

CITY OF MISSION, KANSAS
FINANCE & ADMINISTRATION COMMITTEE

WEDNESDAY, DECEMBER 14, 2016
7:30 p.m.
(or immediately following 6:30 p.m. CDC Meeting)
Mission City Hall, 6090 Woodson

PUBLIC HEARINGS / PUBLIC COMMENTS

PUBLIC PRESENTATIONS / INFORMATIONAL ONLY

ACTION ITEMS

1. Personnel Policy & Guidelines Update - Brian Scott ([page 4](#))

The City conducts an annual review and update of its Personnel Policy and Guidelines to insure compliance with current practices and state and federal laws. This item details and outlines the proposed changes to become effective January 1, 2017.

2. KERIT Workers Compensation Renewal - Brian Scott ([page 77](#))

The Kansas Eastern Regional Insurance Trust (KERIT) provides workers' compensation coverage for cities in eastern Kansas. This item recommends renewal of workers' compensation coverage for the City of Mission in 2017 at an estimated annual premium amount of \$84,335.

3. Property / Casualty / General Liability Renewals - Brian Scott ([page 79](#))

The City maintains property, casualty and general liability insurance, which renews on an annual basis. This item is consideration of coverage and premiums for these lines of insurance for 2017 for an estimated annual premium of \$113,948.

4. Alcohol Tax Fund Recommendations - Brian Scott ([page 92](#))

The City receives a portion of taxes that are collected on the sale of alcoholic drinks sold within the city limits. One third of these taxes is deposited in the City's Special Alcohol Tax Fund for the purpose of funding programs that prevent or address alcohol and drug abuse. This item is a recommendation that the funds designated for this purpose in the City's 2017 Budget (\$30,000) be allocated to programs that have been identified by the Drug and Alcoholism Council of Johnson County through their annual grant selection process.

5. 2016 Budget Amendment ([page 112](#))

The proposed amendment of the 2016 annual budget will establish new maximum expenditure authority for the Mission Crossing Tax Increment Financing (TIF) and Community Improvement District (CID) Fund and the Cornerstone Commons Community Improvement District (CID) Fund. This will recognize revenues that were captured from these developments that are to be earmarked back to the developer for specific development costs per an approved development agreement.

6. 2017 Budget Ordinance - Laura Smith ([page 115](#))

As one of the final steps in the annual budget process, the City takes formal action to adopt the 2017 Budget by ordinance. There are no changes proposed to the budget adopted by the City Council in August.

7. Ordinance Directing the City Administrator to Spend According to Budget - Laura Smith ([p 117](#))

As part of the annual budget process, the City Council takes formal action to authorize the City Administrator to spend according to the adopted budget.

8. CMB License Renewals - Martha Sumrall ([page 119](#))

Businesses with Cereal Malt Beverage (CMB) licenses must be renewed annually by the City Council. Four businesses have applied to renew their CMB licenses for the period January 1, 2017 through December 31, 2017.

9. Johnson Drive Speed Limit Reduction - Laura Smith ([page 120](#))

At the November 16, 2016 City Council meeting, several traffic and pedestrian safety improvements were discussed and approved. A motion to reduce the speed limit from 30 mph to 25 mph failed because five (5) votes were required to pass an ordinance. There were only five Councilmembers present, and the vote was 4 in favor, one opposed. Councilmember Suzie Gibbs asked for the speed limit recommendation to be placed on the December committee agenda. The Council will consider an ordinance to implement the speed limit changes along Johnson Drive between Roe and Lamar.

DISCUSSION ITEMS

10. MCVB Committee Update - Laura Smith ([page 133](#))

Over the last two years, there have been several changes in the leadership, roles and responsibilities of the MCVB Committee. They are no longer directly involved with the production of the Mission Magazine or with the holiday adoption program, leaving only the annual special events, which are now reduced to two (Battle of the Brisket and Holiday Lights and Festive Sights). In an effort to be more

respectful of the volunteer time put in by Committee members, and to be more efficient with staff resources, Staff requests that the City Council consider eliminating the MCVB Committee as it is currently structured.

OTHER

Ron Appletoft, Chairperson
Nick Schlossmacher, Vice-Chairperson
Mission City Hall, 6090 Woodson
913-676-8350

City of Mission	Item Number:	1.
ACTION ITEM SUMMARY	Date:	December 1, 2017
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

RE: Review and Revision of the City of Mission's 2017 Personnel Policies and Guidelines

RECOMMENDATION: Approve the ordinance adopting the changes proposed to the City of Mission's Personnel Policies and Guidelines effective January 1, 2017.

DETAILS: Each year staff conducts a review of the City's Personnel Policies and Guidelines. The review, done in conjunction with an external HR consultant, ensures that the City's personnel policies conform with the most current federal and state regulations, and accurately reflect the organization's current policies and practices. Changes to the policies are approved by ordinance, which incorporates them into the City of Mission Municipal Code.

A copy of the current Personnel Policies and Guidelines is attached with proposed changes shown in strikeout (deletions) and underlines (insertions). The proposed changes mostly reflect grammatical corrections, proper term usage, and clarification of benefit administration.

One significant change may be found in Section N-13; Weapons Free Workplace and Possession of Personal Firearms at the end of the guidelines. This sections was redrafted in order to conform with state legislation (HB 2502) that was passed and adopted into law this past summer. The legislation specifically allows for public employees to carry concealed weapons while performing their duties. A legislative summary of this bill is attached.

Additional substantive changes may be found on the following pages in the document:

Page 3	Page 34
Page 4	Page 45
Page 22	Page 48
Page 31	Page 50
Page 61	

CFAA CONSIDERATIONS/IMPACTS: The City strives to recommend and adopt flexible employment practices which meet the needs of citizens of all ages.

Related Statute/City Ordinance:	Mission Municipal Code Section 120.230
Line Item Code/Description:	n/a
Available Budget:	n/a

CITY OF MISSION

ORDINANCE NO. _____

AN ORDINANCE ADOPTING PERSONNEL POLICIES AND GUIDELINES FOR THE CITY OF MISSION, KANSAS TO PROMOTE AND INCREASE EFFECTIVE CITY SERVICES, MAKE CITY SERVICE ATTRACTIVE AS A CAREER, ESTABLISH AND MAINTAIN A FAIR AND UNIFORM PLAN OF PERFORMANCE EVALUATION AND COMPENSATION, PROVIDE GOOD WORKING RELATIONSHIPS, AND ESTABLISH UNIFORM PERSONNEL POLICIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

SECTION 1. Adoption of Personnel Policies and Guidelines. The City of Mission Personnel Policies and Guidelines dated January 1, 2017 is hereby adopted as the personnel policy for this jurisdiction. The policy is hereby incorporated in this ordinance as if fully set out herein with an effective date of January 1, 2017.

SECTION 2. Take Effect. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the official City newspaper, all as provided by law.

PASSED BY THE CITY COUNCIL this 21st day of December 2016.

APPROVED BY THE MAYOR this 21st day of December 2016.

Steve Schowengerdt, Mayor

(SEAL)

Attest:

Martha Sumrall, City Clerk



D R A F T

**Personnel Policy and Guidelines
City of Mission, KS**

January 1, 2017

Mission Statement

It is the mission of all city employees to provide the best possible service in a cost effective and timely manner to all citizens of the City of Mission, Kansas.

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**PERSONNEL POLICIES AND GUIDELINES
CITY OF MISSION, KANSAS**

ARTICLE A. GENERAL

A-1. Policies Established. The following policies, guidelines and other provisions for personnel administration in the City of Mission are established to:

- (a) Promote and increase the efficiency and effectiveness of city-City service.
- (b) ~~Develop~~ a program of recruitment, advancement, and tenure which will make city-City service attractive as a career.
- (c) Establish and maintain ~~a process of guidelines for~~ performance evaluation and compensation based upon the relative duties and responsibilities of each position, and to promote a fair and equitable wage or salary to all employees.
- (d) Establish and promote high morale among City employees by providing good working relationships, uniform personnel policies, and an opportunity for advancement without discrimination on the basis of race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law.
- (e) Establish city-City employment and personnel policies. These policies and guidelines do not create contractual employment rights. **All employees are considered to be at-will employees for the purposes of city employment.**

A-2. Administration and Application of Policies. These personnel policies and procedures shall be administered by the City Administrator. It is the responsibility of Department HeadDirectors to ensure that all employees are aware of, and comply with, these personnel policies and guidelines. Each employee will be required to sign an Employee Acknowledgement Form annually indicating he/she has access to, or received, read, and understands the contents of this Personnel Policy and Guidelines booklet ~~or the appropriate Personnel Policy and Guidelines booklet~~. These policies and guidelines shall apply to all employees, appointed officials and appointed members of all boards, commissions and committees in the service of the City except elected officials.

