
- Begins immediately to reduce and control population
- Reduce or eliminate nuisance behaviors (mating, fighting, spraying, howling)



TNVR Expected Outcomes

Population decreases over time
Caretaker feeds and monitors health
Roam less so fewer deaths due to cars
Rodent population decreased
Nuisance behaviors reduced, less complaints
More humane - fewer cats born/euthanized
More efficient over time
Shelter staff not exposed to on-duty risk of bites, scratches
Opportunity for community participation

Costs (estimated)

Trap-Kill: \$170-\$225/cat

Brunt of cost from field services and sheltering animals for minimum period before euthanizing. Recurring cost because cats return/breed continually (vacuum effect)

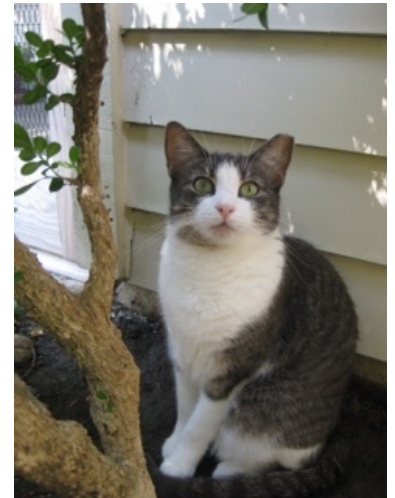
TNR: \$45-\$90/cat (with grants and special programs, can be less)

Brunt of cost avoided because volunteers provide in-kind time and funding to trap & provide veterinary services.

Grants available for cities and groups that practice TNR

TNR Success Stories

- Jacksonville, Fla. Net savings:
 - \$160,000
 - 13,000 lives
 - Decrease in feline nuisance complaints
- Salt Lake City, Utah
 - SLC improved shelter save rate by 40%
 - Overall cost savings of more than \$65,000
- Maricopa County, Arizona:
 - \$61 per cat to trap, hold and euthanize
 - \$23 per cat to TNR
- Indianapolis, Indiana
 - \$130 to trap, hold and euthanize (national average)
 - \$20 to TNR



A Notional TNVR Policy

- When citizens call the Shelter with cat concerns or questions, Shelter Staff and/or volunteers will respond with educational information about TNR as an option before agreeing to pick up a cat or issue a trap
 - Some area cities no longer give out traps
- When a cat with a tipped ear is brought into the shelter, the shelter staff will contact rescue volunteers to pick up the cat at no cost to volunteers
- When possible, the cat will be returned close to its place of pickup, with volunteers working to educate residents in the area
- Non-ear-tipped stray or feral cats and kittens will also be offered to rescue agencies for placement before being considered for euthanization
- Volunteers will hold educational presentations at the library to educate the public about TNR and the updated policy
- Volunteers will work with Shelter Staff to identify potential grants or sources of funding for a more aggressive TNR effort

Possible Pilot Program Outline

- When citizens call with cat concerns or questions, Staff and/or volunteers respond with educational information about TNR as an option
- When a cat is brought into the shelter, shelter staff will arrange TNR surgery, possibly with help by volunteers
 - The TNRed cat will be returned close to its block area of pickup, with volunteers working to educate residents in the area
 - Adoptable kittens offered for adoption
- Support with educational presentations to inform the public about TNR and the pilot
- M-CCC volunteers can help identify potential grants or sources of funding for a longer-term TNR effort
- M-CCC can facilitate connection to national experts

Consider this as a starting point to
develop a real proposal

Common Questions and Concerns About TNVR



Won't TNVR result in more cost to the city?

- Cost-benefit analysis:
 - It costs \$170 - \$225 to harbor and euthanize a feral cat, according to a study of national averages
 - The estimated cost for TNVR is \$45 - \$90 per cat nationally
- Neuter services offered at low-cost clinics that charge less (~\$25 average at TCAP)
- Grants are available from from several organizations to help cities that adopt TNVR
- Several North Texas cities have already benefited from such grants

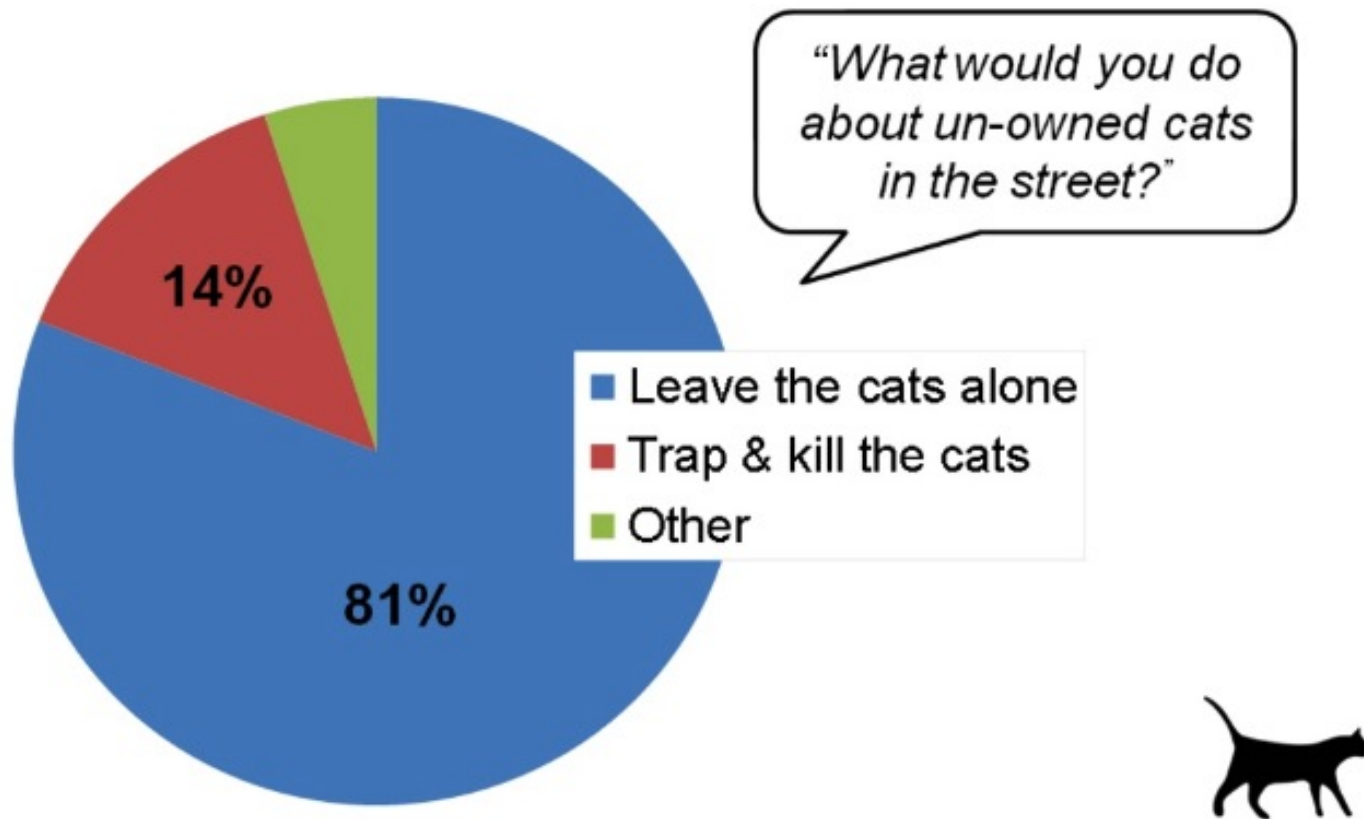
What about liability to the city if it implements TNR?

- Feral cats, by nature, rarely interact with humans
- They run from people, hide and are seldom seen
- Three Texas lawyers specializing in animal issues confirmed that cities are protected from liability via Governmental Immunity
- A Texas court case involving a dog upheld this precedent
- No documented case of a TNR cat injuring a human

What about citizen complaints?

- It's true that there will be people who do not want any animals on their property, ever
- Non-lethal steps that can be taken include
 - Education about TNR and its effect on nuisance behaviors such as howling and spraying (with or without volunteer assistance)
 - Information about ways to deter cats from areas
 - An animal can be relocated as a last resort
- Trap and Kill/Remove has not worked
- A policy on dealing with such situations would be established

Most citizens don't want cats killed



There are many non-lethal solutions to deter feral cats

Where would “colonies” be located?

- “Colonies” and pockets of ferals already exist in the city – can be as small as 1 or 2 cats
- Intent is to manage current colonies – not create new ones
- TNR will not increase the population of free-ranging cats – but ultimately reduce it

Will colonies grow as more cats arrive, even if there's less reproduction?

- Cats are territorial animals and usually don't accept outsiders in established colonies
- Community caretakers monitor and manage colonies through almost daily visitation with healthy food and clean water. Colony observation occurs at feeding.
- “Vacuum Effect” – If cats currently in an area are removed others will take their place – this documented phenomenon is known as the Vacuum Effect and is the reason trap-and-kill policies are ineffective in reducing the presence of cats.

What About Impact to Birds?

Cats Are Not the Primary Threat to Birds

- “By far the largest threat to birds is loss and/or degradation of habitat.”
 - Human development
 - Agriculture
- Chemical toxins
- Direct exploitation:
 - Hunting
 - Capturing birds for pets



TNR curtails cat populations and can minimize predatory behaviors

Regularly Fed Cats are Less Likely to Prey on Wildlife

www.birds.cornell.edu/AllAboutBirds/conservation/planning/threats

Some National Organizations that Endorse TNVR

- Alley Cat Allies
- American Veterinary Medical Association
- ASPCA
- Best Friends Animal Society
- Humane Society of the United States
- Maddie's Fund
- National Animal Control Officers Association
- PetCo
- PetSmart Charities

Communities Practicing TNVR in the Metroplex

- Addison
- Arlington
- Balch Springs (new one)
- Dallas
- Denton
- Duncanville, DeSoto, Cedar Hill
- Farmers Branch
- Fort Worth
- Grand Prairie
- Irving
- Mesquite
- Seagoville



Among many other cities in Texas and nationwide

Summary - Benefits of TNVR

- Reduced costs for Animal Services
- Decreased risk of bites, scratches to shelter personnel
- Eventual decline in stray/feral cat numbers
 - Barn cats not a sustainable solution
- Public health protection by vaccination of cats
- Improved live release statistics
- Rodent control
- Positive public recognition for adopting a more humane and progressive policy



Contact:

Joe Stout

President

M-CCC

josephstout@yahoo.com

817-988-9488

Thank you!





AGENDA MEMORANDUM

DATE: November 11, 2022

TO: Honorable City Council Members

FROM:

THROUGH: Patrick Shelbourne, Council Member, Place 1
Jan Hill, Board Member
Mark Taylor, Council Member, Place 6

SUBJECT: Discuss and provide directions to the City Secretary on amendments to the Council Rules of Procedure and Code of Conduct Manual

BACKGROUND/INFORMATION:

The Council Rules of Procedure Committee has reviewed and made suggestions to update the Rules of Procedure and Code of Conduct Manual.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Council-Rules-of-Procedure redline draft 10.11.2022
2. Council-Rules-of-Procedure 10.20.2022 Clean Draft

REVIEWED BY:

Joshua Jones, City Manager

Linda Proskey, City Secretary

Approved as to form for inclusion on Agenda

Approved - 11/8/2022

Final Approval - 11/8/2022



CITY OF WATAUGA
COUNCIL RULES OF PROCEDURE
AND
CODE OF CONDUCT
MANUAL

Redline Draft
10/11/2022

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Section 1 - GENERAL

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. **Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens and visitors.**

In addition to establishing rules of procedure to be followed at Council meetings, this document is also intended to provide guidelines for Council member conduct outside of Council meetings when acting or conducting business as a member of the Watauga City Council.

Section 2 - AUTHORITY

The City Charter of Watauga, Texas [Adopted: January 19, 1980, and last amended November 5, 2019] provides in Article II (The Governing Body), Section 3.09 (Meetings and rules of procedure) that "The Council shall determine its own rules and order of business..." Thus, this Council Rules of Procedure and Code of Conduct Manual is established. This Council Rules of Procedure and Code of Conduct Manual shall be reviewed by the City Council at least every two years in an open meeting. In the event of any conflict between Texas State law, the City Charter, and/or this Rules of Procedures Manual, Texas State law shall prevail and control. In the event of any conflict between the City Charter and this Rules of Procedures Manual, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert's Rules of Order Newly Revised* (RONR) (issued in odd-numbered years). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter or state law, the Council will refer to RONR, which shall determine such procedural issue. RONR is merely a parliamentary reference and any failure to explicitly follow RONR shall not serve to negate any action taken by the City Council. For clarification purposes, the only way to second a motion is for a City Council Member to state "I second the motion" or a similar phrase.

Section 3 - MEETINGS

3.01. Texas Open Meetings Act

The City Council shall follow the Texas Open Meetings Act.

3.02. Regular Meetings

The City Council shall conduct regular meetings generally on the second and **forth** Mondays of every month. Regular meetings shall generally commence at 6:30 p.m. The regular meetings of the City Council shall be held at City Hall and are open to the public. ~~The dress code for regular meetings is business-casual.~~

3.03. Workshop Meetings

~~Workshop meetings are commonly scheduled by the City Manager; however, the Mayor or Members of the City Council are encouraged to request workshop topics during Items for Future Agendas. Workshop meetings are normally conducted prior to regular meetings at 5:30 p.m. but may also be conducted at other times as well. The purpose of a workshop meeting is to exchange information between Council, staff, vendors or other groups. No official action is taken by Council during these meetings, but workshops shall be posted, and are open to the public. The dress code for workshop meetings is business casual.~~

The City Manager commonly schedules workshop meetings; however, the Mayor or Members of the City Council are encouraged to request workshop topics during Items for Future Agendas. Workshop meetings are normally conducted prior to regular meetings at 5:30 p.m. but may be conducted at other times. The purpose of a workshop meeting is to exchange information between Council, staff, vendors, or other groups. The Council takes no official action during these meetings, but workshops shall be posted and are open to the public. The dress code for workshop meetings is business casual.

3.04. Special Meetings

Any additional meetings may be scheduled by the Mayor, a minimum of three (3) Council Members, or by the City Manager to occur outside of the second Monday of the month. Such meetings shall be posted and are open to the public. ~~The dress code for special meetings is business casual, subject to modification by the City Council based on the circumstances (i.e., retreat, outdoor tour, etc.).~~

3.05. Agenda

- a. The Mayor, each City Council Member, with the concurrence of a second Council Member, and the City Manager shall have the right to have matters of city business included on City Council meeting agendas. Agenda items, including **necessary** or applicable supporting documents and materials ~~to be included~~ in agenda packets, shall be submitted in written form to the City Secretary at least fourteen (14) days prior to the agenda posting deadline. ~~The Council Packet posting deadline for Regular City Council Meetings is the Wednesday before the Regular City Council Meeting and the agenda posting deadline for the public packet and for Special City Council meetings is 72 hours in advance of any Special City Council Meeting. The City Secretary will coordinate the placement of items on the agenda. Agenda items may be removed only by the person who initially placed that item on the agenda and such removal shall be made prior to the public posting of the official meeting notice. Agenda packets will be available to the City Council Members no later than 6:00 p.m. the Wednesday before each Regular City Council Meeting, and at least 72 hours in advance of any Special City Council Meeting. Amendments to items and supplemental items may be placed on the Agenda as necessary at the discretion of the City Manager if done so in accordance with the Texas Open Meetings Act~~

Council packet posting deadline for Regular City Council Meetings is Wednesday before the regular meeting. The agenda posting deadline for the public packet and Special City Council meetings is 72 hours in advance of any Special City Council Meeting. The City Secretary will coordinate the placement of items on the agenda. Agenda items may be removed only by the person who initially placed the item on the agenda and shall be made prior to the public posting of the official meeting notice. Agenda packets will be available to the City Council Members no later than 6:00 p.m. the Wednesday before each Regular City Council Meeting and at least 72 hours in advance of any Special City Council Meeting. Amendments to items and supplemental items may be placed on the agenda as necessary at the discretion of the City Manager if done so in accordance with the Texas Open Meetings Act.

- b. Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in ~~a manner and~~ time sufficient to allow for their review prior to this submittal deadline.
- c. A person other than the Mayor, a Council Member, or the City Manager requesting that a matter or item be included on the City Council Meeting Agenda under New Business must complete the form attached hereto as Annex D and submit the same to the office of the City Secretary at least fourteen (14) days prior to the agenda posting deadline for which the request is made. If the Mayor, a Council Member, or the City Manager determines that consideration of the item or items is in the best interest of the City, those items shall be placed on the City Council meeting agenda with the Mayor, Council Member, or City Manager making the determination being listed as the sponsoring official. The sponsoring official needs to ensure all relevant materials concerning the agenda item are provided to the City Secretary's office at least fourteen (14) days prior to the agenda posting deadline for the City Council Meeting.
 - 1) Any person wishing to make a presentation that includes video, or another form of electronic media, must provide that information in digital format to the City Secretary's Office no later ~~than three (3) hours eight (6) one business day~~ **eight (8) hours** prior to the scheduled starting time of the meeting for review by the staff. City staff shall review the information as to form and content. The information shall not contain any statements, graphics, or pictures that are offensive or reflect personal attacks on other individuals, the City Council members, or City staff. The digital format must be compatible with the City's technology equipment. The presentation will be tested prior to the meeting to ensure that it is compatible with the City's equipment.
- d. All matters of City business (agenda items), including supporting materials, shall be submitted to the City Secretary at least fourteen (14) days prior to the agenda posting deadline. ~~The Mayor or the Mayor Pro-Tern, in the Mayor's absence, may make exceptions to this requirement for Special City Council meetings, and in emergency cases, as determined by the Mayor or the Mayor Pro-Tern, in the Mayor's absence.~~ **The Mayor or the Mayor Pro-Tern (in the Mayor's absence) may make exceptions to this requirement for Special City Council meetings and in emergency cases, as**

determined by the Mayor or the Mayor Pro-Tem (in the Mayor's absence).

- e. There shall be no limitation ~~as to~~ **on** the number of items that may be placed on the Consent Agenda. However, any Council member shall have the right ~~at any time~~ to request the removal of any ~~item or~~ items from the Consent Agenda. ~~Such item or items shall be moved to New Business for purposes of discussion, debate, or action.~~ **Such items shall be moved to the beginning end of Action Items for discussion, debate, or action purposes.** The Mayor ~~of the City of Watauga~~, as presiding officer of the meeting, shall honor such a request.
- f. There shall be no limitation ~~as to~~ **on** the number of items under the Action Items category.