A-3. Departmental Guidelines. The headDirector of any City department may formulate in writing reasonable guidelines for the conduct of the operations of his or her department, such as those relating to safety or operational procedures, which shall be available to all departmental employees. Such department guidelines shall not be less stringent than, in violation of, or in conflict with any personnel guidelines adopted by the Governing Body. Where such conflict may occur, the City's Personnel Policies and Guidelines shall prevail.

A-4. Personnel Records. The Human Resources Specialist shall keep accurate records of all persons employed, their classification and pay scale, time worked, accrued vacation and sick leave, all absences for vacation, sick or

other leave, accrued overtime, and all other records directed to be made and maintained under these Personnel Policies and Guidelines or under applicable state or federal laws. An employee's personnel file shall be available during office hours for inspection by that employee or respective Department Head Director. Requests must be made in advance, and an appointment will be scheduled for viewing the file. Any other request for personnel information must be approved by the City Administrator.

A-5. Amendment of Policies. These policies shall be adopted by ordinance by the Governing Body. Amendments may be adopted from time-to-time in the same manner based upon recommendations by the City Administrator or as proposed by the Governing Body. These policies are, therefore, subject to immediate change, in whole or in part, at the discretion of the City Administrator and as adopted by the Governing Body. Any implemented change will be effective immediately and notice of the change will be posted as soon as possible thereafter. Likewise, these policies and guidelines may be terminated or withdrawn, and with them, any underlying benefits described, at any time at the Governing Body's sole option.

A-6. Governing Body-Employee Relationships. Except for the purpose of inquiry, members of the Governing Body shall deal with administrative services and requests through the City Administrator. No member of the Governing Body shall provide direction, criticism or discipline to any subordinate of the City Administrator, either publicly or privately. While friendly and open relations are encouraged among Governing Body members, Department Head Directors, and employees, requests for information or service will normally be routed through the City Administrator's office in order to maintain the integrity of the administrative process.

A-7. Equal Employment Opportunity and Affirmative Action. The City of Mission, Kansas hereby recognizes its commitment and dedication to Equal Employment Opportunity. By implementing this policy, the City reaffirms its commitment to continue to select, ~~develop~~, compensate, develop, promote, and discipline (up to and including discharge) employees based on their individual abilities, qualifications, and job performance without discrimination on the basis of race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law. The City will consider age or sex if it is a bona fide occupational qualification, and will consider disability for purposes of analyzing reasonable accommodation, or in cases where a disability renders an individual unable to perform the essential functions of the position s/he holds or has applied for, and reasonable accommodation cannot be provided.

A-8. Genetic Information Policy. The City does not discriminate against any applicant or employee because of that individual's genetic information (including information from genetic tests, the genetic tests of family members, the manifestation of a disease or disorder in a family member, family medical history, or information about any employee's, applicant's or family member's request for or receipt of genetic services). Nor does the City improperly request, require, or purchase any genetic information. Testing for drug or alcohol use is not considered "genetic

testing,” and may be required by the City in appropriate circumstances. Any specimen(s) gathered for drug and alcohol testing will not be tested for any genetic information.

- (a) *Inadvertent and other Lawful Acquisition.* To the extent the City receives information about an applicant’s or employee’s family medical history or other genetic information inadvertently or otherwise (e.g., in the administration of a leave or accommodation request), that information will not be used except as required for any legitimate purpose (e.g., to consider an employee’s leave request relating to a family member’s medical condition), and will be treated and maintained as a confidential medical record and will not be disclosed except as allowed or required by applicable law.
- (b) *Non-retaliation.* The City will not retaliate against any individual because the individual honestly and in good faith makes a complaint of discrimination based on genetic information, and/or participates or cooperates in an investigation of alleged discrimination based on genetic information, or of any other alleged violation regarding the acquisition or use of genetic information. Employees who feel they have been retaliated against for making a complaint or participating in an investigation should immediately report the circumstances or incident to [the Human Resources Specialist](#) or the City Administrator.

ARTICLE B. POSITION CLASSIFICATIONS

B-1. Objectives and Purpose. Position classification is a system of identifying and describing different kinds of work in the organization in order to permit equal treatment in employment practices and compensation. Each full-time City position shall, on the basis of the duties, responsibilities, skills, experience, education and training required of the position, be allocated to an appropriate class, which may include either a single position or multiple positions within the same classification. These groupings shall be known as the Classification Plan. The City Administrator shall act as the personnel officer of the City and shall recommend an appropriate position classification system and pay plan to the Governing Body. The Classification and Pay Plan adopted November 2003 is the City’s official Classification and Pay system, is subject to annual review and revision, and [the most recently approved plan](#) is hereby incorporated by reference.

B-2. Job Descriptions. Each position may have a concise descriptive title, a description of the essential and marginal functions (tasks) of the position, [physical requirements](#), and a statement of the qualifications for filling such positions. Such descriptions shall be approved by the City Administrator and shall be kept on file in the Human Resources office and shall be open to inspection by any interested party during regular office hours.

B-3. Pay Range Plan. The Governing Body shall adopt a pay plan, with guidelines for minimum and maximum amounts for each classification. The pay range serves only as an approximate guideline as individual circumstances may vary. The pay ranges assigned to each class of positions shall be reviewed at least annually by the City

Administrator who shall make periodic recommendations for revision to the Governing Body. The City Administrator, after consultation with Department ~~Head~~Directors, shall approve advancements and appropriate pay increases within the approved pay plan and position classification system.

B-4. Maintenance of the Classification Plan. It shall be the duty of each Department ~~Head~~Director to report to the City Administrator any and all proposed organizational changes which will significantly alter or affect changes in existing positions or proposed positions. The City Administrator is responsible to approve all new or revised job descriptions and recommend appropriate pay ranges for such positions to the Governing Body for approval.

ARTICLE C. RECRUITMENT AND PROMOTION

C-1. Definitions.

- (a) *Full-time Employee* is one employed to work a normal workweek of at least 40 hours on a regular and continuing basis.
- (b) *Regular Part-time Employee* is one employed to work less than a normal workweek on a regular and continuing basis and requires at least 1,300 hours of work per year. This employee may be eligible for certain pro-rated leave and benefits.
- (c) *Part-time Employee* is one employed to work less than a normal workweek and requires less than 1,560 hours of work per year.
- (d) *Seasonal Employee* is one employed to meet seasonal work demands for the duration of the program such as, but not limited to, community center, swimming pool and public works employees.
- (e) *Temporary Employee* is one employed for less than six months in a calendar year.

C-2. Recruitment.

- (a) *Announcement of Vacancies:* Notice of vacancies may be disseminated by posting announcements at City facilities, announcing the vacancy in weekly staff meetings, by sending announcements to various newspapers and other organizations appropriate to the level of job, and/or by posting on the Internet and City of Mission web page. ~~Special effort shall be made to insure that qualified applicants are not excluded from any recruitment effort because of unduly limited announcement distribution.~~
 - (1) In accordance with the policy of providing promotion from within the organization, with the exception of appointed officials, when qualified personnel exist, a job vacancy need not be announced publicly when such internal promotion is possible. In such a case, although the position may not be externally posted, it ~~may will~~ be internally posted to allow internal candidates to apply.
 - (2) Any vacancy may be filled from inside or outside the City service. The City reserves the right to seek external applicants simultaneously with reviewing internal candidates.

- (b) *Content of the Announcement:* The announcement shall specify the class title and salary range of the class from which the vacancy is announced; the nature of the work performed; the minimum qualifications required for the performance of the work; the time, place and manner of making application; the closing date for receiving applications and other pertinent information.
- (c) *Application:*
- (1) All applications shall be made on forms prescribed by the City and shall be filed no later than the closing date specified in the announcement. Applications shall contain only that information considered relevant to the duties and qualifications specified for the job in accordance with the Equal Opportunity Policies. Applications are taken for specific openings only and will be retained after the specific opening is filled for a period of one year.
 - (2) All applications shall be signed by the applicant and the truth of the statements contained therein certified by such signatures. The City may require such proof of information contained in the application as deemed appropriate.
 - (3) Applications may be picked up at City Hall when applications are being accepted for job openings.
- (d) *Screening:* The Department ~~HeadDirector~~ or his/her designee shall review applications and conduct interviews with candidates who meet minimum qualifications. Recommendations for hiring employees are made by Department ~~HeadDirectors~~. As personnel officer for the City, the City Administrator has final authority to hire except as noted in (e) below.
- (e) The City Administrator shall have the power to hire and remove (in accordance with ~~Personnel System Regulations~~ these Personnel Policies and Guidelines approved by the Governing Body) all subordinate employees of the City of Mission. The Governing Body shall approve the City Administrator's recommendation for the hiring of all Department ~~HeadDirector~~ level positions and the City Attorney. Department ~~HeadDirector~~ positions include, but are not limited to: Finance Director/Assistant City Administrator, Community Development Director, City Clerk, Public Works Director, Chief of Police and Parks and Recreation Director. The City Administrator will advise the Governing Body of the pending termination of Department ~~HeadDirectors~~, appointed officials or board and commission members.
- (f) *Rehire:* After separation with the City for more than 90 days, other than layoff, a former employee may be eligible for rehire without credit for prior service or seniority. Hiring managers who wish to rehire previous employees who were terminated other than "for cause" reasons must seek prior approval from the City Administrator. If approved for rehire, such employee will be considered a new employee. Any employee who is terminated for cause from the City of Mission's employment will **not** be eligible for future City employment, and depending upon the circumstances may be subject to criminal prosecution.

C-3. Qualifications of Employment. Each applicant shall complete a job application and all other necessary forms as required. The application will require that the applicant clearly articulate their qualifications.

- (a) A medical examination may be required after an offer of employment has been extended; provided, that such exams are required of all such applicants who are offered employment in the same position(s). The offer of employment is contingent upon the examination confirming that the applicant can perform the essential functions of the offered position, with or without reasonable accommodation, and without posing a direct threat to the applicant himself/herself, or to any other person.
- (b) A drug/alcohol test may be required after an offer of employment has been made for any safety-, security-, or integrity-sensitive position; provided, that such exams or testing are required of all such applicants who are offered employment in the same position(s). The offer of employment is contingent upon the applicant passing any such required test.
- (c) A background check and/or credit check may be required for certain positions. All background checks will be performed in compliance with applicable law.
- (d) *Age Requirement:* Minimum age requirements shall be established only for positions which might require a valid Kansas Driver's License, applicable federal and/or state laws regarding the employment of youth, or as otherwise determined by the City Administrator, with the exception of employment in the Police Department where the minimum age requirement is twenty-one (21).
- (e) *Residence Requirement:* Employees shall not be required to live in the City limits, but they are encouraged to do so. This is intended to foster a greater interest in and concern for the welfare of the community on the part of the City employees. All Department ~~Head~~Director level positions and the City Attorney may be non-residents of the City, provided however that such non-residents shall establish and maintain residency within a thirty (30) mile radius of the City of Mission. The City Administrator, in consultation with the Governing Body, may consider and approve exceptions to the residence requirement outlined above.
- (f) *Disqualification:* An applicant may be disqualified if:
 - 1) The applicant does not meet preliminary requirements established for the pertinent class.
 - 2) The applicant has established an unsatisfactory employment record, as evidenced by reference check, of such a nature as to demonstrate unsuitability for employment.
 - 3) The applicant has made a false statement of material fact in the application or on their resume.
 - 4) Failure of medical examination (i.e. a medical examination that indicates the applicant cannot perform an essential function of the position with or without an accomodation, or poses a direct threat by doing so, and reasonable accommodation is not possible or feasible);

- 5) Failure of a drug/alcohol test (in the case of an application for a safety-, security-, or integrity-sensitive position).
- 6) Unsatisfactory background and/or credit. A criminal conviction or negative credit history will not necessarily disqualify an applicant. Factors such as the date of the occurrence(s), seriousness of the occurrence(s), nature of the offense, and the relationship of the offense or occurrence, and the position applied for, will be taken into consideration.
- 7) Failure to receive "Employment Authorized" results during eVerify processing. Employee will be given adequate time to resolve discrepancies or contest a mistake. In the event eVerify returns a "final nonconfirmation" of an employee's legal rights to work in the United States, the employee will be terminated.

C-4. Training Period.

- (a) In order to achieve a minimum level of competency, each employee, following initial employment, shall undergo a training period. For police this is one year and for all other employees it is six months.
- (b) Each employee promoted to a new classification with higher pay shall also undergo a training period in order to achieve minimal competency in the new position. An employee may be returned to the pay and position he or she held immediately prior to the promotion or to a position with equal pay and responsibility if a minimal level of competency cannot be demonstrated within six (6) months, as determined by the Department ~~Head~~Director and City Administrator.
- (c) The provision of a training period does not guarantee the employee employment for that duration, or any specific duration. City employees remain employees "at will" throughout, and following, any training period.

C-5. Promotion. It is the policy of the City to fill vacancies for supervisory, skilled and upper-level positions from within the ranks of present employees whenever possible. All employees seeking promotion shall be expected to meet the minimum qualifications for the class to which they seek promotion. Each applicant shall complete a job application or submit a detailed resume and all other necessary forms as required. A medical examination or (in the case of a safety-, security-, or integrity-sensitive position) drug/alcohol testing may be required after an offer of promotion has been made; provided, that such exams or testing are required of all such employees who are offered promotions in similar positions or position classifications. The offer of promotion is contingent upon the applicant passing any required test(s).

C-6. Nepotism.

- (a) In order to avoid favoritism or the appearance of favoritism based on family relationships, no one shall be hired who is a family member of anyone on the City's Governing Body. "Family member" shall be defined

as parent, spouse, domestic partner, child, sister or brother, grandparent, grandchild, in-law (mother, father, grandparent, brother, sister, daughter, son), first generation aunts, uncles, nieces, nephews or cousins. Relatives by adoption, step-children and step-parents are included in this definition. However, an employee who is an immediate family member of the Governing Body and who is employed prior to such member taking office, shall retain his/her employment with the City.

- (b) If one City employee becomes a "family member" of another City employee after they are both employed, the two employees may not remain in the same supervisory chain. If they are in the same supervisory chain at the time they become "family members," one must be moved to another department and/or out of the supervisory chain within 90 days. If an appropriate position is not available then one of the employees must separate from City employment within the same 90 day period. If the affected employees cannot decide who will separate, then the Department HeadDirector, in consultation with the City Administrator, will determine which employee to retain.
- (c) This provision shall not prevent the hiring in a part-time position of an individual who is a "family member" of another City employee (as distinguished from an individual serving on the City Governing Body); provided, however, that no part-time employee shall be directly supervised by a family member.

C-7. Commercial Driver's License. The City requires those employees who will be operating trucks, which by Kansas law require a commercial driver's license to operate, to obtain and maintain the appropriate license as soon as possible but no later than six (6) months from the date of employment. To receive reimbursement for the expense of obtaining or maintaining such CDL, employees must submit a claim for reimbursement with the paid receipt showing the cost of the commercial driver's license. Since the commercial driver's license is required by the City for employment and to perform the required duties, the reimbursement is excludable as a wage to the employee. Any CDL employee who receives a moving violation or has their license suspended or revoked must advise their supervisor immediately.

ARTICLE D. COMPENSATION

D-1. Compensation Plan.

The salary of each employee of the City will normally be set at least annually at an amount within the pay range of the position class to which the employee is assigned, or put on a plan to reach the range minimum within a reasonable period of time. Such determination shall be made by the City Administrator with the advice of the Human Resource Specialist and the appropriate Department HeadDirector. An employee's continued employment at the salary rate within the class assigned to him or her shall be contingent upon the provisions outlined in Sections D-2 and D-3.

D-2. Pay Increases.

- (a) Department HeadDirectors may recommend periodic pay increases for employees based on performance evaluations submitted by the employees' immediate supervisors. Performance evaluations and recommended pay increases will be reviewed by the Department HeadDirector and forwarded to the City Administrator for approval.
- (b) Periodic pay increases shall not be routine or automatic and are subject to approval by the City Administrator.

D-3. Performance Evaluations.

- (a) Employee performance evaluations will be considered in determining salary increases and decreases within the limits established in the pay plan, as a factor in determining the order of layoffs, and as a means of identifying employees who should be promoted or transferred, or who, because of their low performance, should be demoted or dismissed.
- (b) An evaluation of the performance of each full-time and part-time employee, based on his or her duties and responsibilities, may be prepared by the employee's immediate supervisor (but is not required) at least annually. Any such evaluation may be in writing on forms approved by the City Administrator. The supervisor may (but is not required to) evaluate in writing, at least quarterly, any employee who has received a less than satisfactory overall performance rating during the past year. An employee-in-training may be (but is not required to be) informally evaluated at the half-way point of the training period, and at the completion of his/her training period. If an evaluation is performed under any of the circumstances outlined above, the supervisor will present each evaluation to the employee and allow the employee the opportunity to respond. Less than satisfactory evaluations shall be reviewed and approved by the Department HeadDirector prior to presentation to the employee. On an annual basis the City Administrator, in cooperation with the Mayor, may (but is not required to) perform a review of all Department HeadDirectors.