3.06. Minutes

~~Minutes of City Council meetings will be recorded and maintained by the City Secretary.~~
The City Secretary will record and maintain the minutes of City Council meetings.
The minutes will include final motions with voting results. The minutes will also reflect the names of those citizens presenting public comments and public testimony. Minutes of meetings will generally be submitted to the City Council for approval at the next regularly scheduled meeting.

Section 4 - STANDARDS OF CONDUCT

4.01. Mayor and City Council Members

The Mayor and Council Members shall demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and ~~for~~ the community and citizens being served. Elected officials should exhibit appropriate behavior. ~~The Mayor and all~~ **All** members of the City Council, **and the Mayor,** when authorized to vote, have equal votes, and the Mayor and all Council Members speak only for themselves.

4.02. Council Relations with the Media

All proposed City press releases, media advisories, story suggestions, or similar items ~~should~~ **shall** be submitted through the City Manager for response or distribution to the ~~Public Information Officer~~ **Director of IT and Communications.**

Any City related business that could gain media attention should be reported as soon as practical to the Mayor. The Mayor and City Manager shall consult to determine if the entire City Council should be notified of the matter. If determined the need to notify is appropriate, the City Manager or ~~his/her~~ **their** designee shall attempt to notify each member of the City Council as soon as practical.

4.03. City Staff (During Meetings)

All remarks and questions addressed to the City Council by staff members ~~may~~ **shall** be addressed to the City Council as a whole and not to any individual member. City staff shall follow proper parliamentary procedure during meetings. The City Manager and City

Attorney shall have the right to participate in all matters ~~coming~~ before the Council. The City Attorney ~~and/or~~ **and/or** City Secretary shall serve as the parliamentary guide for all meetings. All department heads may take part in discussions of the Council relating to their respective offices, departments, or agencies, subject to the provisions of the Texas Open Meetings Act.

4.04. Citizens and Visitors

- a. The presiding officer ~~will~~ **shall** ensure that the decorum of the meeting is maintained and ~~is~~ appropriate.
- b. No placards, banners, or signs will be permitted in the City Council chamber or ~~in~~ any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.
- c. Citizen participation in the meetings is limited to a presentation of views. ~~and~~ **It** shall not be an opportunity for the citizen to interrogate the staff or members of the City Council.
- d. Personal attacks ~~of~~ **on** city staff will not ~~be~~ permitted during any portion of the meeting by citizens or visitors.
- e. Matters under litigation shall only be discussed in ~~closed~~ **Executive Session** by the City Attorney, City Council, and others as authorized by the City Council.

4.05. City Council Members' Absences, Late Arrival, and Conduct During Meetings and Events

- a. Each meeting shall commence with a roll call for City Council members.
- b. Notification of intent to be absent shall be provided in writing to the City Secretary, the City Manager, or Presiding Officer prior to the meeting at which the Council Member will not be in attendance. **The Chair shall state in the meeting whether the absence is excused or not as defined in the City Charter, Sec. 3.05 para 2. A personal emergency shall be determined in accordance with the City Charter, Sec. 3.05 para 3.**
- c. Notification of a late arrival to a meeting shall be provided ~~via City-issued devices~~ **as soon as possible** to the City Secretary, City Manager, or Presiding Officer prior to the meeting at which the Council Member will arrive late. Should a member enter the meeting during ~~the~~ discussion of an item, that member shall prepare to join/listen to the discussion and vote on the matter ~~by show of hands~~ to prevent delaying the discussion and taking action.
- d. ~~There shall be no use of personal electronic devices i.e. cell phones, ect., by City Council Members during an official meeting, of the Council.~~ **City Council Members shall not use personal electronic devices, i.e., cell phones, etc., during an official meeting.**
- e. Council Members shall, while the Council is in session, preserve order and decorum and no

member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, or disturb any member while speaking, or refuse to obey the orders of the Council or its presiding officer, except as otherwise provided in these procedures.

- f. Council Members shall be prohibited from using profane language during any public meeting. ~~and~~ **They** shall be prohibited from using profane language during any event where the Council Member is present in any official capacity as a representative of the City of Watauga City Council.
- g. Council Members shall be prohibited from using misinformation, hyperbole, or exaggeration during the deliberation on any matter during any public meeting.
- h. Council Members are ~~expected to~~ always **to** be fair and courteous to fellow Council Members, appointed officials, employees, vendors, and especially other members of the public. Council Members are ~~expected~~ to be capable of expressing themselves and their opinions without the necessity of personal attacks, ~~the use of~~ profanity, ~~the use of~~ hyperbole, and other forms of communicative expression which focus on anything other than the subject matter under deliberation. This City Council policy prohibits the use of such methods as they deteriorate the decorum during public meetings, diminish the characters and reputations of the Council Members, foster bullying, and propagate misinformation which can mislead the public and which interferes with the effective and efficient operation of city government. .

4.06. Use of Social Media

- a. The City Council recognizes and understands that social media is ~~currently~~ a widely used method to share one's life and opinions with family, friends, co-workers, citizens and **people** around the world. However, use of social media to disseminate information related to the city also presents certain risks and carries with it, certain responsibilities. This policy is ~~enacted~~ to establish a set of minimum expectations regarding the behavior of City Council Members to serve as a standard of conduct to guide the members of **the** City Council in making responsible decisions about its members' appropriate conduct when using social media. This policy is ~~designed~~ to avoid ~~the application of~~ arbitrary rules and ~~to~~ ensure protection of constitutionally protected free speech.
- b. In the rapidly expanding world of electronic communication, social media can mean many things. ~~Examples of social media networks are~~ **Social media networks include** Facebook, Twitter, YouTube, Instagram, Nextdoor, and many others. Social media ~~includes~~ **consists** of all means of communicating or posting information or content of any sort made accessible to others using the Internet, i.e., this access is not limited to certain devices, accounts, or platforms. Platforms include, by way of example, a website blog, a personal website or webpage, a social networking account or an affinity website, **a** web bulletin board, or a chat room, whether or not associated or affiliated with the city or a particular City Council Member, as well as any other form of electronic communication.
- c. If a Council Member posts statements, photographs, video, or audio, careful consideration ~~should be had~~ **must be taken** as to whether ~~the post may reasonably be viewed by others~~ **could view the post as** malicious, obscene, threatening, or intimidating, whether it

disparages officials, employees, members of the public, vendors, suppliers, and any other organizations associated with or doing business with the city, or whether the post might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to ~~intentionally harm someone's reputation~~ **harm someone's reputation intentionally** or posts that could contribute to a hostile work environment ~~on the basis of~~ **based on** race, color, religion, sex, national origin, ancestry, age, marital status, disability, or any other protected class status in accordance with applicable federal or state law, or posts which violate the City Charter or City policy. A Council Member that takes an active role, rather than a legislative role, in any city matter may expose oneself to personal liability should a post result in a civil tort against a person or organization, such as tortious interference with ~~a~~ contractual obligation, slander, liable or other civil law violation. Such action interferes **with and disrupts city business** and ~~results in a disruption to city business and~~ may involve the city itself in legal claims, impeding efficient and effective delivery of city services. Any post ~~that is determined by the City Council to be~~ **that the City Council determines to be** reasonably viewed as malicious, obscene, threatening or intimidating or meant to intentionally harm someone's reputation, or could contribute to a hostile work environment ~~on the basis of~~ **based on** race, color, religion, sex, national origin, ancestry, age, marital status, disability, or any other protected class status in accordance with applicable federal or state law, or violate the City Charter or city policy is prohibited.

- d. ~~Council Members, when disseminating information related to the City are required to provide accurate and truthful information to the public.~~ **When disseminating information related to the city, Council Members must provide accurate and truthful information to the public.** Council Members have access to all information necessary to carry out their duties as Council Members and can reasonably verify any information communicated to the public; therefore, honesty and accuracy ~~is~~ **are** required when posting information related to city business. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched, located, and recovered. Never post any information or rumors ~~that~~ you know to be false about the city, fellow elected or appointed officials, employees, members of the public, citizens, vendors, and people working on behalf of the city, as ~~such~~ it is prohibited. Communicating misinformation, hyperbole, or exaggeration causes citizen and public confusion. ~~And It~~ substantially impairs the efficient and effective operation of **the** city government as it is obligated to investigate the statements made, correct misinformation, and provide accurate and truthful information to the public. **Do not engage in a back-and-forth exchange with residents/commenters**
- e. Pursuant to and in accordance with the Texas Public Information Act, and ~~in order~~ to allow the City Manager to fulfill duties to protect and preserve public information imposed by Texas law, any social media post made by a City Council Member **related to city business on any platform other than an official city-managed social media channel** must be collected and preserved by delivering a full and complete copy of any post to the City Manager's Office immediately upon posting, if possible, and no later than 48 hours upon posting otherwise. Failing to do so places ~~the~~ public information at risk of loss due to theft, data corruption, or device failure. **In addition,** failing to notify city administration of information disseminated to the public may significantly impair city operations in the event inquiries are made to city staff without knowledge of the representations made by a Council Member. ~~Therefore,~~ current information is necessary for the efficient and effective operation of **the** city government.

- f. In posting information, City Council Members shall maintain the confidentiality of the city and county's internal or confidential information. This may include information regarding the development of systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other business-related communications intended for internal use or that may contain confidential, private, or security information.
- g. Abide by all state and federal laws, including but not limited to privacy laws, personal medical/health information under the Health Insurance Portability and Accountability Act (HIPAA), attorney-client confidentiality, copyright, trade secret or other propriety rights, public records laws, retention laws, fair use laws, financial disclosure laws, and any other laws that might apply to the city in connection with any post.
- h. Knowledge of the use of social media rules ~~are~~ is presumed. An assertion that a Council Member did not recognize any post as violative of these policies does not serve as a defense to a claim that a Council Member violated this policy. All Council Members are presumed to have carefully read and fully ~~understand~~ understood the policy and expectations placed upon them as elected officials of the city. All social media postings must be consistent with these policies. Inappropriate postings may include but are not limited to discriminatory remarks, harassment, threats of violence, bullying, misinformation, and exaggeration of fact (whether known, should have been known, or reasonably ascertained by the Council Member prior to posting such information) regarding matters connected to city business, and further includes any similarly inappropriate or unlawful conduct.

4.07. Enforcement of Decorum and Procedures

The chief of police, or such member of the police department as he may designate, in attendance at a meeting shall be the sergeant at arms of the Council meeting. The sergeant at arms shall carry out all orders and instructions given by the presiding officer ~~for the purpose of maintaining~~ to maintain order and decorum at the Council meeting. Upon instruction by the presiding officer, it shall be the duty of the sergeant at arms to either remove or place under arrest any person who violates the order and decorum of a meeting from the meeting place at the direction of the presiding officer.

If the Mayor or the City Council or any Council Member files a complaint that another member of the City Council violated this policy, the Mayor shall place the matter on the next City Council Agenda for consideration and action. At the City Council meeting, the matter shall be called the complaint read out loud and the

~~The Council Member who filed the complaint shall have an opportunity to address the City Council regarding the complaint. Then, the party complained against shall have an opportunity to address the complaint.~~ The Council Member who filed the complaint shall have an opportunity to address the City Council regarding the complaint. The party who received the complaint shall have a chance to address it. After hearing both sides, the remaining City Council shall deliberate on the complaint until the question is called. If the City Council determines by majority vote

that any member of the City Council has violated any of the rules promulgated herein, the Council shall direct the City Attorney ~~to~~ prepare a Resolution of Censure, and such Resolution of Censure, which shall be read out loud for consideration, and shall be read out ~~loud~~ **loud** again upon passage, and upon passage, shall be posted on all city social media accounts and on the landing page of the City's website where it shall remain for 60 days. Further, the Resolution shall have one final reading at the beginning of the next regular city Council meeting after passage. ~~The content of a censure resolution must be approved by a two-thirds vote of all the Council Members unaffected by the censure.~~ **A two-thirds vote must approve the content of a censure resolution of all the Council Members unaffected by the censure.** Such censure shall include public criticism and admonition for violating these rules applicable to City Council Members. Any action which brings cause for the City Council to reasonably believe that a violation of the Texas Public Information Act has also occurred by any City Council Member will be submitted to the Tarrant County District Attorney's Office for review.

Section 5 - DUTIES AND PRIVILEGES OF COUNCIL MEMBERS

5.01. Seating Arrangement

The Mayor shall determine ~~the~~ seating of the Council Members **at the dais.**

5.02. Conflict of Interest

~~A City Council Member prevented from voting by a conflict of interest shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, and shall not attend executive meetings regarding the matter, and shall otherwise comply with the state law and city ordinances to include the City's Ethics Ordinance concerning conflicts of interest including Chapter 171 of the Local Government Code, as now or hereafter amended.~~

A City Council Member with a conflict of interest on a matter shall not vote, participate in discussions, or attempt to influence the Council's deliberation of the matter in any way. They shall not attend executive session regarding the matter and shall otherwise comply with the state law and city ordinances to include the City's Ethics Ordinance concerning conflicts of interest, including Chapter 171 of the Local Government Code, as now or hereafter amended.

5.03. Voting

Voting, except on procedural motions, shall be accomplished by show of hands of members of the Council or by lighting/electronic device reflecting the ayes and nays. Tabulation of the voting by the Council vote shall be announced in open meetings by the Mayor ~~or his or her~~ **their** duly appointed representative. All members of the Council may have one vote and only one vote on each item and issue. Four (4) members of the Council, excluding the Mayor, shall constitute a quorum. In the event that there are vacancies on the Council, the quorum shall be reduced by the number of vacancies existing. No action by the Council

shall be valid unless adopted by the affirmative vote of at least three of those members attending any meeting at which there is a quorum present.-[City Charter§ 3.09 (c) and as amended].

A Member of the Council may vote to abstain or refuse to vote only on an issue or matter that would create a conflict of interest for that Council Member as defined by State or Local Law(s).

5.04. City Council Liaisons

- a. The City Council may appoint its members to serve as City Council Liaisons ("Liaisons") between the City Council and the various City boards, commissions, associations, corporations, and other City-related organizations and entities ("Entity"). The Liaisons will serve in an advisory capacity and provide guidance, counsel, and communication between the City Council and the Entity. Liaisons are encouraged to attend the meetings of their appointed Entity. Attendance by liaisons is mandatory required. Each liaison is responsible to find a qualified replacement if unable to attend.
- b. Liaisons shall be appointed by the Mayor with the approval of the City Council for a term of one year and for other periods deemed necessary and in ~~the best interest of the City~~ the City's best interest. Appointments shall be made at the regular City Council meeting in June of each year or any other time a liaison appointment becomes necessary and is in ~~the best interest of the City~~ the City's best interest. The City Council may, with just cause, remove a Liaison by majority vote.
- c. In the event of a vacancy, the Mayor shall appoint a new Liaison member for the unexpired term, subject to the approval of the City Council. If the Mayor fails to make an appointment to fill any vacancy within sixty (60) days from the date of the vacancy or expiration, the remaining members of the City Council may, by majority vote, make an appointment without the Mayor's recommendation.
- d. Liaisons shall not preside over the Entity meetings or vote on any matter that comes before the Entity but shall have the right to fully participate in all discussions of matters that come before the respective Entity.
- e. At no time shall the Liaison act outside ~~the scope~~ of the City of Watauga Home Rule Charter.

5.05. Council Member representation and responsibilities at Federal, State, and local events and functions.

- a. Council Members desiring to represent the City at events and functions shall do so in ~~a professional and respectful manner~~ professionally and respectfully to ensure the reputation of the City of Watauga isn't negatively impacted by ~~his/her~~ their actions while attending the event or function.
- b. Council Members are ~~required to must~~ RSVP to the City Secretary's Office prior to the deadline provided for the event ~~for~~ or function.

- c. ~~Fees for attendance at events and functions representing the City will be paid by the City for the Council Member only.~~ The city will pay fees for attendance at events and functions representing the city for the Council Member only. Should a Council Member's spouse attend the event or function with the Member, it shall be at the sole expense of the Council Member.
- d. ~~If~~ A Council Member who fails to attend an event or function for which an RSVP was provided and a fee was paid by the City and further fails to notify the Mayor, the City Manager or City Secretary's Office with sufficient time to identify and secure a suitable replacement, the Member shall be responsible for reimbursing the City for any and all fees paid on behalf of the Member to attend the event or function.

5.06. Council Interview Committee

- a. The City Council shall select no more than three (3) members of the seated City Council to serve on an Interview Committee ~~for the purposes of interviewing~~ to interview candidates volunteering to serve on the various boards, committees, and commissions of the City. An interview committee composed of three (3) members of the city council shall be appointed by the Mayor for a term of one (1) year (October 1 through September 30) (July 1 through June 30)
- b. The Committee shall be established annually following the general election.
- c. The Committee shall consult with the Council Liaison(s) assigned to the specific board, committee, or commission and the chairperson for that board, committee, or commission prior to recommending reappointment for consideration by the City Council.

Section 6 - CHAIR AND DUTIES

6.01. Chair

The Mayor, if present, shall preside as Chair at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro-Tern shall preside as Chair. In the absence of ~~both~~ the Mayor and Mayor Pro-Tern, the remaining City Council Members shall designate one member of the City Council ~~as~~ to act as ~~e~~Chair and preside for that meeting.

6.02. Preservation of Order

The Chair shall preserve order and decorum, call upon the Police Chief or designated law enforcement officer present at the meeting as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion. ~~It is the responsibility of the Chair to keep the comments of Council Members on topic during public meetings.~~ It is the Chair's responsibility to keep Council Members' comments on topic during public meetings.

Section 7 - ORDER OF BUSINESS

7.01. Regular and Special Meetings

Regular and Special meetings will generally adhere to the following agenda:

1. **Workshop Meeting (as needed)**
2. **Call to Order**
3. **Roll Call**
4. **Invocation**
5. **Pledge of Allegiance** (United States and Texas Flags)
6. **Announcements**
7. **Presentations**
8. **Public Comment**
9. ~~Consent Agenda (if necessary)~~ Public Testimony for Action Items
10. ~~Public Testimony for Action Items~~ Consent Agenda (if necessary)
11. **Public Hearings/Action** (if necessary)
12. **Action Items** (if necessary)
13. **Reports-** The Reports portion of the agenda will be for the City Council to receive reports from City staff, consultants, City Council Liaisons, or other individuals. (move up under **Presentations**)
- 14.
15. **Items for Future Agendas**
16. **Executive Session/Meeting** (if necessary)
17. **Adjournment**

7.02 Announcements

The Announcements section of the agenda is to allow members of the City Staff or City Council to make a public statement about an upcoming event(s) of interest to the citizens of Watauga or to make a statement of recognition for a person or group, that is not the subject of a presentation. There is no discussion or action to be taken on announcements.