D-4. Pay on Termination.

- (a) An employee who is terminated will receive his/her final paycheck on the first regularly scheduled payday following his/her termination.
- (b) Employees discharged for cause, and those who voluntarily terminate without giving a minimum of ten (10) working days' notice, may not be eligible to receive pay for any accrued benefits other than unused vacation days. See Section E-3(b) as to employees-in-training.

D-5. Timekeeping for Non-Exempt "Hourly" Employees; No Working "Off the Clock"; Reporting Process

- (a) The City intends to fairly and appropriately pay all non-exempt (overtime-eligible) employees hour-for-hour for all time worked on behalf of the City. Whenever work is performed for the City, whether during the

regularly-scheduled shift, before or after the regular shift, or during meal breaks, the City intends to pay non-exempt employees for that time. Employees are required to accurately and truthfully record all time they work for the City; non-exempt employees are specifically prohibited from performing any work for the City "off the clock." Failure to accurately and truthfully record all time worked, whether the effect is to report more or less time than actually worked, is a violation of City policy and may result in discipline up to and including termination.

- (b) Unless specific advance approval is given by the employee's manager or supervisor, non-exempt employees are prohibited from taking work home or performing any services (including monitoring e-mail or voice mail, or responding to phone calls) for the City from remote locations and/or outside of normally-scheduled hours, via electronic communication devices or otherwise. If it is necessary for a non-exempt employee to respond to a specific request outside of the office and outside of scheduled working hours, the employee must report all such time worked. Employees who perform work off-premises without prior approval are subject to discipline, up to and including termination.
- (c) No one has the power to allow or ask, directly or indirectly, any non-exempt employee to perform any work for the City "off the clock." There may be times when operational needs require employees to be assigned work before or after the regularly scheduled shift, or during meal breaks. In all cases, all time worked must be reported on time records, and will be compensated. Any employee who is aware of any non-exempt employee being allowed or asked, directly or indirectly, to perform any work for the City "off the clock" should immediately report the situation to Human Resources. The City will assure that any unpaid wages due are paid, and there will be no retaliation against any employee for reporting any prohibited "off the clock" work, or request for prohibited "off the clock" work.

D-6. Overtime Compensation (for overtime-eligible employees).

- (a) Employees holding exempt positions (as defined by the Fair Labor Standards Act) are ineligible for overtime compensation. Full-time employees are generally paid for actual hours worked in excess of any pre-arranged workday schedule. Section D-7 Flexible Scheduling, describes exceptions to this provision.
- (b) The City's policies at least meet, and often exceed, the basic requirements of any applicable wage payment laws. To assure compliance, the following baseline regulations are set forth below:
 - (1) Non-exempt sworn police personnel shall be paid overtime for actual hours worked over 160 hours during a work period consisting of 28 days.
 - (2) All other non-exempt personnel shall be paid overtime for actual hours worked over 40 hours in a work-week.

- (c) A non-exempt employee shall not be permitted to work in excess of their normal work schedule except when an emergency exists or overtime work is necessary to carry out normal and essential services of the City, and such work is assigned by the supervisor.
- (d) All overtime work must have prior authorization by the employee's Department [HeadDirector](#) or supervisor in accordance with the City's policy. The Department [HeadDirector](#) shall maintain records of any overtime worked and shall provide such records as appropriate to the Human Resources Department for payroll calculations. Working unauthorized overtime may be cause for disciplinary action.
- (e) Compensation for overtime work shall be at the rate of one and one-half times the employee's regular rate of pay. Overtime is rounded and tracked in 15-minute increments. Overtime compensation shall be paid no later than the first payday following the pay period in which the overtime work was performed.
- (f) Non-exempt employees shall be eligible to receive overtime compensation for all hours worked in excess of their normal workweek. Paid vacation and paid holiday hours will count as "time worked" for the purposes of computing overtime. Personal leave, job related injury leave, compensatory time, funeral leave, civil leave, and sick leave are not counted as "time worked" for the purposes of computing overtime.
- (g) Time spent regularly or occasionally "on call", where the employee is not confined to his/her home or any particular place, but is required to leave work where s/he may be reached or carry a cell phone or pager, is not considered compensable time for base pay or overtime purposes unless the employee is called in for an assignment.
- (h) Non-exempt employees who are called in for an unscheduled assignment, or to work at a time that is outside of their normal work schedules will receive a minimum of two hours pay. Non-exempt employees who are required to work at a time that is less than two hours before the beginning of their normal work schedule do not qualify for the minimum two-hour payment; they will be credited for actual time worked. Pay for call in begins at the time the employee arrives at the work site. Non-exempt employees are required to work overtime as needed and requested by their supervisor.

D-7. Compensatory Time

The City will not routinely offer compensatory time in lieu of overtime payments. However, if it is offered the following procedures will apply:

- (a) At the discretion of the Department [HeadDirector](#), an employee may be given compensatory time off in lieu of cash payments for the overtime worked. The decision to use compensatory time in lieu of cash pay must be made and the employee informed before the overtime occurs.

- (b) Any compensatory time shall be accrued at the rate of one and one-half times the number of hours worked and is accruable up to 240 hours for non-public safety employees and 480 hours for public safety employees. Accrued compensatory time must be used within 12 months of occurrence or it will be paid at the rate earned at the end of the 12 month period.
- (c) Compensatory time may be used for the same reasons as set out in these Personnel Policies and Guidelines for sick, vacation and personal leave, and based on the purpose of its use, must be scheduled in accordance with City or department policy.
- (d) All overtime work and utilization of compensatory time off must have prior authorization by the employee's Department **HeadDirector** in accordance with the City's policy. The Department **HeadDirector** shall maintain records of any overtime worked and compensatory time taken and shall provide such records as appropriate to Human Resources for payroll calculations.
- (e) Upon termination of employment, available accrued compensatory time will be paid to the employee and will be calculated at the final regular rate of pay received in accordance with (b) above.

D-8. Flexible Scheduling. If a supervisor and non-exempt employee agree in advance, the supervisor may allow an employee to work in excess of the prearranged work day schedule in order to take off time on another day during the same work week. The worked time and the time used are a one for one ratio. The time sheet must clearly reflect the actual times worked.

D-9. Holiday Compensation.

- (a) In the event that the traditional date of any holiday shall fall on a Saturday, City offices will be closed on the preceding Friday. The City offices will be closed on the Monday immediately following when the traditional holiday date falls on a Sunday. A police officer of the rank of sergeant and below will be paid extra when scheduled to work on a holiday, or the holiday falls on his/her regular day off. Such officers will receive one extra day of pay. Any such officer working less than the entire scheduled work period shall receive a prorated share of the extra day's pay. The Chief of Police may implement a departmental holiday policy which permits holiday scheduling which will not interfere with department operations.
- (b) All full-time non-exempt employees shall receive twice the employee's hourly rate of pay on a straight time basis when required to work on a designated holiday.
- (c) Regular part-time employees shall be paid for City observed holidays which fall on days for which they would otherwise have been scheduled to work. The amount of pay shall be equal to the wages they would have earned for the number of hours they would have been scheduled to work on that day. In the event that a holiday falls on a regular part-time employee's scheduled day off, the employee shall take off the scheduled workday preceding or the scheduled workday following a holiday.

- (d) Seasonal, temporary, and part-time employees shall not receive paid holidays.
- (e) To be eligible to receive pay for a City holiday, an employee must not have been absent with unapproved leave either on the workday before or the workday after the holiday.

D-10. Pay Periods; Paydays.

- (a) The City shall pay all full-time, part-time, seasonal and temporary employees bi-weekly, on alternate Fridays.
- (b) The City shall pay all appointed officials monthly, on the second payday of the month.
- (c) The workweek is defined as Sunday through Saturday.

ARTICLE E. ATTENDANCE AND LEAVE

E-1. Hours of Work.