7.3. Addressing the City Council*

~~Members of the public are invited and encouraged to attend all public meetings of the City Council that are not closed to the public in accordance with the Texas Open Meetings Act. It is the desire of the City Council that citizens actively participate in the City's governance system and processes. Public input to the City Council is encouraged during the Public Comment, Public Hearings, or as Public Testimony before Action Item sections of a meeting agenda. Individuals desiring to speak during Public Comment shall be called upon to speak only after completing a Request to Speak form attached hereto as Annex D. The Request to Speak form for Public Comment shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form prior to the introduction of Public Testimony by the Chair. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the Council. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order~~

~~and the efficiency of the meeting. Reasonable time limitations may be placed on public input by the presiding officer to conduct an efficient and effective public meeting.~~

~~*Any individual who is unable to physically stand shall be provided an accommodation to be recognized by the Chair so that they may be recognized and allowed to speak.~~

Members of the public are invited and encouraged to attend all public meetings of the City Council that are not closed to the public in accordance with the Texas Open Meetings Act. The City Council desires citizens to participate in the City's governance system and processes actively. Public input to the City Council is encouraged during the Public Comment, Public Hearings, or Public Testimony before the Action Item sections of a meeting agenda. Individuals desiring to speak during Public Comment shall be called upon to speak only after completing a Request to Speak form attached hereto as Annex D. The Request to Speak form for Public Comment shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form before the Chair's introduction of Public Testimony. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the Council. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order and the efficiency of the meeting. The presiding officer may place reasonable time limitations on public input to conduct an efficient and effective public meeting.

~~-~~
*Any individual unable to physically stand shall be provided an accommodation to be recognized by the Chair so that they may be recognized and allowed to speak.

a. Public Comment Section

If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters *not* posted on that particular meeting's agenda), members of the City Council and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen and report back to the City Council as soon as practicable. Such report to the City Council shall not constitute a meeting called by the City Council, nor ~~shall it~~ constitute deliberation or formal action.

Individual citizens addressing the City Council during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the Council, and no formal Council action will be taken.

b. Public Testimony During Action Items

Only those persons who submit a completed Request to Speak form prior ~~to the agenda item being introduced by the Chair~~ the Public Testimony portion of the meeting will be allowed to speak on agenda items set for action (this doesn't include presentations or

reports). The Chair shall ask each person requesting to speak to approach the podium when called to speak. Speakers' time shall generally not exceed three (3) minutes in their comments and all comments must be germane to the specific agenda item being discussed; however, the Chair may extend or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. Members of the City Council may ask questions or discuss the item directly with the citizen during the citizen's testimony if necessary. Any discussion between a Council member and the citizen will not count toward the time limit and Council Members are encouraged not to speak until the citizen has first utilized their allocated time.

c. Public Testimony During Public Hearings

Public Hearings ~~by their very nature~~ are designed for public input. All citizens that wish to speak at a Public Hearing will be asked to complete a Request to Speak form. That form can be completed prior to the meeting or during the meeting but must be completed prior to the conclusion of the Public Hearing. ~~No further public comments or testimony will be accepted once the Public Hearing has been closed by the Chair.~~ **No further public comments or testimony will be accepted once the Chair closes the Public Hearing.** When prompted by the Chair, each person requesting to speak and that submitted a completed Request to Speak form prior to the opening of the public hearing shall approach the podium to speak when called upon by the Chair. Individuals addressing the City Council shall not exceed their allotted time limit when making their comments; however, the Chair may extend or reduce the speaker's allotted time to conduct an efficient and effective public meeting. Speakers shall not be permitted to donate their time to other speakers. If an individual speaks during the public hearing on the same matter that appears on the Action Items section of the agenda, shall only provide comments not previously provided during the public hearing.

Section 8 - RULES SUSPENSION

Any provision of these rules not governed by the City Charter, City Code, or state law may be suspended by a two-thirds vote of the members of the City Council present. ~~The vote on any such suspension shall be taken by "Aye" and "Nay" votes and entered upon the record.~~

ANNEX A

Fundamental Principles of Parliamentary Law

The Mayor, Council Members, City Manager, City Attorney, City Secretary, and City staff members appearing before the various meetings of the Watauga City Council should become familiar with **the** following rules and customs:

1. All members have equal rights, privileges, and obligations; rules must be administered impartially.
2. The minority has rights, which must be protected.
3. Full and free discussions of all motions, reports, and other items of business ~~is~~ **are** a right of all members.
4. In doing business, the simplest and most direct procedure should be used.
5. Logical precedence governs **the** introduction and disposition of motions.
6. Only one question can be considered at a time.
7. Members may not make a motion or speak in debate until they have been recognized by the chair and thus have obtained the floor.
8. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.
9. Members must not attack or question the motives of other members. Customarily, all remarks are addressed to the presiding officer.
10. In voting, members have the right to ~~know at all times~~ **always know** what motion is before the assembly and what affirmative and negative votes mean.
11. The majority vote decides. This is a fundamental concept of democracy.
12. All meetings will be characterized by fairness and good faith.

ANNEX B

The Chief Purposes of Motions

PURPOSE	MOTION
Present an idea for Discussion and action	Main motion Resolution Consider informally
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Close debate
Delay a decision	Refer to committee Postpone to a certain time Postpone temporarily Recess Adjourn
Meet an emergency	Question of privilege Suspend rules
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask a member a question Question of privilege
Question the decision of the presiding officer	Point of order Appeal from decision of the chair
Enforce rights and privileges	Division of assembly Division of question Parliamentary inquiry Point of order Appeal from decision of the chair
Consider a question again	Resume consideration Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

ANNEX C

~~Parliamentary Strategy~~

Parliamentary Procedure

To Support a Motion	To Oppose a Motion
1. Second it promptly and enthusiastically. 2. Speak in favor of it as soon as possible. 3. Do your homework; know your facts; have handouts, charts, overhead projector slides, etc. if appropriate. 4. Move to amend motion, if necessary, to make it more acceptable to proponents. 5. Vote against motion to table or to postpone, unless delay will strengthen your position. 6. Move to recess or postpone, if you need time to marshal facts or work behind the scenes. 7. If defeat seems likely, move to refer to committee, if that would improve chances. 8. If defeat seems likely, move to divide question, if appropriate, to gain at least a partial victory. 9. Have available a copy of the rules of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute. 10. If motion is defeated, move to reconsider, if circumstances warrant it. 11. If motion is defeated, consider reintroducing it at a subsequent meeting.	1. Speak against it as soon as possible. Raise question; try to put proponents on the defensive. 2. Move to amend the motion so as to eliminate objectionable aspects. 3. Move to amend the motion to adversely encumber it. 4. Draft a more acceptable version and offer as amendment by substitution. 5. Move to postpone to a subsequent meeting. 6. Move to refer to committee. 7. Move to recess, if you need time to round up votes or obtain more facts. 8. Question the presence of quorum, if appropriate. 9. Move to adjourn 10. On a voice vote, vote emphatically. 11. If the motion is adopted, move to reconsider, if you might win a subsequent vote. 12. If the motion is adopted, consider trying to rescind it at a subsequent meeting. 13. Have available a copy of the rule of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute.

~~ANNEX D~~ ~~REQUEST TO SPEAK~~ ~~FORM~~

~~PUBLIC COMMENT, PUBLIC TESTIMONY AND PUBLIC HEARING:~~

~~Public Comment and Testimony during City Council Meetings provide citizens an opportunity to make comments, provide testimony or present information to the City Council. All comments must be directed to the City Council and not an individual Council Member or City Staff. Council may only provide statements of fact on issues raised during Public Comment and may direct the City Manager to resolve or request the matter be placed on a future agenda. Public comments shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended.~~

~~Speakers are limited to three (3) minutes and time shall not be donated to other speakers. After submitting the completed Request to Speak form and submitting to the City Administrative staff, you will be recognized by the Chair to speak. You may approach the speaker's podium and begin comments.~~

~~Please complete the information on the form below and submit it to the City Secretary prior to the start of the Council Meeting for comments during Public Comment, Public Testimony or prior to the introduction of the item for comments during public hearings. Forms not submitted as required will not be accepted. (Check all that apply)~~

☐ Public Comment ☐ Public Hearing ☐ Public testimony

First Name	Last Name	
Address		Phone Number
Are you a resident and/or business owner in Watauga? ☐ Yes ☐ No		Date of Meeting

PUBLIC HEARING OR ACTION ITEM NUMBER(S) you wish to speak about:		
No.	No.	No.
Subject to be presented to the City Council:		

ANNEX E

REQUEST TO SPEAK FORM

PUBLIC COMMENT, PUBLIC TESTIMONY, AND PUBLIC HEARING:

Public comment during City Council Meetings provides citizens an opportunity to make comments or present information to the City Council. All comments must be directed to the City Council and not an individual Council Member or City Staff. The Council may only provide statements of fact on issues raised during Public Comment and may direct the City Manager to resolve or request the matter be placed on a future agenda. Public comments shall not include any ‘deliberation’ as defined by Chapter 551 of the Government Code, as now or hereafter amended.

Speakers are limited to three (3) minutes however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. Time shall not be donated to other speakers.

After submitting the information on the form below and submit it to the City Secretary prior to the start of the meeting. For Public Hearing items forms must be submitted prior to the introduction of the item. Forms not submitted as required will not be accepted.

☐ I HAVE READ AND UNDERSTAND THE STATEMENT ON THE BACK OF THIS FORM

☐ Public Comment

☐ Public Hearing

☐ Public Testimony

First Name	Last Name	
Address		Phone Number
Are you a resident and/or business owner in Watauga? ☐ Yes ☐ No		Date of Meeting

PUBLIC HEARING OR ACTION ITEM NUMBER(S) you wish to speak about:		
No.	No.	No.
Subject to be presented to the City Council: 		

If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters not posted on that particular meeting's agenda), members of the City Council and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct factual misstatements made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen a report back to the City Council as soon as practicable. Such report to the City Council shall not constitute a meeting called by the City Council, nor shall it constitute a deliberation of formal action.

Individual citizens addressing the City Council during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the Council, and no formal Council action will be taken. Individuals addressing Council and in attendance will refrain from using profanity when speaking.

ANNEX D

REQUEST FOR A COUNCIL MEMBER TO SPONSOR AN ITEM ON A CITY COUNCIL AGENDA

Requests to have an item sponsored by a City Council Member must be submitted to the City Secretary's Office at least fourteen (14) days prior to the agenda posting deadline for the City Council Meeting for which the request is made. Such requests **MUST BE SPONSORED BY AT LEAST TWO (2) MEMBERS OF THE CITY COUNCIL** to be placed on the agenda. All relevant information concerning the matter must be provided by you or the sponsoring Council Member(s) to the City Secretary's Office not later than fourteen (14) days prior to the applicable City Council Meeting agenda posting deadline.

Name: _____

Address: _____ Phone Number: _____

Are you a Resident and/or Business Owner in Watauga? ☐ Yes ☐ No

Please put a check mark next to the name of the City Council Member(s) you would like to sponsor the item			
Mayor		Council Member, Place 4	
Council Member, Place 1		Council Member, Place 5	
Council Member, Place 2		Council Member, Place 6	
Council Member, Place 3		Council Member, Place 7	

Subject to be discussed:

Signature of Sponsor

Signature of Sponsor

OFFICE USE ONLY:

Date and Time request was received: _____

Signature of person receiving request: _____

Date of City Council Meeting to be discussed: _____

Signature of Council Member sponsoring item: _____

City of Watauga - 7105 Whitley Road - Watauga, Texas 76148 - (817) 514-5800



CITY OF WATAUGA
COUNCIL RULES OF PROCEDURE
AND
CODE OF CONDUCT
MANUAL

Draft
10/20/20022

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Section 1 – GENERAL

For this document's purposes, the City Council will refer to the Council members, including the Mayor. Council members will refer to the elected officials in Council places 1-7. In addition, the position of Mayor will be referred to as the Mayor.

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. **Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens and visitors.**

In addition to establishing rules of procedure to be followed at Council meetings, this document is also intended to provide guidelines for the Mayor or Council member conduct outside of Council meetings when acting or conducting business as a member of the Watauga City Council.

Section 2 - AUTHORITY

The City Charter of Watauga, Texas [Adopted: January 19, 1980, and last amended November 5, 2019] provides in Article II (The Governing Body), Section 3.09 (Meetings and rules of procedure) that "The Council shall determine its own rules and order of business..." Thus, this Council Rules of Procedure and Code of Conduct Manual is established. This Council Rules of Procedure and Code of Conduct Manual shall be reviewed by the City Council at least every two years in an open meeting. In the event of any conflict between Texas State law, the City Charter, and/or this Rules of Procedures Manual, Texas State law shall prevail and control. In the event of any conflict between the City Charter and this Rules of Procedures Manual, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert's Rules of Order Newly Revised* (RONR) (issued in odd-numbered years). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter or state law, the City Council will refer to RONR, which shall determine such procedural issue. RONR is merely a parliamentary reference and any failure to explicitly follow RONR shall not serve to negate any action taken by the City Council. For clarification purposes, the only way to second a motion is for a Council Member to state "I second the motion" or a similar phrase.

Section 3 - MEETINGS

3.01. Texas Open Meetings Act

The City Council shall follow the Texas Open Meetings Act.

3.02. Regular Meetings

The City Council shall conduct regular meetings generally on the second and fourth Mondays of every month. Regular meetings shall generally commence at 6:30 p.m. The regular meetings of the City Council shall be held at City Hall and are open to the public.

3.03. Workshop Meetings

The City Manager commonly schedules workshop meetings; however, the Mayor and Council members are encouraged to request workshop topics during Items for Future Agendas. Workshop meetings are normally conducted prior to regular meetings at 5:30 p.m. but may be conducted at other times. The purpose of a workshop meeting is to exchange information between the City Council, staff, vendors, or other groups. The City Council takes no official action during these meetings, but workshops shall be posted and are open to the public.

3.04. Special Meetings

Any additional meetings may be scheduled by the Mayor, a minimum of three (3) Council members, or by the City Manager to occur outside of the second and fourth Monday of the month. Such meetings shall be posted and are open to the public.

3.05. Agenda

- a. The Mayor, each Council Member, with the concurrence of a second Council Member, and the City Manager shall have the right to have matters of city business (to include action items and consent items) included on City Council meeting agendas. Since report and presentation items are requests for information and do not require the City Council members to take action on the item, they will only require a request from the Mayor, one Council Member, and/or the City Manager. Agenda items, including necessary or applicable supporting documents and materials in agenda packets, shall be submitted in written form to the City Secretary at least fourteen (14) days prior to the agenda posting deadline. The City Council packet posting deadline for Regular City Council Meetings is Wednesday before the regular meeting. The agenda posting deadline for the public packet and Special City Council meetings is 72 hours in advance of any Special City Council Meeting. The City Secretary will coordinate the placement of items on the agenda. Agenda items may be removed only by the person who initially placed the item on the agenda and shall be made prior to the public posting of the official meeting notice. Agenda packets will be available to the City Council by 6:00 p.m. the Wednesday before each Regular City Council Meeting and at least 72 hours in advance of any Special City Council Meeting. Amendments to items and supplemental items may be placed on the agenda as necessary at the discretion of the City Manager if done so in accordance with the Texas Open Meetings Act.
- b. Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a time sufficient to allow for their review prior to this submittal deadline.
- c. A person other than the Mayor, a Council Member, or the City Manager requesting that a matter or item be included on the City Council Meeting Agenda under New Business must complete the form attached hereto as Annex D and submit the same to the office of the City Secretary at least fourteen (14) days prior to the agenda posting deadline for which the request is made. If the Mayor, a Council Member, or the City Manager determines that consideration of the item or items is in the best interest of the City, those items shall be placed on the City Council meeting agenda with the Mayor, Council Member, or City Manager making the determination being listed as the sponsoring official. The sponsoring official needs to ensure all relevant materials concerning the agenda item are provided to the City Secretary's office at least fourteen (14) days prior to the agenda posting

deadline for the City Council Meeting.

- 1) Any person wishing to make a presentation that includes video, or another form of electronic media, must provide that information in digital format to the City Secretary's Office no later than eight (8) hours prior to the scheduled starting time of the meeting for review by the staff. City staff shall review the information as to form and content. The information shall not contain any statements, graphics, or pictures that are offensive or reflect personal attacks on other individuals, the City Council members, or City staff. The digital format must be compatible with the City's technology equipment. The presentation will be tested prior to the meeting to ensure that it is compatible with the City's equipment.
- d. All matters of City business (agenda items), including supporting materials, shall be submitted to the City Secretary at least fourteen (14) days prior to the agenda posting deadline. The Mayor or the Mayor Pro-Tem (in the Mayor's absence) may make exceptions to this requirement for Special City Council meetings and in emergency cases, as determined by the Mayor or the Mayor Pro-Tem (in the Mayor's absence).
- e. There shall be no limitation on the number of items that may be placed on the Consent Agenda. However, any Council member shall have the right to request the removal of any items from the Consent Agenda. Such items shall be moved to the end of Action Items for discussion, debate, or action purposes. The Mayor, as presiding officer of the meeting, shall honor such a request.
- f. There shall be no limitation on the number of items under the Action Items category.

3.06. Minutes

The City Secretary will record and maintain the minutes of City Council meetings. The minutes will include final motions with voting results. The minutes will also reflect the names of those citizens presenting public comments and public testimony. Minutes of meetings will generally be submitted to the City Council for approval at the next regularly scheduled meeting.

Section 4 - STANDARDS OF CONDUCT

4.01. Mayor and City Council Members

The Mayor and Council members shall demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and the community and citizens being served. Elected officials should exhibit appropriate behavior. All Council members, and the Mayor, when authorized to vote, have equal votes, and the Mayor and all Council members speak only for themselves.

4.02. Council Relations with the Media

All proposed City press releases, media advisories, story suggestions, or similar items shall be submitted through the City Manager for response or distribution to the Director of IT and Communications.

Any City related business that could gain media attention should be reported as soon as practical to the Mayor. The Mayor and City Manager shall consult to determine if the entire City Council should be notified of the matter. If determined the need to notify is appropriate, the City Manager or their designee shall attempt to notify each Council member as soon as practical.

4.03. City Staff (During Meetings)

All remarks and questions addressed to the City Council by staff members shall be addressed to the City Council as a whole and not to any individual member. City staff shall follow proper parliamentary procedure during meetings. The City Manager and City Attorney shall have the right to participate in all matters before the City Council. The City Attorney and/or City Secretary shall serve as the parliamentarian guide for all meetings. All department heads may take part in discussions of the City Council relating to their respective offices, departments, or agencies, subject to the provisions of the Texas Open Meetings Act.

4.04. Citizens and Visitors

- a. The presiding officer shall ensure that the decorum of the meeting is maintained and appropriate.
- b. No placards, banners, or signs will be permitted in the City Council chamber or any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.
- c. Citizen participation in the meetings is limited to a presentation of views. It shall not be an opportunity for the citizen to interrogate the staff or members of the City Council.
- d. Personal attacks on city staff will not be permitted during any portion of the meeting by citizens or visitors.
- e. Matters under litigation shall only be discussed in Executive Session by the City Attorney, City Council, and others as authorized by the City Council.

4.05. City Council Members' Absences, Late Arrival, and Conduct During Meetings and Events

- a. Each meeting shall commence with a roll call for City Council members.
- b. Notification of intent to be absent shall be provided in writing to the City Secretary, the City Manager, or Presiding Officer prior to the meeting at which the City Council Member will not be in attendance. The Chair shall state in the meeting whether the absence is absent excused or absent as defined in the City Charter, Sec. 3.05 para 2. A personal emergency shall be determined in accordance with the City Charter, Sec. 3.05 para 3.
- e. Notification of a late arrival to a meeting shall be provided as soon as possible to the City Secretary, City Manager, or Presiding Officer prior to the meeting at which the City Council Member will arrive late. Should a member enter the meeting during the discussion of an item, that member shall prepare to join/listen to the discussion and vote on the matter to prevent delaying the discussion and taking action.

- d. The Council members and the Mayor, shall not use personal electronic devices, i.e., cell phones, etc., during an official meeting.
- e. The City Council shall, while in session, preserve order and decorum and no member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the City Council, or disturb any member while speaking, or refuse to obey the orders of the City Council or its presiding officer, except as otherwise provided in these procedures.
- f. The City Council shall be prohibited from using profane language during any public meeting. They shall be prohibited from using profane language during any event where the Mayor or Council Member is present in any official capacity as a representative of the City of Watauga City Council.
- g. The City Council shall be prohibited from using misinformation, hyperbole, or exaggeration during the deliberation on any matter during any public meeting.
- h. The City Council is always to be fair and courteous to fellow members, appointed officials, employees, vendors, and especially members of the public. The Mayor and Council members are to be capable of expressing themselves and their opinions without the necessity of personal attacks, profanity, hyperbole, and other forms of communicative expression which focus on anything other than the subject matter under deliberation. This City Council policy prohibits the use of such methods as they deteriorate the decorum during public meetings, diminish the characters and reputations of the City Council, foster bullying, and propagate misinformation which can mislead the public and which interferes with the effective and efficient operation of city government.

4.06. Use of Social Media

- a. The City Council recognizes and understands that social media is a widely used method to share one's life and opinions with family, friends, co-workers, citizens and people around the world. However, use of social media to disseminate information related to the city also presents certain risks and carries with it, certain responsibilities. This policy is to establish a set of minimum expectations regarding the behavior of the City Council to serve as a standard of conduct to guide the members of the City Council in making responsible decisions about its members' appropriate conduct when using social media. This policy is to avoid arbitrary rules and to ensure protection of constitutionally protected free speech.
- b. In the rapidly expanding world of electronic communication, social media can mean many things. Social media networks include Facebook, Twitter, YouTube, Instagram, Nextdoor, and many others. Social media consists of all means of communicating or posting information or content of any sort made accessible to others using the Internet, i.e., this access is not limited to certain devices, accounts, or platforms. Platforms include, by way of example, a website blog, a personal website or webpage, a social networking account or an affinity website, a web bulletin board, or a chat room, whether or not associated or affiliated with the city, the Mayor, or a particular City Council Member, as well as any other form of electronic communication.
- c. If a member of the City Council posts statements, photographs, video, or audio, careful consideration must be taken as to whether others could view the post as malicious, obscene, threatening, or intimidating, whether it disparages officials, employees, members of the public, vendors, suppliers, and any other organizations associated with or doing business with the city, or whether the post might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to harm someone's reputation intentionally or posts that could contribute to a hostile work environment based on race, color, religion, sex, national origin,

ancestry, age, marital status, disability, or any other protected class status in accordance with applicable federal or state law, or posts which violate the City Charter or City policy. A member of the City Council that takes an active role, rather than a legislative role, in any city matter may expose oneself to personal liability should a post result in a civil tort against a person or organization, such as tortious interference with a contractual obligation, slander, libel or other civil law violation. Such action interferes with and disrupts city business and may involve the city itself in legal claims, impeding efficient and effective delivery of city services. Any post that the City Council determines to be reasonably viewed as malicious, obscene, threatening or intimidating or meant to intentionally harm someone's reputation, or could contribute to a hostile work environment based on race, color, religion, sex, national origin, ancestry, age, marital status, disability, or any other protected class status in accordance with applicable federal or state law, or violate the City Charter or city policy is prohibited.

- d. When disseminating information related to the city, the City Council must provide accurate and truthful information to the public. The City Council members have access to all information necessary to carry out their duties as the Mayor or Council member and can reasonably verify any information communicated to the public; therefore, honesty and accuracy are required when posting information related to city business. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched, located, and recovered. Never post any information or rumors you know to be false about the city, fellow elected or appointed officials, employees, members of the public, citizens, vendors, and people working on behalf of the city, as it is prohibited. Communicating misinformation, hyperbole, or exaggeration causes citizen and public confusion. It substantially impairs the efficient and effective operation of the city government as it is obligated to investigate the statements made, correct misinformation, and provide accurate and truthful information to the public. Do not engage in a back-and-forth exchange with residents/commenters.
- e. Pursuant to and in accordance with the Texas Public Information Act, and to allow the City Manager to fulfill duties to protect and preserve public information imposed by Texas law, any social media post made by a City Council member on any platform other than an official city-managed social media channel must be collected and preserved by delivering a full and complete copy of any post to the City Manager's Office immediately upon posting, if possible, and no later than 48 hours upon posting otherwise. Failing to do so places public information at risk of loss due to theft, data corruption, or device failure. In addition, failing to notify city administration of information disseminated to the public may significantly impair city operations in the event inquiries are made to city staff without knowledge of the representations made by a Council Member. Therefore, current information is necessary for the efficient and effective operation of the city government.
- f. In posting information, City Council members shall maintain the confidentiality of the city and county's internal or confidential information. This may include information regarding the development of systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other business-related communications intended for internal use or that may contain confidential, private, or security information.
- g. Abide by all state and federal laws, including but not limited to privacy laws, personal medical/health information under the Health Insurance Portability and Accountability Act (HIPAA), attorney-client confidentiality, copyright, trade secret or other propriety rights, public records laws, retention laws, fair use laws, financial disclosure laws, and any other laws that might apply to the city in connection with any post.

- h. Knowledge of the use of social media rules is presumed. An assertion that a City Council member did not recognize any post as violative of these policies does not serve as a defense to a claim that a City Council member violated this policy. All City Council members are presumed to have carefully read and fully understood the policy and expectations placed upon them as elected officials of the city. All social media postings must be consistent with these policies. Inappropriate postings may include but are not limited to discriminatory remarks, harassment, threats of violence, bullying, misinformation, and exaggeration of fact (whether known, should have been known, or reasonably ascertained by the City Council member prior to posting such information) regarding matters connected to city business, and further includes any similarly inappropriate or unlawful conduct.

4.07. Enforcement of Decorum and Procedures

The chief of police, or such member of the police department as he may designate, in attendance at a meeting shall be the sergeant at arms of the City Council meeting. The sergeant at arms shall carry out all orders and instructions given by the presiding officer to maintain order and decorum at the City Council meeting. Upon instruction by the presiding officer, it shall be the duty of the sergeant at arms to either remove or place under arrest any person who violates the order and decorum of a meeting from the meeting place at the direction of the presiding officer.

If any member of the City Council files a complaint that another member of the City Council violated this policy, the Mayor shall place the matter on the next City Council Agenda for consideration and action. At the City Council meeting, the matter shall be called the complaint read out loud and the

The City Council member who filed the complaint shall have an opportunity to address the City Council regarding the complaint. The party who received the complaint shall have a chance to address it. After hearing both sides, the remaining members of the City Council shall deliberate on the complaint until the question is called. If the City Council determines by majority vote that any member of the City Council has violated any of the rules promulgated herein, the City Council shall direct the City Attorney to prepare a Resolution of Censure, and such Resolution of Censure, which shall be read out loud for consideration, and shall be read out loud, and upon passage, shall be posted on all city social media accounts and on the landing page of the City's website where it shall remain for 60 days. Further, the Resolution shall have one final reading at the beginning of the next regular city Council meeting after passage. A two-thirds vote must approve the content of a censure resolution of all the members of the City Council unaffected by the censure. Such censure shall include public criticism and admonition for violating these rules applicable to members of the City Council. Any action which brings cause for the City Council to reasonably believe that a violation of the Texas Public Information Act has also occurred by any member of the City Council will be submitted to the Tarrant County District Attorney's Office for review.

Section 5 - DUTIES AND PRIVILEGES OF COUNCIL MEMBERS

5.01. Seating Arrangement

The Mayor shall determine the seating of the Council members at the dais.

5.02. Conflict of Interest

A member of the City Council with a conflict of interest on a matter shall not vote, participate in discussions, or attempt to influence the City Council's deliberation of the matter in any way. They shall not attend executive session regarding the matter and shall otherwise comply with the state law and city ordinances to include the City's Ethics Ordinance concerning conflicts of interest, including Chapter 171 of the Local Government Code, as now or hereafter amended.

5.03. Voting

Voting, except on procedural motions, shall be accomplished by show of hands of members of the City Council or by lighting/electronic device reflecting the ayes and nays. Tabulation of the voting by the City Council vote shall be announced in open meetings by the Mayor or their duly appointed representative. All Council members may have one vote and only one vote on each item and issue. The Mayor will vote when there is a tie vote amongst the Council members. Four (4) members of the City Council, excluding the Mayor, shall constitute a quorum. In the event that there are vacancies on the City Council, the quorum shall be reduced by the number of vacancies existing. No action by the City Council shall be valid unless adopted by the affirmative vote of at least three of those members attending any meeting at which there is a quorum present.-[City Charter§ 3.09 (c) and as amended].

A Council member may vote to abstain or refuse to vote only on an issue or matter that would create a conflict of interest for that Council Member as defined by State or Local Law(s).

5.04. City Council Liaisons

- a. The City Council may appoint its members to serve as City Council Liaisons ("Liaisons") between the City Council and the various City boards, commissions, associations, corporations, and other City-related organizations and entities ("Entity"). The Liaisons will serve in an advisory capacity and provide guidance, counsel, and communication between the City Council and the Entity. Attendance by liaisons is required. Each liaison is responsible to find a qualified replacement if unable to attend.
- b. Liaisons shall be appointed by the Mayor with the approval of the City Council for a term of one year and for other periods deemed necessary and in the City's best interest. Appointments shall be made at the regular City Council meeting in June of each year or any other time a liaison appointment becomes necessary and is the City's best interest. The City Council may, with just cause, remove a Liaison by majority vote.
- c. In the event of a vacancy, the Mayor shall appoint a new Liaison member for the unexpired term, subject to the approval of the City Council. If the Mayor fails to make an appointment to fill any vacancy within sixty (60) days from the date of the vacancy or expiration, the remaining members of the City Council may, by majority vote, make an appointment without the Mayor's recommendation.
- d. Liaisons shall not preside over the Entity meetings or vote on any matter that comes before the Entity but shall have the right to fully participate in all discussions of matters that come before the respective Entity.
- e. At no time shall the Liaison act outside of the City of Watauga Home Rule Charter.

5.05. City Council Member representation and responsibilities at Federal, State, and local events and functions.

- a. City Council members desiring to represent the City at events and functions shall do so in a professional and respectful manner to ensure the reputation of the City of Watauga isn't negatively impacted by their actions while attending the event or function.
- b. City Council members are must RSVP to the City Secretary's Office prior to the deadline provided for the event or function.
- c. The city will pay fees for attendance at events and functions representing the city for the Mayor or Council member only. Should a City Council Member's spouse attend the event or function, it shall be at the sole expense of the City Council Member.
- d. A City Council member who fails to attend an event or function for which an RSVP was provided and a fee was paid by the City and further fails to notify the Mayor, the City Manager or City Secretary's Office with sufficient time to identify and secure a suitable replacement, the member shall be responsible for reimbursing the City for any and all fees paid on behalf of the member to attend the event or function.

5.06. Council Interview Committee

- a. An interview committee composed of three (3) Council members shall be appointed by the Mayor for a term of one (1) year (July 1 through June 30)
- b. The Committee shall be established annually following the general election.
- c. The Committee shall consult with the Council Liaison(s) assigned to the specific board, committee, or commission and the chairperson for that board, committee, or commission prior to recommending reappointment for consideration by the City Council.

Section 6 - CHAIR AND DUTIES

6.01. Chair

The Mayor, if present, shall preside as Chair at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro-Tern shall preside as Chair. In the absence of the Mayor and Mayor Pro-Tern, the remaining City Council members shall designate one member of the City Council to act as Chair and preside for that meeting.

6.02. Preservation of Order

The Chair shall preserve order and decorum, call upon the Police Chief or designated law enforcement officer present at the meeting as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion. It is the Chair's responsibility to keep Council members' comments on topic during public meetings.

Section 7 - ORDER OF BUSINESS

7.01. Regular and Special Meetings

Regular and Special meetings will generally adhere to the following agenda:

1. Workshop Meeting (as needed)
2. Call to Order
3. Roll Call
4. Invocation
5. Pledge of Allegiance (United States and Texas Flags)
6. Announcements
7. Presentations
8. Reports- The Reports portion of the agenda will be for the City Council to receive reports from City staff, consultants, City Council Liaisons, or other individuals,
9. Public Comment
10. Public Testimony for Action Items
11. Consent Agenda (if necessary)
12. Public Hearings/Action (if necessary)
13. Action Items (if necessary)
14. Executive Session/Meeting (if necessary)
15. Items for Future Agendas
16. Adjournment

7.02 Announcements

The Announcements section of the agenda is to allow members of the City Staff or City Council to make a public statement about an upcoming event(s) of interest to the citizens of Watauga or to make a statement of recognition for a person or group, that is not the subject of a presentation. There is no discussion or action to be taken on announcements.

7.3. Addressing the City Council*

Members of the public are invited and encouraged to attend all public meetings of the City Council that are not closed to the public in accordance with the Texas Open Meetings Act. The City Council desires citizens to participate in the City's governance system and processes actively. Public input to the City Council is encouraged during the Public Comment, Public Testimony, or Public Hearing before the Action Item sections of a meeting agenda. Individuals desiring to speak during Public Comment shall be called upon to speak only after completing a Request to Speak form attached hereto as Annex E. The Request to Speak form for Public Comment shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form before the Chair's introduction of Public Testimony. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the City Council. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order and the efficiency of the meeting. The presiding officer may place reasonable time limitations on public input to conduct an efficient and effective public meeting.

*Any individual unable to physically stand shall be provided an accommodation to be recognized by the Chair so that they may be recognized and allowed to speak.

a. Public Comment Section

- a. Only those persons who submit a completed Request to Speak form prior to the start of Public Comment will be allowed to speak. If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters *not* posted on that particular meeting's agenda), members of the City Council and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen and report back to the City Council as soon as practicable. Such report to the City Council shall not constitute a meeting called by the City Council, nor constitute deliberation or formal action.

Individual citizens addressing the City Council during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the City Council, and no formal Council action will be taken.

b. Public Testimony During Action Items

Only those persons who submit a completed Request to Speak form prior to the start of Public Comment will be allowed to speak on agenda items set for action (this doesn't include presentations or reports). The Chair shall ask each person requesting to speak to approach the podium when called to speak. Speakers' time shall generally not exceed three (3) minutes in their comments. All comments must be germane to the specific agenda item being discussed; however, the Chair may extend or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. Members of the City Council may ask questions or discuss the item directly with the citizen during the citizen's testimony if necessary. However, any discussion between a City Council member and the citizen will not count toward the time limit. City Council members are encouraged not to speak until the citizen has utilized their time.

c. Public Testimony During Public Hearings

Public Hearings are designed for public input. All citizens that wish to speak at a Public Hearing must complete and submit a Request to Speak form prior to the start of the Public Hearing. No further public comments or testimony will be accepted once the Chair closes the Public Hearing. When prompted by the Chair, each person who submitted a completed Request to Speak form prior to the opening of the public hearing shall approach the podium to speak. Speakers' time shall generally not exceed three (3) minutes in their comments. All comments must be germane to the specific agenda item being discussed; however, the Chair may extend or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. If an individual speaks during the public hearing on the same matter that appears on the Action Items section of the agenda, they shall only provide comments not previously provided during the public hearing.

Section 8 - RULES SUSPENSION

Any provision of these rules not governed by the City Charter, City Code, or state law may be suspended by a two-thirds vote of the members of the City Council present.

ANNEX A

Fundamental Principles of Parliamentary Law

The Mayor, Council Members, City Manager, City Attorney, City Secretary, and City staff members appearing before the various meetings of the Watauga City Council should become familiar with the following rules and customs:

1. All members have equal rights, privileges, and obligations; rules must be administered impartially.
2. The minority has rights, which must be protected.
3. Full and free discussions of all motions, reports, and other items of business are a right of all members.
4. In doing business, the simplest and most direct procedure should be used.
5. Logical precedence governs the introduction and disposition of motions.
6. Only one question can be considered at a time.
7. Members may not make a motion or speak in debate until they have been recognized by the chair and thus have obtained the floor.
8. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.
9. Members must not attack or question the motives of other members. Customarily, all remarks are addressed to the presiding officer.
10. In voting, members have the right to always know what motion is before the assembly and what affirmative and negative votes mean.
11. The majority vote decides. This is a fundamental concept of democracy.
12. All meetings will be characterized by fairness and good faith.