- (a) *General Employees.* The normal workweek for regular full-time employees shall be a minimum of 40 hours per work-week on a set schedule to be assigned by the Department [HeadDirector](#).
- (b) *Police Officers.* The normal workweek for full-time police officers shall be an average of a 40 hour workweek. The work period shall exclude uninterrupted mealtime.
- (c) *Normal Work Hours.* No employee shall be permitted to work in excess of his/her normal work-week except when so directed by the employee's Department [HeadDirector](#) or immediate supervisor.
- (d) If an employee is absent without leave and without acceptable explanation for a period exceeding three days, or if the employee did not comply with departmental notification procedures for three days, the employee is considered to have abandoned his/her job and may be terminated.
- (e) Work hours may be adjusted by the Department [HeadDirector](#) based on departmental needs.

E-2. Holidays.

- (a) The following days shall be paid holidays for City employees: New Year's Day (January 1), Martin Luther King, Jr. Day (third Monday in January), Memorial Day (last Monday in May), Independence Day (July 4), Labor Day (first Monday in September), Veteran's Day (November 11), Thanksgiving Day (fourth Thursday in November), Friday after Thanksgiving, Christmas Day (December 25), and an additional day at Christmas as explained below.
- (b) From time-to-time, and for certain special occasions, the Mayor or the Governing Body by majority motion may designate other days as special holidays on a one-time basis.
- (c) In the event that Christmas falls on a Monday or Friday, City offices will be closed the following Tuesday or preceding Thursday; in the event that Christmas Day falls on a Tuesday or Thursday, City offices will be closed on the preceding Monday or following Friday, respectively; in the event that Christmas Day falls on

Wednesday, City offices will be closed the preceding Tuesday. In the event that Christmas falls on a Saturday or Sunday, City offices will be closed on the preceding Friday and on the following Monday.

E-3. Vacation Leave. Vacation leave shall be granted beginning with the date of employment under the conditions hereinafter stated. Any employee who works fewer than 10 days in any month shall not accrue vacation credit for such month of service; provided that this restriction of 10 days shall not apply where the employee has worked fewer than 20 days due to authorized vacation or sick leave or other authorized duty absence. Vacation hours accrue and are to be used based on a calendar year. No employee shall be permitted to use vacation time for any period spent on unauthorized leave. Regular part-time employees shall accrue vacation days on a pro-rata basis. Accrued, unused vacation is not converted to cash in lieu of time off, either while the employee is employed or upon termination, except as specifically provided below.

- (a) *Full-time Employees.* Full-time employees will receive paid vacation leave time according to the following schedule: City Administrator, City Clerk and Department HeadDirectors with one through five years of consecutive service shall receive 15 working days of vacation. Other employees with one through five years of consecutive service shall receive 10 working day's vacation. All employees shall receive one additional working day, to a maximum of 25 working days, for each calendar year served in excess of five years. Paid vacation leave time may be taken during the first six months of employment only under special circumstances and with Department HeadDirector approval.
- (b) *Accrual Rate Years One through Five.* City Administrator, City Clerk, and Department HeadDirectors will accrue leave days of 10 hours per month. Other employees will earn 6.67 hours for each full month of employment during years one through five of employment. Employees with start dates prior to the 16th of the month will receive credit for the full month. Employees with start dates on or after the 16th of the month will receive no credit for that month. Employees-in-training terminated prior to completion of training other than "for cause" will receive pay for any accrued, unused vacation leave.
- (c) *Scheduling.* The dates for the taking of vacation leave shall be scheduled in consultation with the employee's supervisor and Department HeadDirector. In cases where the requested vacation schedules of two or more employees would adversely affect the efficient operation of the City, vacation leave shall be granted on the basis of rank, first request, and/or seniority of City employment at the discretion of the Department HeadDirector and/or City Administrator.
 - Vacation may be taken only when earned. Vacation may be advanced only in extenuating circumstances and only with specific approval of the City Administrator upon recommendation of the Department HeadDirector.

- Earned and unused vacation may be carried over from year to year. The City reserves the right to require employees to utilize at least one week's vacation per year to rest and refresh themselves.

Vacation utilization guidelines are as follows:

- (1) Each Department HeadDirector reserves the right to limit the amount or timing of vacation taken if the proposed vacation interferes with business operations. Department HeadDirectors may implement departmental vacation policies with the City Administrator's permission. (2) Vacation time may be used in conjunction with Personal Days or Holidays if pre-approved.
- (3) Vacation time may be used to bridge the employee to ~~short term~~ disability in the case of the employee's inability to come to work due to their own illness.
- (4) Vacation that is accrued but unused may be carried over for use at a future time.
- (5) If sick and personal time are exhausted, or do not qualify for FMLA concurrent use, vacation time will run concurrently with Family Medical Leave.
- (6) Special circumstances will be considered on a case by case basis, but under no circumstances may any employee ever use more than 20 vacation days sequentially for reasons other than personal illness (including pregnancy) or Family Medical Leave. The City reserves the right to deny such requests that fall outside regular guidelines.
- (7) Department HeadDirector and City Clerk vacation leave will be scheduled through the City Administrator.

Normally, the Department HeadDirector and assistant for the same Department may not be on vacation leave at the same time.

- (d) *Holiday During Vacation.* City holidays which occur while an employee is on authorized vacation leave will not be counted as a day of vacation for that employee.
- (e) *Minimum Hours.* Employees shall use vacation leave in whole hour increments (no fractions of hours) in units of not less than one hour.
- (f) *Termination.* A maximum of 240 hours of combined accrued but unused current and carry-over vacation time (if any) may be converted to pay in lieu of time off, at the employee's final rate of pay, upon termination if the employee voluntarily resigns with adequate notice, or is terminated for a reason other than "for cause." No conversion to cash is available to an employee who resigns without adequate notice, or is involuntarily terminated "for cause."

E-4. Personal Days. Full-time employees who are on the payroll January 1st of each year shall be credited with two personal days. Full time employees hired during the year will receive credit for personal days based upon the following schedule:

- Start dates in the months of January, February, March or April: 2 days
- Start dates in the months of May, June, July, or August: 1 day
- Start dates in the months of September, October, November, or December: 0 days

Employees shall use personal leave in whole hour increments (no fractions of hours) in units of not less than one hour. Personal days not used by December 31st of each year shall be deleted, i.e., not carried over into the next year. Personal days are neither carried over nor converted to cash, either while the employee is employed or upon termination. Personal day scheduling and accounting shall be outlined as in E-16.

E-5. Sick Leave. All regular full-time employees shall accrue sick leave from the first day of employment. Regular part-time employees shall accrue sick leave on a pro-rata basis. No employee shall be permitted to use sick leave for any period spent on unauthorized leave. Where the reason for absence also qualifies as a Serious Health Condition of the employee or a covered family member under provisions of the Family and Medical Leave Act, sick leave must be used concurrently with FMLA leave (see Section E-11). Used sick leave shall be accounted for as in E-16 upon return to duty. Sick leave may be used upon accrual for the following reasons:

- The employee's own personal illness or physical incapacity.
- Enforced quarantine of the employee in accordance with community health regulations.
- Doctor or dentist appointment when and the employee provides at least one-day notice to his/her immediate supervisor, or as soon as possible if an emergency.
- To attend to a person whose illness requires the employee's presence. Examples: spouse, child, parent, grandparents or with approval by the City Administrator in extraordinary circumstances.

(a) *Amount of Sick Leave.* Full-time employees shall earn eight hours of sick leave for each full month of service. Regular part-time employees shall accrue sick leave on a pro-rata basis.

(b) *Accumulation of Sick Leave.* Sick days may be accumulated to a maximum of 528 hours for use for the above situations.

(c) *Computing of Sick Leave.* Any absence chargeable to sick leave shall be charged in whole hourly increments (no fractions of hours) with a minimum charge of one hour.

(d) *Doctor's certificate.* Sick leave for three days or more may require the employee to furnish the employee's Department HeadDirector with a physician's certificate clearly stating that the employee has been under a doctor's care and unable to work for dates which must be specified, and the probable duration of the illness. Employees returning after illnesses of three days or more may be required to provide a release from the physician that the employee is fit to return to work.

(e) It shall be the responsibility of the employee to notify their appropriate-Department HeadDirector of illness on a daily basis unless certification from a health care provider renders such daily notification unwarranted.

- (f) *Notification.* To be eligible for paid sick leave an employee, or his/her representative, shall notify the employee's immediate supervisor and advise the supervisor that sick leave is requested no later than two hours before the beginning of the first workday for which sick leave is taken, or as soon as is reasonably possible. Confirmation of receipt of notice is required from supervisor for employee to be eligible to be paid for sick leave. As stated above, the City reserves the right to require a physician's certification that one of the above criteria is met, thereby warranting use of paid sick leave.
- (g) *Termination of Employment.* Conditioned on the employee terminating "in good standing" (i.e., voluntarily with notice, or involuntarily other than "for cause"), such employee will be paid for 50 percent of the accrued, unused sick leave at the annual rate of pay at the time of termination. Sick leave is not converted to cash in any proportion where an employee fails to provide adequate notice of voluntary resignation, or is terminated "for cause."