ANNEX B

The Chief Purposes of Motions

PURPOSE	MOTION
Present an idea for Discussion and action	Main motion Resolution Consider informally
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Close debate
Delay a decision	Refer to committee Postpone to a certain time Postpone temporarily Recess Adjourn
Meet an emergency	Question of privilege Suspend rules
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask a member a question Question of privilege
Question the decision of the presiding officer	Point of order Appeal from decision of the chair
Enforce rights and privileges	Division of assembly Division of question Parliamentary inquiry Point of order Appeal from decision of the chair
Consider a question again	Resume consideration Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

ANNEX C

Parliamentary Procedures

To Support a Motion	To Oppose a Motion
1. Second it promptly and enthusiastically. 2. Speak in favor of it as soon as possible. 3. Do your homework; know your facts; have handouts, charts, overhead projector slides, etc. if appropriate. 4. Move to amend motion, if necessary, to make it more acceptable to proponents. 5. Vote against motion to table or to postpone, unless delay will strengthen your position. 6. Move to recess or postpone, if you need time to marshal facts or work behind the scenes. 7. If defeat seems likely, move to refer to committee, if that would improve chances. 8. If defeat seems likely, move to divide question, if appropriate, to gain at least a partial victory. 9. Have available a copy of the rules of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute. 10. If motion is defeated, move to reconsider, if circumstances warrant it. 11. If motion is defeated, consider reintroducing it at a subsequent meeting.	1. Speak against it as soon as possible. Raise question; try to put proponents on the defensive. 2. Move to amend the motion so as to eliminate objectionable aspects. 3. Move to amend the motion to adversely encumber it. 4. Draft a more acceptable version and offer as amendment by substitution. 5. Move to postpone to a subsequent meeting. 6. Move to refer to committee. 7. Move to recess, if you need time to round up votes or obtain more facts. 8. Question the presence of quorum, if appropriate. 9. Move to adjourn 10. On a voice vote, vote emphatically. 11. If the motion is adopted, move to reconsider, if you might win a subsequent vote. 12. If the motion is adopted, consider trying to rescind it at a subsequent meeting. 13. Have available a copy of the rule of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute.

ANNEX D

REQUEST FOR A COUNCIL MEMBER TO SPONSOR AN ITEM ON A CITY COUNCIL AGENDA

Requests to have an item sponsored by a City Council Member must be submitted to the City Secretary's Office at least fourteen (14) days prior to the agenda posting deadline for the City Council Meeting for which the request is made. Such requests **MUST BE SPONSORED BY AT LEAST TWO (2) MEMBERS OF THE CITY COUNCIL** to be placed on the agenda. All relevant information concerning the matter must be provided by you or the sponsoring Council Member(s) to the City Secretary's Office not later than fourteen (14) days prior to the applicable City Council Meeting agenda posting deadline.

Name: _____

Address: _____ Phone Number: _____

Are you a Resident and/or Business Owner in Watauga? ☐ Yes ☐ No

Please put a check mark next to the name of the City Council Member(s) you would like to sponsor the item			
Mayor		Council Member, Place 4	
Council Member, Place 1		Council Member, Place 5	
Council Member, Place 2		Council Member, Place 6	
Council Member, Place 3		Council Member, Place 7	

Subject to be discussed:

Signature of Sponsor

Signature of Sponsor

OFFICE USE ONLY):

Date and Time request was received: _____

Signature of person receiving request: _____

Date of City Council Meeting to be discussed: _____

Signature of Council Member sponsoring item: _____

City of Watauga - 7105 Whitley Road - Watauga, Texas 76148 - (817) 514-5800

ANNEX E

REQUEST TO SPEAK FORM

PUBLIC COMMENT, PUBLIC TESTIMONY, AND PUBLIC HEARING:

Public comment during City Council Meetings provides citizens an opportunity to make comments or present information to the City Council. All comments must be directed to the City Council and not an individual Council Member or City Staff. The City Council may only provide statements of fact on issues raised during Public Comment and may direct the City Manager to resolve or request the matter be placed on a future agenda. Public comments shall not include any ‘deliberation’ as defined by Chapter 551 of the Government Code, as now or hereafter amended.

Speakers are limited to three (3) minutes however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. Time shall not be donated to other speakers.

After submitting the information on the form below and submit it to the City Secretary prior to the start of the meeting. For Public Hearing items forms must be submitted prior to the introduction of the item. Forms not submitted as required will not be accepted.

☐ I HAVE READ AND UNDERSTAND THE STATEMENT ON THE BACK OF THIS FORM

☐ Public Comment

☐ Public Hearing

☐ Public Testimony

First Name	Last Name	
Address		Phone Number
Are you a resident and/or business owner in Watauga? ☐ Yes ☐ No		Date of Meeting

PUBLIC HEARING OR ACTION ITEM NUMBER(S) you wish to speak about:		
No.	No.	No.
Subject to be presented to the City Council:		

If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters not posted on that particular meeting's agenda), members of the City Council and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct factual misstatements made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen a report back to the City Council as soon as practicable. Such report to the City Council shall not constitute a meeting called by the City Council, nor shall it constitute a deliberation of formal action.

Individual citizens addressing the City Council during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the City Council, and no formal Council action will be taken. Individuals addressing Council and in attendance will refrain from using **profanity** when speaking.



AGENDA MEMORANDUM

DATE: December 1, 2022

TO: Honorable City Council Members

FROM: Juliet Rodriguez, Human Resources and Civil Service Director

THROUGH: Joshua Jones, City Manager

SUBJECT: Discuss policy updates being presented for January 1, 2023 effective date.

BACKGROUND/INFORMATION:

During the 2022 Council Retreat, the City Manager was given direction by the Council to reduce the leave liability in order to prevent it from growing in the future. The proposed revisions to several policies, including 6.02 Overtime and Compensation Time, 6.04 Classification and Compensation, 8.01 Holiday, 8.02 Vacation Leave, 8.03 Sick Leave will reduce leave liability. Additionally, some policies have been revised to help incentivize recruitment and retention: 6.07 Longevity Pay, 7.07 Telecommuting. Other policies were updated for efficiency and clarification: 4.01 Performance Evaluations and 4.06 Tuition Reimbursements; 7.06 Tool Allowance.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Proposed Policy Updates 2023
2. 4.01 Performance Evaluations
3. 4.06 Tuition Reimbursement
4. 6.02 Overtime and Compensatory Time
5. 6.04 Classification and Compensation
6. 6.07 Longevity Pay
7. 7.06 Tool Allowance
8. 7.07 Telecommuting
9. 8.01 Holidays
10. 8.02 Vacation Leave
11. 8.03 Sick Leave

REVIEWED BY:

Juliet Rodriguez, Human Resources and Civil Service Director

Approved - 12/5/2022



AGENDA MEMORANDUM

Joshua Jones, City Manager
Linda Proskey, City Secretary

Approved - 12/6/2022
Final Approval -
12/6/2022

Approved as to form for inclusion on Agenda



PROPOSED POLICY UPDATES

Effective Date

January 1, 2023

Reason for updates

- City administration directed by City Council to submit plan to significantly reduce leave liability which is currently at \$3.2 Million.
- Make Watauga an attractive place to work and retain employees.

2022 Leave Reduction Plan

- Optional Vacation Sell Back for employees, excellent participation and forecasting upwards of \$500K in leave liability reduction.

2023 Leave Reduction Plan

- Implement new policies impacting leave liability on January 1, 2023, using budgeted ARPA funds.

4.01 Performance Evaluations



Current Policy	January 1, 2023
✓ Employee Performance Evaluations due at anniversary date. ✓ Performance Evaluations for employees reporting to Council due March. ✓ City Attorney notifies council of evaluations due. ✓ Evaluations for employees reporting to council received and scheduled in a workshop by Mayor.	➤ Employee Performance Evaluations due March 1st. ➤ Performance Evaluations for employees reporting to Council due following their anniversary to coincide with employment agreements and/or resolutions. ➤ HR notifies council of performance evaluations due. ➤ HR receives and compiles evaluations. ➤ Option for evaluations done in executive session.

4.06 Tuition Reimbursement



Current Policy	January 1, 2023
✓ Reimbursement amount currently based on years of service and Tarrant County College tuition rates. ✓ No maximum amount. ✓ Deadlines for submissions 21–days after completion.	➤ \$200 per course hour ➤ Maximum of \$2,400 per fiscal year ➤ 30-day deadline once course completed. ➤ Tuition Reimbursement Agreement signed in advance. ➤ Repayment if employee leaves within a year of the city’s reimbursement.

6.02 Overtime and Compensatory Time

Current Policy	January 1, 2023
✓ Compensatory Time accrual maximum is 240 hours general employees and 480 civil service employees.	➤ New maximum of 80 hours. ➤ City has option to buy down compensatory time.



6.04 Classification and Compensation Plan

Current Policy	January 1, 2023
✓ Performance Evaluations due at anniversary. ✓ Rating scale only.	➤ Merit Increase for general government employees tied to performance evaluations due March 1st. ➤ Rating Scale with Merit 1-3% allowed depending upon evaluations. ➤ Employees who separate while on interim pay will not be paid out accruals at interim pay. ➤ Probationary period completion increases will be based on 6-month evaluation.

6.07 Longevity Pay



Current Policy	January 1, 2023
✓ Employees hire before October 2013 FT \$12.00/ PT \$6.00 longevity pay per month. ✓ Employees hires after October 2013 employees FT/PT \$4.00 longevity per month.	➤ Pay all FT employees the same before and after October 2013, \$12.00 and PT \$6.00 longevity pay per month. ➤ Clarification in wording that Longevity pay will only be paid in December. ➤ Only those who retire from the city will receive longevity pay for missed months of the current year and months not calculated on first longevity check.

7.06 Tool Allowance



Current Policy	January 1, 2023
✓ Mechanic I and II only	➤ Clarification on those acting in the capacity of Auto Mechanic (i.e Supervisor)

7.07 Telecommuting/Work Flexibility Program



Current Policy	January 1, 2023
✓ Telecommuting ✓ Telecommuting approved by Director and City Manager.	➤ New policy name Work Flexibility Program ➤ Remote work as approved by Director and City Manager via request form. ➤ 40-hour work week flex approved by Director and City Manager via request form. ➤ New Request form being created.

8.01 Holidays



Current Policy	January 1, 2023
✓ PT's (20) 3hr accrual, (21-25) 4hr accruals, (26-29) 5hr accruals. ✓ Accrued holidays for non-exempt employees who work the holiday. ✓ Use or lose holiday accruals at end of year. ✓ Unused accrued holiday's paid at separation.	➤ Consolidated PT's accruals, 20-29 hours accrue 4.5 hour. ➤ Holidays paid out for non-exempt employees who work the holiday during the pay period of holiday. ➤ No longer necessary to accrue or pay out holiday pay.

8.02 Vacation Leave

Current Policy

- ✓ Encouraged Vacation of one week taken annually.
- ✓ 8-hour workday accrual different than 10-hour workday.
- ✓ Before 2013 maximum 60 Days at paid at separation.
- ✓ City allows accruals past the maximum for one calendar year.
- ✓ 1st year employees only accrue on the completion of 6-months 5 days and then stop accruing until year one complete.



January 1, 2023

- Required vacation of one week taken annually enforced by department director.
- Vacation accruals the same for all 40 work week employees.
- Shift change accrual balances only change moving forward from effective date of change.
- 8–10-hour shift 240 hours and 12-hour shift 360 hours maximum accrual and pay out at separation for all.
- Once maximum is reached accruals will stop until vacation is used.
- New PT combined accruals and max at 120 hrs.
- Quit without notice will forfeit vacation pay at separation.
- 1st year employees accrue 80 hours but still cannot use until after 6-month probationary period complete.

8.03 Sick Leave

Current Policy	January 1, 2023
✓ PT accruals broken down by hours worked. ✓ Accruals for 10-hour shift higher than 8-hour shift, both working 40 hours. ✓ Sick leave paid out at separation for Civil Service and general government employees hired before October 2013 of 90 days.	➤ PT's accrual combined, 20-29 hours accrue 5 hours. ➤ Sick leave accruals the same for all 40 hour work week employees. ➤ Shift change accrual balances only change moving forward. ➤ Sick leave no longer paid out at separation for general government employees. ➤ Sick leave Buy Back available at city option.



THANK YOU

Questions?



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Performance Evaluations
INITIAL EFFECTIVE DATE	November 16, 2015
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	4.01

OBJECTIVE To ensure that all City employees are evaluated in a fair and equitable manner and provide opportunities for communication between the supervisor and employee on the status of the employee's job performance, development opportunities, and areas of improvement.

SCOPE This policy applies to all regular full-time and regular part-time employees of the City of Watauga.

POLICY

The City's Performance Management Process is a performance management and development process designed to support the overall goals and objectives of the City. The process is designed to provide individual performance feedback in a positive manner. The process is a tool for supervisors and employees to plan professional and career development at the City and highlight any performance deficiencies and any noteworthy accomplishments. The Performance Evaluation form is used to assess overall employee performance.

While there should be one (1) formal evaluation conducted annually, discussions concerning employee performance should occur periodically and as needed throughout the year. Critical events should be documented and discussed with an employee as they occur.

A. Types of Performance Evaluations

1. Annual Evaluation

Formal, documented performance discussions between an employee and their supervisor should occur by March 1st. In the event this meeting cannot occur within this time frame due to the approved absence of either party, the meeting should occur as soon as practical. Comments provided by the evaluator and employee will be discussed during the formal meeting.

2. Probationary Evaluation for New Hires/Promotions

All newly hired or promoted employees will receive a performance evaluation at six (6) months. Civil Service employees, who are required to attend the academy, will receive their performance evaluation at twelve (12) months.

3. Transfers

An employee assigned to a new supervisor since their most recent anniversary date will have their evaluation completed by the receiving supervisor with input from the prior supervisor if possible.

B. Performance Evaluation Procedure

1. Regular Employees

- a. Annual performance evaluations will be sent out at the beginning of the year and will be due back by March 1 of each year. The Human Resources Department will send Department Heads and Supervisors notifications of performance evaluations that are due by March 1.
- b. A supervisor will conduct a thorough, fair, and consistent evaluation of the performance for all employees reporting to the supervisor. The evaluation form is then submitted to the Department Head for signature.
- c. Once the performance evaluation is complete, the supervisor will meet with the employee to discuss the evaluation and provide constructive feedback.
- d. After meeting with the employee, the supervisor will provide a copy of the signed evaluation to the employee and submit the evaluation to Human Resources. If appropriate, a merit increase will be calculated by Human Resources and submitted for approval.

2. Employees Reporting to City Council

1. Performance evaluations will be completed by City Council for the positions of City Manager and City Secretary annually following their anniversary.
2. City Council Members will complete the performance evaluations to the best of their ability to provide feedback to the employee on their performance.
3. The Human Resources Director (HRD) will notify the City Council of the evaluation sixty (60) days prior to the due date. Completed evaluations will be submitted to the HRD who will verify completeness and compile the results. The performance evaluation will be conducted at the next available regularly scheduled council meeting following the anniversary date of the employee. At the request of the employee, the evaluation may be conducted in executive (closed) session.
4. Employees will review the completed evaluations forms prior to the formal evaluation and provide feedback and/or ask questions during the Council Meeting in which the evaluation is conducted.
5. After the Council Meeting, the employee will have ten (10) business days to provide feedback on the evaluation, if so desired. All Council Members will be provided a copy of the feedback received from the employee.

6. Newly hired or promoted employees will receive a performance evaluation at six (6) months.
7. The Appeal Process described in Section D. of this policy does not apply to Employees Reporting to City Council.

C. Unsatisfactory Performance

An employee receiving an overall evaluation score of below average will be placed on a performance improvement plan (as long as the evaluation is not a probationary evaluation). An employee receiving an unsatisfactory performance review shall be reviewed again in ninety (90) days. If performance is still below average, the Department Director will take appropriate disciplinary action.

See Policy 4.07 Performance Improvement Plan

D. Appeal Process

An employee, other than a probationary employee, that is dissatisfied with the results of their performance evaluation may appeal the results to their Department Director within five (5) business days of receiving the evaluation by submitting a written appeal to the Department Director. The written request must contain the following information: 1. the date of the performance evaluation, the name of the evaluator, and the date the employee received the evaluation; 2. identification of the performance dimensions or comments which the employee believes are incorrect; 3. specification of the scores or comments the employee believes should appear on the evaluation; 4. facts substantiating the requested changes; and 5. a copy of the performance evaluation (the employee should retain a copy).

Upon receiving a request for appeal that is timely filed, the Department Director shall, within fifteen (15) business days, review the documentation submitted and either sustain or change the evaluation report and notify the employee in writing of the decision. If the decision changes the performance evaluation, a copy of the revised performance evaluation must be included with the notice and a copy forwarded to Human Resources to re-calculate the evaluation.

If the employee is not satisfied with the determination of the Department Director, the employee may appeal in writing to the Director of Human Resources within five (5) business days of receiving the decision from the appointing authority. The Director of Human Resources will, within fifteen (15) business days, review the appeal information and either sustain or change the evaluation report and notify the employee and the Department Director of the decision in writing. The decision of the Director of Human Resources is final.

POLICY TITLE	Tuition Reimbursement
INITIAL EFFECTIVE DATE	October 26, 2015
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	4.06

OBJECTIVE The City of Watauga's philosophy is to support employee training, education, and development opportunities which will prepare employees for increased responsibilities and enhance individual growth, promotion, and development. This policy outlines rules and practices for tuition reimbursement.

SCOPE This policy applies to all regular full-time employees of the City of Watauga.

POLICY

The City of Watauga encourages employees to further their education and training in job-related knowledge and skills. Tuition reimbursement is available for both undergraduate and graduate level courses. Tuition reimbursement funds are available within authorized budget limits established by City Council.

A. Eligibility

Employees must meet the three (3) conditions below to be eligible for tuition reimbursement:

1. Be a full time employee who has successfully completed their initial probation period or a part time employee who worked for the City for more than one year and then began working full time.
2. Courses must be job-related, or a requirement of an official degree plan related to and useful in a municipal government setting.
3. Courses must be taken in a classroom setting at a traditional college or satellite campus or through internet courses/programs that are regionally or nationally accredited to award bachelor's, master's, and/or doctoral degrees.

B. General Guidelines

1. Tuition reimbursement is available if funds have been appropriated through the budget process.
2. An employee may take no more than nine (9) credit hours at a time to be eligible for assistance.
3. Reimbursement will be made at the completion of courses and having achieved a grade of "C" for undergraduate work, or "B" for graduate work.
4. Tuition reimbursement is not intended for college expenses already covered by other types of public assistance or benefits such as veteran's benefits, public safety programs,

social security benefits, or any other type of grant, loan or scholarship programs. If other assistance or benefits are already being used by the employee, the City tuition reimbursement policy will not be in effect.