E-6. Sick/Vacation Leave Transfer. In special circumstances it is possible for employees to donate accrued, unused sick leave or vacation leave to other employees to provide pay for already granted time off. For instance, if a receiving employee has a serious illness or injury, or the receiving employee's immediate family has a serious FML approved illness or injury requiring the receiving employee to be off work longer than the time for which they would receive pay from their own accrued sick and vacation leave, the Human Resources Specialist may be contacted. After discussing the issue with the Department HeadDirector and the City Administrator, the Human Resources Specialist may accept sick or vacation donations from other employees to transfer to the receiving employee. Once donated, the transfer is irrevocable; any such donation must be fully voluntary by the donor-employee; any employee donating leave must retain a combined balance of 200 hours of accrued sick and vacation leave.

E-7. Funeral Leave. In the case of death of a member of an employee's immediate family member (to include employee's spouse, child or adopted child, father, step-father, father-in-law, mother, step-mother, mother-in-law, sister, step-sister, sister-in-law, brother, step-brother, brother-in-law, grandparents, grandparents-in-law, grandchild, or any natural or adopted child or grandchild of the employee's spouse) full-time employees shall be granted paid funeral leave not to exceed three consecutive working days. Additional time off may be granted by the supervisor. To be considered eligible, If granted, such approval must be granted before the extension is taken, and the extension will be unpaid unless the employee has available, and opts to use, accrued personal or vacation time. Funeral leave is not counted in the computation of overtime.

E-8. Injury Leave.

- (a) All injuries occurring on the job shall be reported to the employee's immediate supervisor as soon as possible, but no later than 24 hours after the incident.

- (b) Any employee injured on the job shall be eligible to receive injury leave with pay for up to the seven-day waiting period for workers' compensation claims, or the duration of the necessary absence, whichever is shorter. If an injured employee has work restrictions which can be accommodated by the City and elects not to work, they will be required to use accrued sick leave time, and will not be eligible for injury pay.
- (c) When an employee receives compensation under the Workers' Compensation Act, the pay he or she receives from the City, while an employee of the City, shall be the difference between his or her regular rate of pay and the amount he or she receives from workers' compensation.
- (d) Failure to timely report a work related accident or injury may result in disciplinary action.

E-9. Military Leave. A military leave of absence will be granted when an employee serves in the uniformed services of the United States. This includes active duty, active duty for training, inactive duty for training, National Guard duty, reserve duty, and time taken off for an examination to determine fitness to do any of the above.

When possible, a request for military leave should be made to the Department [HeadDirector](#) and Human Resources prior to the beginning of the leave. The employee should also discuss the expected length of the leave and the anticipated return date with the Department [HeadDirector](#) and Human Resources.

- (a) *Benefits Continuation.* The employee may elect to continue his or her health insurance coverage. Please see Human Resources for information regarding health insurance and other benefits.
- (b) *Vacation and Personal Time.* An employee who takes military leave will be permitted (but not required) to use his/her accrued and unused vacation time and/or personal time for military duty obligations upon written request. Otherwise, the leave is unpaid.
- (c) *Restoration.* An employee returning from military leave who meets the requirements will be reinstated in accordance with all applicable laws.
- (d) Please refer to the Family Medical Leave Guidelines for additional information on employees who have family members in the military.

E-10. Civil Leave.

- (a) *Civil Leave With Pay.* Any employee shall be given necessary time off with pay under any of the following circumstances: (1) when performing jury duty (note: when normal pay is taken, jury duty paycheck shall be endorsed to the City.) (2) When appearing in court as a witness in answer to a subpoena in connection with the City, or as an expert witness when acting in an official capacity in connection with the City, (3) when performing emergency civilian duty in connection with national defense, or (4) for the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled hours of work.

- (b) *Civil Leave Without Pay.* If an employee is involved in a personal lawsuit either as plaintiff or as defendant in an action not related to his or her duties with the City, the employee may take leave without pay unless he/she elects to utilize accumulated vacation leave or personal days.

E-11. Family and Medical Leave (FMLA).

- (a) *Overview.* Each eligible employee will be granted up to 12 weeks of job-protected family and medical leave during any 12-month period looking backward beginning with the first day leave is taken. The leave is unpaid except as provided herein. Such leave will be available as the result of any one, or combination of the following: the birth, adoption or placement of a child for foster care (including paternity leave) (“baby bonding leave”); to care for a spouse, child or parent with a serious health condition; the employee’s own serious health condition; qualifying military exigency leave; or for Military Caregiver Leave, to care for a covered service member with a covered service-related serious illness or injury. For Military Caregiver Leave, the leave allotment will consist of 26 weeks of unpaid leave beginning with the first day leave is taken for that purpose and looking forward.
- (b) *Eligibility.* An employee must have worked for the City at least 12 months and a minimum of 1,250 hours during the 12 months preceding the absence to be eligible for FMLA leave.
- (c) *Certification of Need for Leave.* When leave is requested as a result of a serious health condition of the employee, spouse, child or parent, or for Military Caregiver Leave, the employee must provide the City with authentic and sufficient medical certification completed by a health care provider, on forms to be provided by the City. The City will reimburse the employee if the health care provider charges the employee a fee for filling out the FML medical (re) certification. A receipt of payment must be submitted in order to be reimbursed. The City may, at its own expense, require an opinion from a second health care provider. Where there is a conflict between the two opinions, the City may pay for the opinion of a third provider, selected by agreement of the employee and the City. The opinion of the third provider is binding on both the employee and the City. Medical Certification from an appropriate US Department of Defense health care provider or other health care provider authorized in the regulations must be provided for certification of Military Caregiver Leave. The City may likewise require verification of the need for Qualifying Military Exigency Leave.
- (d) *Required Notice by Employee of Need for Leave.* Where foreseeable, employees are required to provide at least 30 days’ notice (or as much advance notice as is practicable, if less than 30 days) before beginning to take such leave. Whether the need for leave is foreseeable or unforeseeable, an employee must follow the City’s (and/or the employee’s Department’s) usual and customary call-in procedures, absent unusual circumstances that prevent the employee from doing so. Where no unusual circumstances justify such a

failure, FMLA coverage for the absence may be delayed or denied. Merely calling in "sick" without providing more information is not sufficient to trigger FMLA coverage for that absence, and such absence may be subject to the City's (or Department's) regular attendance and absenteeism policies and guidelines.

(e) *Length of Leave Allotment.* The cumulative total of any one or combination of the above qualifying shall count toward the 12 weeks of leave (or 26 weeks in the case of Military Caregiver leave) provided under this law. Employees will normally be notified of their eligibility for leave under the FMLA within five working days following the City's knowledge of a potentially qualifying absence. Within five business days after required certification is returned, employees will ~~be normally be~~ notified of whether or not the leave is FMLA covered, and if so, of specific expectations and obligations under the FMLA. The City's obligations under FMLA shall cease upon the expiration of the applicable FMLA allotment, or when an employee gives notice of his/her intent not to return to work, whichever occurs first. The City reserves the right to request certification and/or re-certification verifying the need for leave during leave as allowed. An employee who does not return to work at the end of the authorized leave period or upon exhaustion of the applicable leave allotment under this policy and the FMLA may be subject to termination.

~~(e)~~(f) *Interaction with Paid Benefits.* If the FMLA qualifying condition is the serious health condition of the employee ~~(in cases where the employee is not eligible for Short Term Disability payments)~~, or of the employee's spouse, child, or parent, or for Military Caregiver Leave, then the employee must use accrued sick time concurrently with FMLA. If sick time is exhausted, the employee must use personal, then vacation time, concurrently with FMLA before the leave becomes unpaid. ~~If the leave is based on the employee's own serious health condition, and the employee is eligible for Short Term Disability payments, the time off will run concurrently with FMLA and will be drawn down from the FMLA allotment;~~ ~~t~~ The employee may, but is not required to, supplement ~~Short Term Disability or~~ worker's compensation benefits with accrued but unused sick, personal or vacation pay to receive 100% of pay. For baby bonding and qualifying military exigency leave, the employee must use personal, then vacation time concurrently with FMLA before the leave becomes unpaid. Employees on unpaid family leave will not accrue any seniority, vacation, sick leave, or other benefits.