5. The City will reimburse for approved course work based on actual cost of tuition and mandatory fees up to \$200 per semester hour, not to exceed \$2,400 per City fiscal year. Employees requesting tuition reimbursement will enter into a written agreement to remain with the City for one (1) year after the date of reimbursement. If an employee separates from City employment for any reason within the one (1) year period, the employee will be charged (required to pay back), at the time of separation from employment, the tuition expenses reimbursed by the City.
6. At the time the employee makes application requesting approval for the tuition reimbursement program, the employee must include with the application a copy of the official degree plan or relevant college catalog which outlines the requirements for a specific degree being sought.
7. Participation in the tuition reimbursement program is voluntary on the part of the employee and unless arrangements are made with the Department Head at the approval of the City Manager, the City expects that class attendance will occur after business hours and will not interfere with performance of regular roles, tasks, and accountabilities of the employee. Voluntary enrollment in colleges and universities is considered not compensable time.
8. If classes are only offered during working hours, prior to registration employees need to request permission from their Department Head and the City Manager to attend class during work hours.

C. Procedure

1. To begin participation in the Tuition Reimbursement program, employees must file a degree plan, signed by their director with the Human Resource Department.
2. Participants must complete and submit a Tuition Reimbursement Agreement Form to the Human Resources Department prior to the start of the first class. Submitting at least 30 days in advance is suggested. This form will remain in force for the duration of the degree plan.
3. To request reimbursement for a specific semester, participants must obtain a "Tuition Reimbursement Request Form" from the Human Resources Department with the course titles and number of credit hours for which the participant registered. The completed Tuition Reimbursement Form must be submitted to the Human Resources Department prior to the start of the semester. If courses change from the initial registration form, the Human Resources Department must be contacted.
4. Participants will pay all costs according to the parameters of their educational institution. Within 30 days after the end of the school term to qualify for reimbursement, participants

will submit copies of the following to the Human Resources Department for reimbursement approval:

- a. An itemized statement of tuition and fees.
 - b. Proof of payment.
 - c. An official grade report or transcript
5. Participants will be reimbursed based upon the actual tuition and fees up to \$200 per semester hour, not to exceed \$2,400 per City fiscal year. For purposes of calculating the fiscal year maximum, reimbursement will be deemed paid upon the course completion date.
 6. Reimbursement requests submitted after the 30-day deadline will be denied unless the Human Resources Department grants prior permission.

D. Prior Authorization

Part I of the Tuition Reimbursement Request must be submitted and approved prior to the start of in any class. The Tuition Reimbursement Request must be approved by the Department Director, Human Resources Director, and City Manager.

E. Reimbursement Process

1. Once an employee has been approved for the tuition reimbursement, enrolled, and completed the college course work for the semester, the employee is required to complete Part II of the Tuition Reimbursement Request Form to Human Resources with Director approval. The request must include itemized statement of tuition, grade report, copies of any receipts showing payment, and any paperwork outlining other monetary assistance or benefits received.

2. The reimbursement application with appropriate supporting documentation must be submitted to Human Resources within 30 days of course completion, but not later than the start of the next semester. The City reserves the right to decline reimbursement for any semester in which the employee fails to timely submit a request for reimbursement. Once the request has been submitted, Human Resources will forward to the City Manager for approval and then to the finance department for reimbursement. Finance will see that the appropriate reimbursement is received by the employee.

F. FORMS

1. An approved degree plan from a university or college meeting the accreditation criterion must be signed by the director and submitted to Human Resources prior to any request for reimbursement.

2. *Tuition Reimbursement Application* and a *Tuition Reimbursement Agreement* must be completed by the employee and submitted to the Department Director for signature and then sent to the Human Resources Department.



TUITION REMBURSEMENT AGREEMENT

This agreement is entered into on the ____ day of _____ (month), 20____, between the City of Watauga ("Employer") and _____ ("Employee").

The parties declare the following:

1. The City of Watauga has instituted an educational incentive benefit program and policy which provides tuition reimbursement for regular, full-time employees attending educational institutions are accredited and that award bachelor's, master's, and/or doctoral degrees. A copy of this policy is attached and made a part of this agreement for all purposes.
2. The employee has read the attached document and by signing this agreement is hereby notifying City officials of a desire to pursue course work under this program.
3. The City officials responsible for administering the program will approve the requested course work for reimbursement if a grade as specified under said program and policy is achieved and if all other conditions under said program and policy are met.

As set forth above, both parties agree as follows:

1. Employee agrees to comply with all terms and provisions of the attached document, as if all such terms and provisions were reprinted herein.
2. Employee agrees to comply with all terms and provisions of the attached document.

Employee further expressly agrees and consents that if the Employee leaves the City service less than one year after completion of a course for which reimbursement was made, the City will deduct the reimbursement amount due and owing from Employee's final paycheck. Employee shall sign and deliver to the City of Watauga Human Resources Department an Authorization of Payment authorizing the deduction from the Employee's final paycheck. This authorization will include any amount due and owing to the City for not having fulfilled the one-year requirement for receiving tuition reimbursement under this program.

IN WITNESS WHEREOF, the parties to this agreement have hereto set their hands, executed the date and year first above written.

CITY OF WATAUGA
(Employer)

Employee Printed Name

BY: _____

Employee Signature



Tuition Reimbursement Request

Employee Name _____ Date _____

Amount Requested \$ _____ Amount Approved \$ _____ Account # _____

School/Degree _____ Semester Dates _____

Total paid by Employee \$ _____ Total Semester Hours _____

Course: _____ Hours: _____ Grade: _____

Course: _____ Hours: _____ Grade: _____

Course: _____ Hours: _____ Grade: _____

Refer to Tuition Reimbursement Policy 4.06 in the Personnel, Administration and Financial Policies and Procedures Manual.

Part I - Pre-Authorization for Tuition Reimbursement

Request for tuition reimbursement for Class(es) or Course(s)

Employee's Signature

Date

Department Director's Signature

Date

City Manager's Signature

Date

Part II - Authorization to pay Tuition Reimbursement – Classes Completed

I hereby certify that all criteria known to me has been met, and I have received no reimbursement from any other source for the amount of funded requested.

Employee's Signature

Date

Human Resources Director's Signature

Date

Department Director's Signature

Date

City Manager's Signature

Date



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Overtime and Compensatory Time
INITIAL EFFECTIVE DATE	October 24, 2016
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	6.02

OBJECTIVE It is the policy of the City to comply with the Fair Labor Standards Act (FLSA).

SCOPE This policy applies to all employees.

POLICY

A. Definitions

All employees are covered by the FLSA but certain employee categories are exempted from the overtime pay requirements of the FLSA, such as those designated as "exempt". Under the FLSA, the City is required to pay at least minimum wage for all hours worked for which an employee is required or authorized to work for the City. The City will provide rates of pay for employees, and those rates will be determined by the City's adopted Classification Plan administered by the Director of Human Resources.

- 1. Exempt:** Positions paid on a salaried basis as determined by Human Resources based on job analysis to ensure compliance with Fair Labor Standards Act (FLSA). An exempt employee is one who is not covered by the overtime provisions under the FLSA therefore not eligible for compensation for hours worked in excess of 40 in the work week.
- 2. Non-Exempt:** Positions paid on an hourly basis as determined by Human Resources based on job analysis to ensure compliance with Fair Labor Standards Act (FLSA). Compensation of all hours worked including hours in excess of 40 in a work week either through overtime (time and ½) or compensatory time.
- 3. Work Schedules:** An employee's work schedule is determined by the department's operating requirements and is subject to change at any time by the Department Director or designee. An employee's work schedule may be adjusted within the work period to avoid the payment of overtime or accrual of compensatory time (comp time).
- 4. Unauthorized Work Time:** Unless approved in advance by the employee's supervisor, non-exempt employees performing work outside of the time authorized by the supervisor

is prohibited. Such time would include, but not be limited to, work performed before or after regular work hours or work taken home.

B. Overtime

Overtime, when ordered for maintenance of essential City functions, shall be allocated as evenly as possible among all non-exempt employees. Complete records of overtime of employees shall be maintained by each Department or Division. Overtime, when ordered, shall be considered mandatory. **Prior authorization from a supervisor is required before working overtime.**

The Fair Labor Standards Act (FLSA) established minimum wage, overtime, record keeping and child labor standards. FLSA provides the option for compensating time in lieu of overtime compensation for non-exempt employees. Non-exempt employees, under FLSA, shall be paid at one and one-half times their regular hourly rate or receive compensatory time off at one and one-half times their regular hourly rate for hours worked in excess of the maximum allowed under FLSA.

Supervisor Responsibilities: The supervisor must approve in advance all overtime or compensatory time worked.

Employee Responsibilities: An employee is only allowed to work overtime or accrue compensatory time with the express permission of the supervisor. The employee must accurately record all time worked within the pay period in which it was worked.

Overtime Payment: Overtime compensation will be paid to all employees in nonexempt positions who work overtime as defined in this policy, unless accruing compensatory time is approved in advance by the supervisor and the employee.

All non-exempt employees are eligible for overtime according to the following three (3) work schedules:

1. Standard Work Period (Category A): 40 hour employees are eligible for overtime compensation for actual time worked over 40 hours per week.

Work cycles for 40-hour employees include working for 40-hours during a period of seven (7) consecutive days beginning on Saturday at 12:00 a.m. and working through Friday at 11:59 p.m. Hours actually worked over 40-hours in a work period for 40-hour employees shall be considered overtime.

2. Fire Suppression Work Period (Category B): Firefighter/EMS employees that are covered under Section 207(k) of the FLSA and are eligible for overtime compensation for actual time worked greater than 106-hours within a 14-day work period.

Employees covered under the 207(k) plan 14-day work period shall have a maximum work hour standard of 106-hours in 14 consecutive days with the cycle beginning on Saturday

at 12:00 a.m. and working through Friday at 11:59 p.m. Hours worked in excess of the 106-hours in each 14-day work period are considered overtime.

3. Sworn Police Work Period (Category C): Sworn Police Officers, in the Patrol division, that are covered under Section 207(k) of the FLSA and are eligible for overtime compensation for actual time worked greater than 171 hours within a 28-day work period. A majority of employees within this category must agree in writing to a greater work period.

Employees covered under the 207(k) plan 28-day work period shall have a maximum work hour standard of 171-hours in 28 consecutive days with the cycle beginning on Saturday at 12:00 a.m. and working through Friday at 11:59 p.m. Hours worked in excess of the 171-hours in each 28-day work period are considered overtime. A majority of employees within this category must agree in writing to a greater work period.

Overtime compensation is paid to all non-exempt employees in accordance with State Law, Federal Law and in compliance with City Policy. In general, "hours worked" include all time that an employee is required to be on duty and all time during which the employee is authorized to work (under the definition provided by the Fair Labor Standards Act) for the City. Vacation leave, Holiday leave, Bereavement leave, Personal Day leave, Jury Duty leave, Sick leave, Family Medical leave, Compensatory time taken, Military leave, Injury leave, Suspension and all other leaves with/without pay are considered "hours not worked" and are not considered for overtime eligibility.

C. Compensatory Time Off

1. An employee may either be paid overtime compensation or the employee may accrue compensatory time for any overtime worked. The employee may not elect to receive both overtime compensation and to accrue compensatory time for overtime worked in the same day. Both the employee and the supervisor must agree in advance of the time worked to the election of compensatory time in lieu of overtime pay.
2. Non-exempt employees and Civil Service employees are eligible to accrue compensatory time. Non-exempt employees including Civil Service can have a maximum accrual of 80 hours of compensatory time.
3. Exempt employees are frequently required to work more than 40 hours a week. Although exempt employees are not covered under FLSA for overtime or compensatory time, the City Manager or designee may authorize exempt employees to take compensatory time rather than vacation or sick leave for absences.
4. An employee may request the use of their accrued compensatory time in the same manner as vacation leave or personal leave. A supervisor must allow an employee to use their accrued compensatory time within a reasonable period of time from the date of the request, provided the use is not unduly disruptive to the department's operation.

5. Generally, there is no additional compensation for compensatory time other than that outlined in this section unless specified in an employment agreement. The City Manager or designee may authorize payment for compensatory hours if requested by the employee. Generally this will only be authorized for emergencies such as medical expenses. Nevertheless, of and from January 1, 2023, employees who have accrued compensatory time off in excess of 80 hours will be paid for all accrued compensatory time in excess of 80 hours (a buy-down of excess accrued comp time). The City Manager may implement a comp time buy back policy whereby the City may buy back accrued comp time of less than 80 hours. The payment will be based on the employee's regular rate of pay at the time of the City's buy-down of the excess compensatory time.
6. Upon termination of employment with the City, or upon an employee's change of status to an exempt, part-time, or seasonal position, the employee will be paid for all accrued but unused compensatory time off. The compensatory time off payment will be the higher of: 1) the average regular rate of pay received by the employee during the last 3 years of employment, or 2) the final regular rate of pay at the time of termination or change of status to exempt, part-time, or seasonal.



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Classification and Compensation Plan
INITIAL EFFECTIVE DATE	October 24, 2016
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	6.04

OBJECTIVE It is the policy of the City of Watauga to provide a systematic and organized approach for the administration of salaries for classified employees in a uniform, city-wide basis and to provide equitable and competitive compensation based on position classification, performance, and market analysis. It is the philosophy of the City to compensate employees in direct relation to the value of the position and their contributions to the success of the City and their department goals and objectives.

SCOPE This policy applies to all employees. Police Officers and Fire Fighters are subject to the applicable provisions of Texas Local Government Code Chapter 143, the Rules of the City of Watauga Firefighters and Police Officers Civil Service Commission, and the general and special orders of the Police and Fire Departments, which may incorporate some or all of the provisions of this policy.

POLICY

A. Definitions

1. **Regular Full-Time Employee:** Employees who are scheduled to work a full work week (40 hours/week) or a full work period on a regular basis and have successfully completed probation with the city. These employees are eligible for full benefits.
2. **Regular Part-Time Employee:** Employees who are scheduled to work less than a full work week schedule or less than a full work period and have successfully completed probation with the city. These employees whose positions are scheduled to work at least 1,000 hours per year (20 hours/week but less than 40 hours/week) must participate in TMRS retirement plan.
3. **Probationary Employee:** Full-time or part-time employees who have not yet completed their initial probationary period, which is generally six (6) months but may be extended up

to one (1) year from hire date. Probationary employees can be either full-time or part-time. See **Policy 3.03 Probation Period**.

4. **Part Time Employee Under 20 Hours** – Employees who are scheduled to work 20 hours or less are not eligible for Benefits such as Vacation, Holiday, and Sick. Employees work less than 1000 hours per year will participate in a retirement plan with the City through PARS (Public Agency Retirement Service) provider.
5. **Temporary Employee:** Full-time or part-time employees who are hired for a specific period of time, determined at the onset of employment and is usually twelve (12) months or less. Part-time employees whose function is to supplement the regular work force on a sporadic as-needed basis. Employees must work less than 1,000 hours per calendar year (19 hours/week or less). Temporary employees do not accrue benefits; however, they must participate in the Part-time, Temporary, or Seasonal (PTS) retirement plan through the city's PARS (Public Agency Retirement Service) provider.
6. **Dual Employment:** No employee may hold more than one position within the City of Watauga at any given time.
7. **Range:** A designation within the structure; linked through the midpoint (control point) to the external prevailing wage; all positions within an assigned grade have similar relative internal and external value.
8. **Minimum:** Typically, the rate at which an employee is paid who has acquired the minimum qualifications.
9. **Midpoint:** Statistical average of the surveyed data for positions assigned to that grade. Calculation = (Minimum + Maximum)/2
10. **Maximum:** Typically, the maximum value of a position and above which an incumbent's pay should not exceed; long-tenured staff with little position movement typically will have a pay rate toward the top end of the assigned grade.
11. **Exempt Position:** Positions paid on a salaried basis as determined by Human Resources based on job analysis to ensure compliance with Fair Labor Standards Act (FLSA). Exempt from coverage of the overtime rule; therefore, not eligible for compensation for hours worked in excess of 40 in the work week.
12. **Non-Exempt Position:** Positions paid on an hourly basis as determined by Human Resources based on job analysis to ensure compliance with Fair Labor Standards Act (FLSA). Compensation of all hours worked including hours in excess of 40 in a work week either through overtime (time and ½) or compensatory time.

B. City of Watauga Classification and Compensation Plan

1. The Human Resources Department maintains the City's Classification and Compensation Plan. The plan includes the positions and salary ranges for all employees of the City of Watauga. When extensive changes occur, Department Directors may submit written requests to the City Manager through the Director of Human Resources to reclassify current position(s). **Policy 6.06 Position Classification and Evaluation** provides direction regarding the reclassification process.
2. The administration of the pay system is under the direction of the Director of Human Resources, who is responsible for the following:
 - a. Communication of pay issues with the workforce, including training, orientation and other processes.
 - b. Conducting salary surveys annually to adjust the salary structure as established through budgetary guidelines and eligibility criteria.
 - c. Utilizing comparator cities adopted by the City Council to evaluate compensation for its Non-Civil Service (Exempt/ Non-Exempt) and Civil Services positions.
3. The classification plan comprises a list of job titles supported by written job descriptions setting forth the duties and responsibilities of each job and the qualifications necessary for appointment to a position of that job. The classification plan shall:
 - a. Provide equal pay for equal work under the provisions of the Equal Pay Act.
 - b. Establish qualification requirements for recruiting applicants.
 - c. Provide supervisors with a means of analyzing work distribution, areas of responsibility, lines of authority and other relationships between positions.
 - d. Assist departments in determining budget requirements.
 - e. Provide a basis for developing standards of work performance.
 - f. Provide uniform titles for positions.

C. Employee Compensation

1. Compensation Plan
 - a. The Human Resources Department maintains the compensation plan. The plan includes a schedule listing pay at the minimum, midpoint and maximum for each salary range. The minimum represents the minimum salary level for a new employee meeting the minimum qualifications of the job.

- b. Salaries are listed on an annual, monthly and hourly basis for both exempt and non-exempt positions. Part-time employees are classified as non-exempt.

2. Starting Salary

New employees meeting the minimum job requirements are hired at the “minimum” salary. There may be circumstances where a new employee offers an unusual skill level, the number of qualified applicants is lacking, or there may be market conditions or specific job duties requiring higher compensation levels, in which the employee may be offered compensation above the “minimum,” contingent upon available funding. Starting salaries above the minimum require the approval of the City Manager.

3. Changes in Compensation

The City Manager must authorize all salary adjustments, except for adjustments to zero during a separation of employment. The City Council must authorize compensation adjustments for the City Manager.

The City Manager is prohibited from authorizing any change in any employee's salary or wages that exceeds the pay ranges approved in the Classification Plan that has been approved by the City Council. Any change in salary or wages outside of the Classification Plan requires the prior consent and approval of the City Council in an open meeting.