~~(f)~~(g) *Return to Work Certification.* As a condition of restoring the employee whose leave was occasioned by the employee's own serious health condition, the employee must obtain and present a certification to Human Resources from the employee's health care provider stating that the employee is able to return to work and perform the essential functions of the position to which s/he seeks restoration. The City may delay the employee's restoration until the employee submits an authentic and sufficient release to return to work.

~~(g)~~(h) *Restoration.* Unless the position has been eliminated for a reason other than the employee's absence, or the employee is a "key employee" whose restoration would cause grievous economic injury to the City, or the employee is terminated for some reason other than the FMLA absence, an employee who is released to return to work to perform the essential functions of the position within the FMLA allotment will be restored to his/her position or to a position with equivalent benefits, pay and other terms and conditions of employment. To allow the City to make adequate scheduling arrangements and have work available for the employee upon returning to work, the employee must give at least 48 hours' advance notice of the intent to return to work.

~~(h)~~(i) *Health Insurance Coverage.* During the FMLA covered absence, the City will continue to provide health care coverage under the same provisions as if the employee were actively working. If the employee fails to return from leave, the City can recover the premium(s) paid on behalf of the employee to maintain health care coverage during the absence. If failure to return to work is due to the continuation, recurrence, or onset of a serious health condition beyond the employee's control, the employee will not be liable for health care premiums paid while on family leave. In such cases, a certification issued by a health care provider will be required.

E-12. Non-FMLA Medical Leave

- (a) An employee who is not FMLA-eligible and who has a medical condition (physical or mental) that requires leave beyond that provided under the City's sick leave policy may request a leave of absence for a reasonable time for his or her own medical condition that requires absence from work. Medical certification verifying the medical necessity for the leave, and identifying the expected duration of the leave, must be submitted to support the leave request. Approval of a leave request under this policy, and the length of any such leave, will be analyzed based on the City's operational needs. The City reserves the right to seek an independent medical opinion of the medical need for the leave, and the duration of any such leave, under appropriate circumstances.
- (b) An employee who requests and is approved for a leave of absence under this policy must use any accrued and unused sick, personal, and vacation leave or short term disability benefits (as applicable) during the leave; if such benefits are unavailable, the leave will be unpaid.
- (c) Within the reasonable time approved for the leave of absence, and upon providing the City with reasonable notice of the employee's intent to return to work and a release to return to work , the City will reinstate the employee to his/her original job, or to a position of similar pay and status without loss of seniority or other benefits. Employees who cannot, or do not, return to work following the reasonable leave of absence allowed by the City are subject to termination of employment.

E-13. Non-FMLA Maternity Leave

- (a) A pregnant employee who is not eligible for FMLA leave may request a leave of absence for childbirth and/or recovery therefrom. The City will provide a leave of absence for a reasonable period of time following childbirth. Approval of a leave request under this policy, and the length of any such leave, are within the City's sole discretion.
- (b) An employee who requests and is approved for a leave of absence under this policy must use any accrued and unused sick, personal, vacation and/or short term disability benefits to cover the leave; if such benefits are unavailable, the leave will be unpaid.
- (c) Following childbirth and within the reasonable time approved for the leave of absence, and upon providing the City with reasonable notice of the employee's intent to return to work and a release to return to work from the employee's health care provider, the City will reinstate the employee to her original job or to a position of similar pay and status without loss of seniority or other benefits. Employees who cannot, or do not, return to work following the reasonable leave of absence allowed by the City are subject to termination of employment.

E-14. Time Off for Victims of Domestic Violence and/or Sexual Assault.

- (a) The City provides excused leave from work for an employee who is the victim of domestic violence and/or of sexual assault for any of the following reasons:
 - To obtain, or attempt to obtain, any relief including a restraining order or other injunctive relief to ensure the employee's health or the health of the employee's child or children;
 - To seek medical attention for any injuries caused by domestic violence or sexual assault;
 - To obtain services from a domestic violence shelter, domestic violence program or rape or sexual assault crisis center; and/or
 - To make court appearances in the aftermath of domestic violence and/or sexual assault.
- (b) *Length of the Leave and Pay During Leave.* The maximum length of leave under this policy for any qualifying reason(s) will be the amount of the employee's earned, unused sick, vacation or personal time, or eight days per calendar year, whichever is greater. Once the employee's sick, vacation or personal is exhausted, the leave will be unpaid ~~(unless it is covered under the terms of the short term disability plan)~~. If an employee is eligible for FMLA leave, and if the reason for the particular absence also qualifies for FMLA coverage, the leave will also be drawn down from the employee's annual FMLA allotment.
- (c) *Required Notice and Certification of Need for Leave.* An employee who needs to take time off work for any of the above purposes is required to give the City reasonable advance notice, unless such notice is not feasible. An employee who has provided advance notice will be allowed up to 48 hours after returning

from the requested time off to provide supporting documentation, which may include a police report, a court order or other documentation from an appropriate medical professional, domestic violence advocate or counselor. If the absence is unscheduled, the employee must provide the support documentation within 48 hours after the beginning of the unscheduled leave. Notice of the need to be absent for a reason qualifying under this Policy, and all required support documentation, should be provided to Human Resources.

- (d) *Confidentiality.* The City will keep confidential, to the extent allowed by law, both the fact that an employee requests or uses leave under this Policy, and all supporting documentation regarding the leave.

E-15 Other Leave/Absences.

- (a) *Meetings, Seminars/Training.* Any employee may be granted absence with pay to attend meetings, seminars and conventions related to the employee's work for the City when such attendance is authorized by the employee's Department ~~HeadDirector~~. These absences will not be charged as vacation leave.
- (b) *Leave of Absence.* An employee, upon written request, and with the recommendation of his/her Department ~~HeadDirector~~, may be granted a leave of absence without pay or benefits for a period of up to six months, subject to the approval of the City Administrator. These absences will not be charged as vacation leave. The City cannot guarantee that the position will be available upon the employee's return. No time off benefits or seniority accrue during this leave of absence.

E-16. Request for Leave/Leave Accounting. Leave records shall be maintained by the Human Resources ~~Department~~ through the payroll accounting system. Department ~~HeadDirectors~~ shall be responsible for approval of all subordinates' leave requests. The City Administrator shall be responsible for approval of leave requests for Department ~~HeadDirectors~~, the City Clerk, or any other direct report of the City Administrator. Leave accounting shall be accomplished via a form available from ~~the Human Resources Department~~ and shall be returned to ~~the Human Resources Department~~ upon completion.

E-17. Credits for Paid Leave. An employee while on paid sick leave, vacation leave, workers' compensation leave, or other paid leave shall continue to earn credit for sick leave and vacation leave, but no leave credit shall be earned by any employee while on leave without pay.

ARTICLE F. OTHER EMPLOYEE BENEFITS

F-1. Retirement – OASDI Benefits (Old Age Survivor and Disability Insurance). All eligible employees and Governing Body members elected after April 1, 1986 of the City are under the federal OASDI Social Security System, and receive appropriate benefits in accordance with federal laws and guidelines. The cost of this benefit is paid equally by the City and the employee, with the employee contribution accomplished via payroll deduction.

F-2. Retirement – KPERS and KP&F Benefits.

- (a) All eligible employees (other than police officers) of the City become members of the Kansas Public Employees Retirement System (KPERS) and receive the benefits thereof after enrollment, in accordance with state laws and guidelines. All employees who are contributing members of KPERS are eligible for the insured death and disability benefits provided by KPERS, which is supplemental to the regular KPERS benefits.
- (b) All full-time police officers become members of the Kansas Police and Fire (KP&F) plan in accordance with state laws and guidelines with eligibility beginning the first day of employment. In addition to the retirement and death benefits, KP&F also provides the employee with disability coverage.

F-3. Workers’ Compensation Benefits. Any City employee who sustains a work-related injury or illness may receive the benefits of the Kansas Workers’ Compensation Act in accordance with such law and guidelines.

F-4. Unemployment Compensation. City employees may qualify for benefits under the Kansas Employment Security (unemployment compensation) Act in accordance with such law and guidelines.

F-5. Life Insurance. In addition to the death benefits provided under OASDI and KPERS/KP&F, the City provides life insurance for regular full-time employees. The cost of this benefit is paid entirely by the employer.

F-6. Deferred Compensation. All employees may choose to participate in IRS 457 deferred compensation plans offered by the City. Under the plans offered, the employee determines the amount of compensation to be withheld annually by the City in compliance with the minimum and maximum allowed by Federal law. The amount selected is forwarded by the City to the employee’s selected account and is subject to IRS guidelines.

F-7. Supplemental Retirement.