The following types of increases may be given as approved through the budgetary process.

a. Merit Increase (Non-civil service employees)

The compensation plan is designed to allow pay increases to employees rewarding ability, education and efficiency with consideration given to market factors for each job. Dependent upon budgetary appropriations individual increases may be granted upon recommendation of Department Directors, who shall give careful consideration to the performance record of each employee. Merit increases are given to an employee based on an assessment of their work performance based on their annual written performance evaluation. Evaluations are based on calendar year, due March 1st of each year. For employees who have received a probationary evaluation within 60 days of the end of the calendar year, annual evaluations are not required.

The amount of merit increase is determined annually through the budgeting process. The schedule for the ratings is determined by the City Manager using this format:

Rating Scale:

- 5 - Far Exceeds 3%
- 4 - Exceeds Expectations 2%
- 3 - Meets Expectations 1%
- 2 - Below Expectations
- 1 - Needs Improvement

b. Market Increase

Market increases are based on results of an annual compensation market study. It occurs when an assigned grade of the job is adjusted to a grade higher and the affected position's current salary falls below the minimum of the new grade.

c. Cost of Living Adjustments

Across-the-board pay rate increases occur at the beginning of the fiscal year if approved by City Council. Typically, these types of increases are given as Cost of Living Adjustment (COLA). A COLA adjusts salaries based on changes in the Consumer Price Index or some other measurement.

d. Equity Adjustment

Equity adjustments are intended to correct a pay disparity within a job classification. Equity adjustments will be made on a case-by-case basis and must be approved by the City Manager subject to fund availability.

Employees under active disciplinary action may have their increases withheld until performance returns to acceptable standards. These will be reviewed by the Department Director and City Manager on case-by-case basis. This section does not apply to Civil Service employees.

D. Promotions

If an employee is promoted to another classification in a higher salary range, the employee's rate of pay may be increased in accordance with the same criteria outlined for new hires in **Section C. 2. Starting Salary** of this policy. In no case shall the employee's rate of pay be less than the minimum of the higher pay range. **See Section 3.02 Selection Process, D. Promotions** for more information.

E. Demotions

1. An employee who is either voluntarily or involuntarily demoted to a classification with a lower pay range or lower maximum salary shall have their salary reduced by a minimum of 5% unless otherwise authorized by the City Manager.
2. The salary for employees receiving voluntary or involuntary demotions must be placed below the maximum pay level of the assigned salary range.

3. **See Policy 3.02 Selection Process, F. Demotions and Policy 11.01 Discipline Section B.5. Demotions** for more information.

F. Lateral Transfers

1. When an employee applies and is selected for a position in the same salary range this is considered a lateral transfer. In most cases of lateral transfers, the employee's rate of pay will remain unchanged unless otherwise authorized by the City Manager.
2. **See Section 3.02 Selection Process, E. Lateral Transfers** for more information.

G. Compensation At or Exceeding Top of Pay Range

Employees whose base salary is at, or exceeds, the maximum of their pay range, shall receive an annual one time lump sum in lieu of any across-the-board or merit increases. Lump sum payments shall be approved by the City Manager. The lump sum payment shall not be included in the employee's annual salary. As such, it will not be considered in calculating any rate-based pay increases, determining the amount of life insurance or disability insurance provided to the employee by the City or any other salary-based considerations unless required by law or City policy.

H. Completion of Probationary Period Increase

A newly hired or promoted employee who successfully completes the six (6) month probationary period may be authorized an increase up to five percent (5%) of their salary based on their 6-month evaluation by their respective Department Director as approved by the City Manager.

I. Compensation for Supervisors

All supervisors shall be paid at a higher rate than their subordinates. In the event that a supervisor is paid a rate of pay equal to or less than one or more of their assigned subordinates, the supervisor shall be advanced to a rate of pay five percent (5%) higher than any subordinate.

J. Temporary Assignment Pay

An employee who is required to serve in a position of a higher classification shall receive a minimum of ten percent (10%) above the present salary of the employee as approved by the City Manager. The amount will be based on the employee's knowledge, skills, abilities, experience, training, and education.

The following must occur to qualify for the higher pay:

1. The employee must be able to perform the duties of the position of higher classification.

2. The employee is asked to serve in a position of a higher classification.
3. The employee accepts the responsibility for work in a higher position.
4. The assignment to a higher-class position is regular and continuous in character for at least thirty (30) days.
5. The assignment is approved by the Department Director. If it is a Department Director position, the City Manager or their designee will make the determination.

Duty Assignments for Civil Service employees are governed by Chapter 143 of the Local Government Code and the City of Watauga Firefighters' and Police Officers' Civil Service Rules and Regulations, Chapter 7.

Employees who separate employment while on Temporary Assignment Pay will not be paid previously accrued hours at Temporary Assignment pay.

An employee may be temporarily assigned to the work of any position of the same or lower-class grade without change in pay.

K. Sign-on Bonuses

Police Officer applicants who are certified Peace Officers and meet the qualifications and requirements of the Watauga Police Department may receive a sign-on bonus. The amount will be subject to available funds. Applicants will receive half of the bonus at the time of hire. The other half will be paid upon successful completion of the Field Training Officer (FTO) program.

L. Employee Recruitment Compensation

Employees who expend time and effort to recruit prospective Police Officer applicants, who possess the credentials of being a certified peace officer in Texas and who meet the qualifications and requirements of the Watauga Police Department, may receive Employee Recruitment Compensation. The amount will be subject to available funds.

The following policies apply:

1. The Police Applicant Candidate must be hired by the City of Watauga Police Department and successfully complete the Field Training Officer (FTO) program. Once this is satisfied, the recruiting employee will be eligible to receive Employee Recruitment Compensation.
2. The recruiting employee must complete and submit the Police Candidate Recruitment Form (**See Appendix A**) to Human Resources prior to the date the applicant takes the department entrance examination.
3. The recruiting employee must be employed with the City of Watauga to receive Employee Recruitment Compensation.
4. The first employee to complete the Police Candidate Recruitment Form will be the only employee eligible for payment.
5. All information regarding the hiring decision will remain strictly confidential.

Appendix A



Police Candidate Recruitment Form

Entrance Examination Date: _____

Police Candidate's Name: _____

Date Candidate Applied: _____

Recruiting Employee's Name: _____

Recruiting Employee's Phone Number: _____

I have read and understand the City of Watauga policy *Employee Recruitment Compensation* found in Policy 6.04 Classification and Compensation Plan, Section L.

Recruiting Employee's Signature

Date

INTERNAL USE ONLY

Date form was received: _____

HR Initials: _____

Was candidate hired by WPD? Yes No (Circle)

Date of Hire: _____ HR Initials: _____

Date Candidate completed Field Training Officer Program: _____

Payroll Date for Employee Recruitment Compensation: _____

Approved Amount: _____

Approvals:

HR Director

Date

City Manager

Date



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Longevity Pay
INITIAL EFFECTIVE DATE	May 23, 2016
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	6.07

OBJECTIVE Longevity Pay is provided to encourage retention of employees by recognizing the value of long-term service with the City.

SCOPE This policy applies to all full time and eligible regular part time employees.

POLICY

A. Longevity Pay Schedule

Full time employees will receive longevity pay based on twelve dollars (\$12.00) per month of service up to a maximum of 25 years. Longevity pay is paid as a lump sum.

Employees promoted to a full-time position will receive longevity pay based on twelve dollars (\$12.00) per month of service up to a maximum of 25 years. Longevity pay will begin on the month of full time employment. Prior longevity, if any, will be calculated at the part time rate.

Full Time Employees	Longevity Amount Per Month
40 Hours + per week	\$12.00

Regular part time employees will receive longevity pay based on six dollars (\$6.00) per month of service up to a maximum of 25 years. Employees must average a minimum of 25 hours a week to qualify for longevity pay.

Regular Part Time Employees	Longevity Amount Per Month
Under 25 Hours per week	\$0
25 Hours to 29 Hours per week	\$6.00

B. Eligibility

1. Employees employed for one (1) year or more will receive longevity pay in addition to their regular base pay in accordance with the schedule in Section A of this policy.
2. Months of service shall be based on the employee's annual anniversary date preceding December 1 of each year.
3. Longevity is paid in a lump sum between December 1 and December 15 of each year.
4. Employees must be active on the payroll through November 30 of each year to be eligible for the December payment.

C. Separation from Service at Retirement

All employees who retire from the City are eligible for a pro-rated share of longevity pay. The pro-rated amount will be for the number of completed months since their last longevity check. Additionally, the employee will be paid for each complete month which was not calculated in their first longevity check.

D. Longevity Pay and Re-Employment

An employee who terminates employment with the City for any reason shall forfeit all prior service credit for purposes of longevity pay. A former employee who is re-hired will begin earning service credit for longevity pay without reference to prior service. Credit for longevity will commence with a zero balance on the date of reemployment.

Exceptions apply during a Reinstatement Following Reduction in Force or Lay Off as specified in ***Policy 11.03 Types of Non-Disciplinary Separation*** and during a reinstatement of a Police Officer as specified in Section 4.18 *Reappointment as a Police officer After Resignation* of the ***City of Watauga Firefighters' and Police Officers' Civil Service Rules and Regulations***.



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Tool Allowance
INITIAL EFFECTIVE DATE	July 24, 2017
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	7.06

OBJECTIVE This policy sets forth measures to effectively manage the City's tool allowance program.

SCOPE This policy applies to all eligible employees.

POLICY

A. Eligibility

Full time employees in the positions that service in roles as Mechanics, who are required to provide their own tools of the trade as a condition of employment, shall receive a tool allowance of \$500.00 dollars per year payable in November of every year. Employees must have completed their six (6) month probation period to be eligible.

B. Policy

1. In order to comply with the Internal Revenue Service (IRS) provisions, all payments made for tool allowance will be taxable.
2. It is understood and agreed that the amount paid under this policy constitutes a reimbursement for expenses actually and necessarily incurred in the purchase, upgrade and maintenance of tools in order to perform their duties.
3. Tools may be inspected by the Fleet and Facilities Superintendent to assure they are of sufficient quality and condition which will provide safe, damage free usage.
4. The employee shall be responsible for the safe operation and usage of their tools.
5. The employee shall be responsible for the securement and protection against loss or theft which includes a lockable secure tool box.
6. Theft or disappearance of tools shall not be reimbursed by the City unless such loss is the result of, and evident of, a forceable entry.

7. Criteria used in determining whether a specific tool should be supplied by the organization or be required of the employees includes cost, frequency of use, mobility and securement of the item and shall be determined by the Director of Public Works and Fleet and Facilities Superintendent.

The Mechanic I positions will generally require the following tools:

- Locking mobile storage cabinet
- 1/2", 3/8" and 1/4" drive sockets, both American and metric sizes (less than 1" or 21mm) with related ratchets and extensions
- Expanded set of sockets to include flex head and deep well type
- Combination end wrenches both American and metric sizes (less than 1" or 21mm)
- Set of basic Allen wrenches or sockets
- Various screw drivers; Phillips, straight and Torx tips
- 1/2" drive torque wrench of either the "click" or "dial" type of sufficient quality and accuracy
- Wire cutters and crimping tools for small gauge wire
- Various hammers, punches and chisels
- Electrical test light
- Tire pressure gauge and valve stem tool
- 10 foot tape measure
- Spark plug gap tool
- Oil filter wrench
- Battery terminal tools
- Digital VOLT-OHM meter
- Measuring devices such as calipers and thickness gauges
- Various snap-ring retainer pliers
- 1/2" and 3/8" drive air pact tools, 3/8" air ratchet
- Various impact sockets
- Flair nut or tubing wrenches
- Any other various tools required to perform job duties safely and efficiently



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Work Flexibility Program
INITIAL EFFECTIVE DATE	November 9, 2020
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	7.07

OBJECTIVE The Work Flexibility Program is to allow for work and homelife balance. The City recognizes employees are most productive when they are able to successfully achieve a balance in their personal and professional lives and one way to achieve this is to promote a remote work option or flexible work schedule. Options for flexible work schedules have been made available to promote productivity. Dependent upon the needs of the City and the employee, employees may be permitted to work flexible work schedules or work remotely.

SCOPE This policy applies only to eligible employees and must be approved by the Department Director and City Manager.

POLICY

A. General

The Work Flexibility option is viable when both the employee and the job are suited to such an arrangement. Work Flex or remote work may be appropriate for some employees and positions, but not for others. The Work Flexibility program is not an entitlement, it is not a city-wide benefit, and it in no way changes the terms of employment with the City of Watauga. The Work Flexibility Program will not affect an employee's compensation, benefits, work status or work responsibilities. The duties, responsibilities, and conditions of employment remain the same as if the employee were working at their regular work site. The employee shall comply with all City of Watauga policies and procedures while working at home or in an alternate location. The Work Flexibility Program shall not result in any additional cost to the City of Watauga.

B. Eligibility

Employees are eligible to have work flexibility to adjust their workweek or work remotely if approved by their Department Director and City Manager and when it is in the best interest of the City to do so. Not every job or every employee is well suited for work flexibility or remote work. The employee must have a good performance record, no documented absenteeism problems or other discipline problems. Work Flex by one employee should not negatively affect the workload

or productivity of others by shifting burdens, creating delays, or adding steps in the workflow. All work flex arrangements are made on a case-by-case basis, focusing first on the business needs of the City.

C. Term

Work Flex schedules as well as remote work can be arranged on a long-term, short-term, or as needed basis as long as it is approved. In some situations, employees may be directed to work remotely. The remote schedule may be for all or part of a workweek. Either an employee or a supervisor can suggest remote work as a possible work arrangement to a director for consideration.

Temporary remote work arrangements (less than 3 months) may be approved for circumstances such as inclement weather, special projects, or business travel. These arrangements are approved by the department director on an as-needed basis only, with no expectation of ongoing continuance.

Work Flex or remote work arrangements may be discontinued at any point at the direction of the City. Every effort will be made to provide notice of such change to accommodate commuting and other issues that may arise from the termination of a work flex or remote work arrangement. There may be instances, however, when no notice is provided.

D. Working Hours

Non-exempt employees participating in the Work Flexibility Program shall work a full 40 hour work week and accurately record all hours worked in accordance with regular timekeeping practices. In accordance with ***Policy 6.02 Overtime and Compensatory Time***, all non-exempt employees are required to receive their supervisor's prior authorization before performing any overtime work. Failure to comply with these requirements may result in the immediate termination of the work flex arrangement.

E. Remote Work Responsibilities

1. Employees approved to work remotely are required to comply with all City of Watauga's policies and procedures as if the employee were at the primary work site.
2. The employee will arrange primary care for children under the age of six during at-home work hours. The Work Flexibility Program is not designed to be a replacement for appropriate childcare. In the case of a dependent's illness, the employee must use leave benefits in accordance with City policy.
3. The employee will work at home during the hours agreed upon by the employee and his/her supervisor. Changes to this schedule must be reviewed and approved in advance by the employee's Department Director.

4. Remote work employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the City's time-keeping system. Hours worked in excess of those scheduled per day and per work week require the advanced approval of the telecommuter's supervisor.
5. The employee will be expected to attend in-person meetings relating to his/her job including those held on a remote work day.
6. Employees must maintain a professional appearance when interacting with others. Video conferencing will require the employee to wear appropriate clothing that follows the City's Dress Code found in Policy **10.06 Dress Code, Uniforms and Personal Appearance**.
7. Employees agree to maintain safe conditions in the at-home workspace and to practice the same safety habits in the designated workspace as they would on the City's premises.
8. In case of an injury while working at home, the employee shall immediately report the injury to his supervisor per City policy. Worker's compensation liability will be limited to work-related injuries at the designated workspace at the alternate work site during approved work hours.

F. Procedure

All Work Flexibility Program arrangements shall be approved by the Department Director and City Manager. Before entering into any arrangement, the employee and director will evaluate the suitability of such an arrangement, reviewing the following areas:

1. The employee and director (or designee) will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
2. The employee and director (or designee) will discuss the job responsibilities and determine if the job is appropriate for a remote work arrangement or work flex schedule.
3. The employee and the director (or designee) will review and approve the remote work location. The most common remote work location is the home of the employee; however, other locations may be considered.
4. The employee is responsible for providing space, telephone, printing, networking, and/or Internet capabilities at the remote work location and shall not be reimbursed by the employer for these or related expenses. The employee and director (or designee) will review any technology and equipment needs and the appropriate location for telecommuting to determine if remote work is feasible.

5. The employee and the director (or designee) will review any scheduling issues and establish expectations for scheduling telecommuting days and working hours.

G. Work Flex Schedule

A flextime work schedule permits flexibility in arrival and departure times. The work hours are selected by the supervisor and the employee to complete a full work week of 40 hours.

1. A flextime work schedule can be arranged in various ways to accommodate a work unit, division or department. Department head must approve all Flexible work schedules.
2. In lieu of receiving overtime pay in a work week, when a non-exempt employee physically works in excess of 8 hours a day, he may use those hours in excess of eight, and flex his work hours for the remainder of that work week (e.g., An employee works 10 hours on Monday, then uses the two hours worked in excess of the eight toward his workday on Tuesday to take off two hours).

The following provisions apply in such cases:

1. When flexing hours in a work week. Prior Director approval is required.
2. In one-hour increments, up to eight hours per day may be accumulated as "credit" hours and subsequently used as time off in a work week.
3. Non-exempt employees shall flex hours within one work week. Hours cannot be carried over from one work week to the next.

G. Forms

All requests for Work Flexibility will be submitted for approval to Department Director and City Manager on the **Work Flexibility Request Form**.



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Holidays
INITIAL EFFECTIVE DATE	May 23, 2016
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	8.01

OBJECTIVE This policy provides procedures for administering official City Holidays.

SCOPE This policy applies to all employees.

POLICY

A. Official City Holidays

The City of Watauga recognizes eleven (11) paid holidays each year:

Official City Holidays	
New Year's Day	Thanksgiving Day
President's Day	Friday after Thanksgiving
Good Friday	Christmas Eve
Memorial Day	Christmas Day
Independence Day	Personal Day*
Labor Day	

Holidays occurring on Saturday will be observed on the preceding Friday and holidays occurring on Sunday will be observed on the following Monday. Additional holidays may be declared by the City Council and inclement weather days may be declared by the Mayor or the City Manager and shall be observed in accordance with this policy.

*Per Local Government, Section 142.0013(c), firefighters shall have one of the above holidays designated as September 11th. The City of Watauga has designated the Personal Day as September 11th.

B. Personal Day

Employees are not eligible to take their Personal Day until after the successful completion of an initial six (6) month of employment. Personal Days are taken at the discretion of the employee with Supervisor approval. Personal Days must be taken by the third Friday in December. Personal Days do not carry over to the following year.

C. Administrative Guidelines

1. It is the City's intent for employees to be off on City approved holidays. However, due to operational needs, employees may be required to work. Holiday time off will be based on departmental needs and supervisor approval.
2. Seasonal and temporary employees will be paid their regular rates on a holiday only if required to work.
3. Full-time regular employees shall be entitled to paid holidays. Regular part-time employees shall receive prorated holiday pay time and receive prorated pay for the Personal Day as indicated below:

Employee Schedule	Holiday Pay Hours
20-29 Hours Per Week	4.5
40 Hours Per Week	8 or 10
Police Officers/Firefighters (12 or 24 Hour Shifts)	12

4. All non-exempt employees who are required to work a designated holiday shall be paid out the holiday on the pay period that it lands.
 - a. (8) hours of holiday pay for employees scheduled to work (8) hours
 - b. (10) hours of holiday pay for employees scheduled to work (10) hours
 - c. (12) hours of holiday pay for employees scheduled to work (12) and (24) hours
5. When the holiday and regular day off occur on the same day, those non-exempt employees who are scheduled off duty on that day will be paid out for the holiday.
6. For purposes of calculating overtime for non-exempt employees, holiday hours will not be counted as hours worked during the work week the holiday is observed by the City.
7. Employees on any type of paid leave will not receive holiday pay unless they are scheduled to work on the holiday (i.e. Police and Fire). Only holiday pay will apply.
8. If the last day of employment falls on the holiday, the employee will not be paid for that holiday. Exceptions will be made for retirements.
9. An employee on workers' compensation or other extended approved paid leave, will receive holiday pay only when the employee would have normally been authorized to be paid for that holiday.
10. Employees on an extended unpaid leave status (authorized or unauthorized) will not receive holiday pay.

11. To receive holiday pay, an employee must be at work or on an authorized absence on the scheduled work days immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent immediately preceding, during, or subsequent to a designated holiday because of an illness or injury, the City reserves the right to verify the reason for the absence before approving payment of the holiday. An employee that fails to report to work due to illness or injury under this section must use sick leave for an absence under this paragraph unless the employee is on approved Family Medical Leave.
12. Employees desiring to observe religious or other holidays not coinciding with official holidays may be given time off without pay or may be authorized to use accrued vacation leave.



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Vacation Leave
INITIAL EFFECTIVE DATE	March 27, 2017
LAST REVISION DATE	January 1 ,2023
POLICY NUMBER	8.02

OBJECTIVE This policy provides procedures for administering vacation leave.

SCOPE This policy applies to eligible employees. Vacation leave eligibility is dependent upon a variety of factors, including employee classification and probationary status.

POLICY

A. Purpose

The intent of vacation leave is to provide eligible employees with a benefit for paid time off for the purpose of rest, relaxation, recreation, and to return to work regenerated. It may also be used to supplement sick leave in the event of a serious health condition impacting the employee or their eligible family member.

B. Administrative Guidelines

1. Full-time regular employees are eligible for vacation leave. Part-time regular benefited employees are eligible for vacation leave at a prorated rate. Seasonal, temporary, or part-time (working under 20 hours a week) employees are not eligible for vacation leave.
2. Employees begin accruing vacation leave when hired but are unable to use it until after successfully completing their probationary period. Probationary periods are usually six (6) months unless extended. Civil Service employees are eligible to use vacation leave after six (6) months of employment even though their probationary period may be twelve (12) months or longer.
3. Vacation carry overs are allowed as long as the employee has not reached their maximum accrual at the end of the calendar year. **See Section C.**
4. Employees on leave without pay, disability leave, family medical leave, workers' compensation injury leave (after period of salary continuation) or receiving donated sick leave that have exhausted all leave shall not accrue vacation leave. Vacation leave will accrue based on a prorated basis of the actual hours worked within that month. The

accrual rate is based upon length of service and number of hours worked per regular workweek.

5. Employees must schedule vacation in advance with their Department Director or Supervisor, who shall give due consideration to the request and the needs of the department. Vacations can only be scheduled when the workload permits; however, every reasonable effort shall be made to accommodate individual requests.
6. Employees are required to take vacations of at least one (1) week per year. If an employee requests fewer consecutive days off, vacation time may be taken in increments of not less than one hour for non-exempt employees and in half-day increments for exempt employees; however, all such requests must be authorized by the Supervisor or Department Director in advance of the time off.
7. Holidays occurring during scheduled vacation leave shall be paid as Holiday Pay and will not be deducted from the employee's vacation accrual unless the employee is scheduled to work that day (i.e. Police and Fire personnel). The employee may then use a vacation day and receive holiday pay.
8. Vacation Leave cannot be advanced. Employees may only be absent from work for the amount of vacation leave time accrued; time off cannot be taken as "unpaid" in addition to vacation leave unless approved by the Department Director and Human Resources Director.
9. **Employees are required to use vacation leave.** When it appears that a vacation, or at least time away from the work place, may be in the best interest of the employee, or those of the department or City, the Department Director may, with the approval of the City Manager, require an employee to take at least one week of accrued vacation leave to be away from the job for an extended period, particularly if the employee has not taken at least one consecutive week of vacation leave in the past twelve months. Similarly, the City Manager may require a Department Director to take accumulated vacation leave if the City Manager deems it is in the best interest of the employee, the department and the City. If an employee refuses to take the one-week minimum vacation leave, the employee will forfeit those vacation days/hours at the end of the calendar year.
10. Vacation leave cannot be used during a disciplinary suspension as a means to supplement pay lost as a direct result of the suspension.
11. If an employee changes status to a status not eligible for vacation, they will be paid their accumulated vacation leave balance at the conclusion of the pay period prior to the status change in accordance with this policy.
12. Exceptions to this policy must be approved by the City Manager.

C. Vacation Leave Accrual

1. Full-time Employees vacation leave accrual rates are based on length of service and according to the employees scheduled work hours in monthly accrual amounts.

General Government Employees 8-10 Hours

Length of Service (Years)	Vacation Hours Per Year	Monthly Accrual Hours
<0-2	80	6.67
3-4	120	10.00
5-9	128	10.67
10+	168	14.00

2. Civil Service shift employees accrue vacation leave according to their scheduled work hours in monthly accrual amounts. Should an employee transfer to a different hour schedule/shift the employees current vacation balance will not change. Only the accruals going forward will change based on the effective date of the change.

Civil Service Employees 8-10 Hours

Length of Service (Years)	Vacation Hours Per Year	Monthly Accrual Hours
0-4	120	10
5-9	128	10.67
10+	168	14.00

Civil Service Employees 12- & 24-Hours Shift

Length of Service (Years)	Vacation Hours Per Year	Monthly Accrual Hours
0-4	180	15.00
5-9	192	16.00
10+	252	21.00

3. Vacation leave may accrue up to 240 hours per calendar year for employees working 40-hour work weeks and 360 hours for 12/24 hour shift personnel. Once the employee

has accrued the maximum allowed accrual, no further hours will accrue. As an employee uses vacation and the balance falls below the maximum, the employee will start accruing again.

4. Regular Part-time employees accrue vacation leave according to their scheduled work hours according to the following schedule, up to but not more than 120 hours maximum:

Regular Part-time Employees 20-29 hours a week

Years of Service	Monthly Accrual hours
0-5	1.67
6-10	3.33
11+	5.00

D. Vacation Leave Pay at Separation

1. Employees who separate from employment are eligible to receive compensation for their accrued vacation leave only if they have successfully completed the probationary period and have been employed with the City for a minimum of twelve (12) months. *See Policy 3.03 Probationary Period.* Employees may not use accrued vacation during the last two (2) weeks of employment without prior approval from the Department Director.
2. Upon separation from employment, payment of accrued vacation leave shall be paid in a lump sum amount at the regular rate of pay for up to a maximum allowed accrual of vacation leave or as specified in an employment agreement. 12/24-hour shifts will be paid at the 12-hour rate in accordance with their leave accrual.
3. Upon separating employment with the City, all vacation leave credits shall be canceled and shall not be reinstated should the employee later be re-employed.
4. Any employee who quits without notice from their position and does not give a 2-week notice will forfeit their vacation pay at separation.

E. Vacation Buy Back

The Vacation Buy Back Program may be reinstated by the City Manager at any time. The City may, at the City's option, buy back all or any part of accrued and unused vacation leave from employees who have accrued a minimum of 80 hours of vacation leave and a minimum of 80 hours of sick leave.



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Sick Leave
INITIAL EFFECTIVE DATE	March 27, 2017
LAST REVISION DATE	January 1, 2023
POLICY NUMBER	8.03

OBJECTIVE This policy provides procedures for administering sick leave.

SCOPE This policy applies to eligible employees. Sick leave eligibility is dependent upon a variety of factors including employee classification.

POLICY

A. Purpose

The intent of sick leave is to prevent loss of income to employees who are absent due to illness or injury that is not job-related.

B. Administrative Guidelines

1. Full-time regular employees are eligible for sick leave. Part-time regular employees are eligible for sick leave. Seasonal, temporary, part-time (working under 20 hours a week) employees are not eligible for sick leave.
2. Sick leave accrual is unlimited. Eligible employees begin to accrue sick leave upon employment.
3. Probationary employees may use accrued sick leave from the first day of employment with supervisor's approval.
4. Employees shall continue to accrue sick leave during absences from work on legal holidays, during sick leave and vacation leave. Sick leave accumulation shall be at the regularly prescribed rate during absence, as though such employee were on duty.
5. Employees on leave without pay, disability leave, family medical leave, workers' compensation injury leave (after period of salary continuation) or receiving donated sick leave who have exhausted all leave shall not accrue sick leave. Sick leave will accrue based on a prorated-basis of the actual hours worked within that month.

6. Sick leave abuse will not be tolerated. Supervisors will counsel employees if abuse is suspected. Continued abuse will result in further disciplinary action up to and including termination.
7. Sick leave may be allowed in case of medical-related appointments, personal illness, physical or mental incapacity of an employee, when it is necessary to care for an ill or incapacitated spouse, child, or for a parent.
8. Employees are expected to schedule health/preventative appointments so that there will be minimal disruption to the work areas. For regularly scheduled appointments, employees are to give the supervisor as much notice as possible for the upcoming appointment.
9. The preferred method of notification is to call the supervisor at their work number. Individual supervisors may approve alternate methods of notification such as email, texting or calling the supervisor's cell phone.
10. Whenever possible, notice of absence due to an illness, injury, or other unexpected reason must be given by the employee to a supervisor within one (1) hour before starting time. The employee shall report on each succeeding day of absence. Failure to give notice may result in the employee being declared absent without leave and subject to disciplinary action.
11. An employee may be required to furnish their supervisor or the City Manager with a statement from an attending licensed physician, as to the employee's ability to perform the essential functions of the employee's job when:
 - a. The employee's safety or ability to work is in question
 - b. The safety or efficiency of the work unit is in question
 - c. There is a question of sick leave abuse
 - d. There is question as to the merits of an employee's claim that their absence was due to illness or injury of the employee or of a family member
 - e. The employee has been absent from work for three (3) work days or longer
12. The Human Resources Department must be notified as soon as an employee is absent three (3) full days. Upon notification, Human Resources will contact the employee to assess the employee's eligibility for Family Medical Leave. **See Policy 8.04 Family Medical Leave Policy**
13. An employee who has been absent because of illness or injury may be required to submit to a physical examination by a licensed physician selected by the City. In such cases, the employee may return to work upon certification by the examining physician that the employee is physically or mentally fit to return to work, or if the employee is certified fit for limited or light duty.

14. An employee who is released by an examining physician to return to regular or light duty and refuses to report for work or perform their assigned duties is subject to disciplinary action, up to and including termination.
15. When an employee's accumulated sick leave has been exhausted, unused vacation or compensatory time may be used as sick leave upon request of the employee and approval of the Department Director.
16. Sick Leave cannot be advanced.
17. Sick leave will not be authorized during a disciplinary suspension as a means to supplement pay lost as a direct result of the suspension.
18. If an employee changes status to a status not eligible for sick leave, they will be paid their accumulated sick leave balance at the conclusion of the pay period prior to the status change in accordance with this policy under the terms applicable if the employee were separated from employment.
19. Employees on sick leave may not work a second job even if they have been authorized for outside employment by their Department Director. **See Policy 10.07 Outside Employment**
20. Should an employee transfer to a different hour schedule/shift the employees current sick leave balance will not change. Only the accruals going forward will change based on the effective date of the change.
21. Exceptions to this policy must be approved by the City Manager.

C. Sick Leave Accrual

Eligible regular full-time and regular part-time employees accrue sick leave according to their scheduled work hours in monthly accrual amounts.

Scheduled Hours	Monthly Accrual Amount
20-29 per week	4.5 Hrs
40 per week	10 Hrs
Police Officers (12 Hour Shift) Firefighters (24 Hour Shift)	15 Hrs

D. Sick Leave Pay at Separation

1. Employees may not use accrued sick leave during the last two (2) weeks of employment without prior approval from the Department Director.
2. Employees (non-Civil Service): Accumulated sick leave is not compensable upon separation from the City.
3. The City Manager may, at the City's option, implement a sick leave buy back program for employees who have accrued at least 80 days of vacation leave and 80 days of sick leave.
4. Civil Service Employees: Upon separation from employment, Civil Service employees shall receive in a lump-sum payment for the full amount of the person's salary for accumulated sick leave for up to but not more than 90 days of accumulated sick leave. The lump-sum payment is computed by compensating the employee for the accumulated time at the highest permanent pay classification for which the person was eligible during the last six months of employment. Probationary employees may accumulate sick leave but will not receive payment for accumulated sick leave upon separation from employment. Firefighters on 24-hour shifts will be paid at the 12 hour rate in accordance with their leave accrual.
5. Upon separating employment with the City, all sick leave credits shall be canceled and shall not be reinstated should the employee later be re-employed.

E. Sick Time Donation

1. Sick leave may be contributed from one employee to another for illness, injury, exposure to contagious disease, or routine medical or dental appointments which cannot reasonably be scheduled outside of working hours.
2. Sick leave may not be transferred from one employee to another within (fourteen) 14 days of separation from employment of either employee, whether by retirement or discharge.
3. Employees must have accrued over 80 hours of sick leave to be eligible to transfer hours to another employee, and employees opting to transfer must have a balance of 80 hours left in their sick leave after the transfer.
4. The Human Resources Department will notify all employees when a request is made for Sick Leave and will provide the donation form.
5. The donations will not be processed until the eligible recipient employee has used all hours of their accumulated leave. The employee will only be given the hours for each payroll period as needed. Hours donated must be used when donated and may not be

accumulated for future use. Donated hours will be deducted in equal amounts as needed. Only one request for donations is allowed per occurrence.

F. Well Pay Incentive Program

1. The Well Pay Incentive Program is designed to reward employees for good attendance by annually converting a portion of their unused sick leave into Well Pay hours.
2. In order to be eligible to participate in the Well Pay Incentive Program, employees must:
 - a. Be eligible to accrue sick leave;
 - b. Have completed 12 months of employment;
 - c. Not have disciplinary suspensions or received a final warning in the preceding 12 months;
 - d. Have not received any sick leave donations within the preceding 12 months; and
 - e. Have at least 80 hours of sick leave remaining after the conversion.
3. In order to participate in the Well Pay Incentive Program, employees must meet one (1) of the following requirements:
 - a. Employee must have used no more than five (5) days of sick leave during the period of January 1 through December 31 of the prior year. Sick leave used during approved FMLA does not count. Only full day absences will be used in the calculation of sick day absences for this purpose, not partial days; OR
 - b. Employee has the equivalent balance of 60 days of sick leave available. Days are calculated based on the employees' scheduled work hours and leave accrual rate.
4. Well Pay Leave will be issued in February of each year.
5. Eligible employees must submit the Well Pay Conversion Form to Human Resources in the specified time annually. ***See Well Pay Conversion Form.***
6. Employees will have from February 1 of the conversion calendar year until January 31 of the following calendar year to use Well Pay hours. Upon written request from the employee, the City Manager may extend the usage period for up to 90 days based on operational needs.
7. The accumulation and use of Well Pay hours do not affect the employee's vacation usage requirement. Employees are required to use vacation as required by **Policy 8.02 Vacation Leave.**
8. Well Pay Hours are not paid upon separation of employment.
9. Once sick hours are converted to Well Pay Hours they cannot be changed.

10. Well Pay Hours are intended to provide time away from the work environment to pursue activities that promote the well-being of the employee and use must be approved by the employee's supervisor.

11. Sick Leave will converted to Well Pay Leave based on the following:

Eligible Sick Hours For Conversion	Well Pay Hours Received after Conversion
80 (10 Days)	40 (5 Days)
40 (5 Days)	20 (2.5 Days)



Well Pay Conversion Form

Employee: _____

Department: _____

I have read and understand the City of Watauga policy *Well Pay Incentive Program* found in Policy 8.03 Sick Leave, Section F.

- I meet all of the following eligibility requirements: I am eligible to accrue sick leave; I have completed 12 months of employment; I have not had disciplinary suspensions or received a final warning in the preceding 12 months; I have not received any sick leave donations within the preceding 12 months; and I will have at least 80 hours of sick leave remaining after the conversion.
- I am eligible to participate in the Well Pay Incentive Program because: (check all that apply)
____ I have used five (5) days or less of sick leave during the period of January 1 through December 31 of the prior year. Sick leave used during approved FMLA does not count. Only full day absences will be used in the calculation of sick day absences for this purpose, not partial days.
____ I have the equivalent balance of 60 days of sick leave available. Days are calculated based on the employees' scheduled work hours and leave accrual rate.
- I understand that I will have from February 1 to January 31 to use Well Pay hours.
- I understand that the accumulation and use of Well Pay hours do not affect my employee's vacation usage requirement per Policy 8.02 Vacation Leave.
- I understand Well Pay Hours are not paid upon separation of employment.
- I understand once sick hours are converted to Well Pay Hours they cannot be changed.
- I understand Well Pay Hours are intended to provide time away from the work environment to pursue activities that promote the well-being of the employee and use must be approved by the employee's supervisor.

Check One:

____ I would like to convert 80 of my Sick Hours (10 days) to 40 Well Pay Hours (5 Days)

____ I would like to convert 40 of my Sick Hours (5 Days) to 20 Well Pay Hours (2.5 Days)

Employee's Signature

Date

INTERNAL USE ONLY

Date form was received: _____

Number of Sick Hours used between January 1 and December 31: _____

Number of Sick Hours converted to Well Pay Hours: _____

Human Resources Authorization

Date