- (a) **Principal Financial Group.** A non-contributory 401(a)4 money purchase plan is provided for employees not enrolled in KP&F who meet plan eligibility requirements. The City contributes two percent (2%) of each applicable employee’s gross salary on a ~~quarterly~~ per payroll basis. A vesting schedule is available from the Human Resources Department.
- (b) **Eligibility.** Employees who have completed one year of service and who have worked more than 1,000 hours during that period and are 21 years of age are eligible to participate in the supplemental retirement plan.
- (c) **Money Purchase Thrift Plan.** A contributory money purchase thrift plan currently with Principal Financial Group is also available for employees not enrolled in KP&F who meet plan eligibility requirements. Each applicable employee may voluntarily contribute during the year an amount not to exceed ten percent of his/her current compensation.

F-8. Health Care Program. Upon employment, all employees regularly scheduled for 30 or more hours per week shall be eligible for the City's group health care insurance program. A part-time employee who becomes a full-time employee shall be eligible for group health care insurance as of the date of change in employment status.

- (a) The City may require employee participation in the cost of benefit premiums.
- (b) When an individual employee is required to contribute because of participation in the City's group health care program, the amount of such contribution shall be a payroll deduction. Health insurance payroll deductions qualify for tax exemption under the City's IRS 125 (flexible spending account) plan and, therefore, are not eligible for deduction by the employee for income tax purposes after year-end.
- (c) An employee on workers' compensation leave will have the employee's share of the cost deducted from any compensation due the employee. In the event no compensation is due, insurance may be extended at the option of the employer and in accordance with Family Medical Leave, if it applies.
- (d) No employee shall be entitled to a cash payment in lieu of health care insurance coverage.
- (e) The City complies with those provisions of the Federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA) relating to the extension of group health care plan care coverage upon termination of city employment. Under no circumstances shall any retired or disabled person, or spouse, or domestic partner, thereof, who has attained the age of 65 or qualifies for Social Security Administration Medicare coverage, remain on the City's insurance plan.

F-9. Other Insurance. The City provides the opportunity for full-time employees and their qualified dependents to access voluntary dental, vision, life, cancer, accident, and other insurance protection through payroll deduction from third-party provider(s). The City participates in the cost of these coverages as established by the City Council on an annual basis.

F-10. City Recreation Facilities. Community center and outdoor pool memberships are provided for full-time employees and their families, and individual memberships for regular part-time employees at no cost to the employee. The cost of the membership is considered a taxable benefit for the employee. Part-time, Sseasonal and temporary employees are not eligible to receive this benefit.

F-11. Educational Reimbursement. All ~~regular~~ full-time employees who have been employed by the City for at least one year are eligible for educational reimbursement, as long as the educational opportunity for which reimbursement is sought benefits the employee in the performance of his/her job. Reimbursement will be made after the employee provides proof of completion of the course with at least a 2.0 grade on a 4.0 scale for undergraduate/associate degrees and a 3.0 on a 4.0 scale for graduate degrees. Approval of the City Administrator with Department HeadDirector recommendation is required prior to enrollment, subject to budget and funding availability, and the amount may not exceed \$2,000 for any one employee during a calendar year. Employees

availability of coverage by spouse's employer. The qualifying spouse shall be responsible for the appropriate tenure-based percentage of the monthly coverage.

- (i) If a retired employee or spouse fails to make his/her percentage portion of any required premium payment on time, coverage will terminate and will not be reinstated.
- (j) If a retired employee becomes eligible under a health plan from another employer, this coverage will terminate.
- (k) The City will review annually the program of employer-paid retiree coverage and expressly reserves the right to amend, terminate or otherwise modify all or any portion of the program at any time and from time-to-time, with respect to any or all of the retired employees. Any such amendment, modification or termination may apply to current participants in the program as well as to future participants.
- (l) The retiree premium subsidy may be applied to health insurance (medical plan) benefits only. Retirees may elect to continue dental and vision benefits in accordance with applicable COBRA provisions and 100% of applicable premiums will be the responsibility of the retiree.

F-13. Disability Health Insurance Benefits. The City will continue to provide health care coverage at its lowest rate and pay for 50% of the monthly premium for the following disabled employees, under the following circumstances and to the following extent:

- (a) Such employee has been adjudicated as being disabled by the Social Security Administration.
- (b) The City will pay 50% of medical benefit cost, not to include dental or vision, until the disabled employee receives Medicare benefits.
- (c) Employees who wish to participate in this coverage must elect to do so within 30 days following the date of disability determination/adjudication.
- (d) This 50% premium subsidy is available only to disabled employees and their spouses. Status of employee versus employee plus spouse is determined upon date of disability. A spouse may not be added nor a different spouse substituted after that date. The City's 50% participation is limited to applicable employee or employee and spouse premium amount.
- (e) Employee and child or family insurance coverage may be purchased by disabled employees eligible for this coverage with 100% of the additional premium payable by the employee. The City's 50% is limited to employee (applied to employee and child) or employee and spouse (applied to family) basic premium amount.
- (f) Notwithstanding subsection (b), this coverage will cease when a disabled employee reaches age 65.
- (g) In the event of the disabled employee's death, obtaining coverage elsewhere, or becoming eligible for Medicare, this coverage will cease. His/her spouse will be covered by this benefit in accordance with COBRA

regulations, but may be terminated earlier as a result of death, remarriage, qualifying for Medicare or availability of coverage by spouse's employer. The qualifying spouse shall be responsible for 50% of the monthly premium.

- (h) If a disabled employee or spouse fails to make his/her portion of any required premium payments on time, coverage will terminate and will not be reinstated.
- (i) If a disabled employee becomes covered under a health plan from another employer, this coverage will terminate.
- (j) The City will review annually the program of employer paid disabled retiree coverage and expressly reserves the right to amend, terminate or otherwise modify all or any portion of the program at any time and from time-to-time, with respect to any or all of the disabled employees. Any such amendment, modification or termination may apply to current participants in the program, as well as to future participants.

F-14. Retirement/Disability Health Insurance Annual Renewal.

Any retired or disabled employee taking advantage of the coverage offered by F-12 or F-13 above, may be required, on or before October 15th of each year, to produce, in writing from the Social Security Administration, proof of ineligibility for Social Security Medicare benefits in order to remain on the City's health insurance coverage. Failure to do so may result in termination from the City's plan.

F-15. Personal Information and Data.

It is the policy of the City of Mission that protected health information, and/or genetic information, and personal data will be used and disclosed in a manner that respects employees' right to privacy, and only in accordance with privacy regulations and applicable law.

The City will only collect personal information for employees and others if it is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the City includes employee names, addresses, telephone numbers, email addresses, emergency contact information, EEO data, social security numbers, driver's license numbers, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and school/college or certification credentials, credit card information, bank accounts, and other similar information. All pre-employment inquiry information and reference checking records conducted on employees and former employee files are maintained in locked, segregated areas.

Personal information will be considered confidential and as such will be shared only as required and with those who have a need to have access to such information or in compliance with valid legal process. All hard copy records will be maintained in locked, secure areas with access limited to those who have a need for such access.

City-generated information, which may include organizational charts, department titles and staff charts, telephone directories, e-mail lists, facility or location information and addresses, is considered by the City to be proprietary information to be used for internal purposes only. The City maintains the right to communicate and distribute such information as it deems necessary to conduct business operations.

Examples of the release of personal employee information that will not be considered a violation of City policy include the following:

- Partial employee birth dates, i.e., day and month may be shared with Department HeadDirectors who elect to recognize employees on such dates.
- Personal telephone numbers or e-mail addresses may be distributed to Department HeadDirectors in order to facilitate work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes and for timekeeping purposes may be shared with Department HeadDirectors.
- Employee's employment anniversary or service recognition information may be distributed to Department HeadDirectors periodically.
- Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or periodic benefits statement updates.
- Employee and dependent personal information may be shared with plan providers as required for claims handling or record keeping needs.
- All information available under the Kansas Open Records Act.

If an employee becomes aware of a material breach in maintaining the confidentiality of any confidential information, the employee should report the incident to the Human Resource Specialist who will investigate, or refer to the appropriate department, all incidents of alleged material breaches of confidentiality in order that appropriate corrective action may be taken.

F-16. Travel and Training.

In order to encourage professional development, it is sometimes necessary to send employees to professional conferences and training both inside and outside the local area. When travel is required, the City reimburses for reasonable, approved and documented travel-related expenses for attending professional conferences and training

courses that provide mutual benefit for both the employee and the City, in accordance with City policies. In specific circumstances, the City may consider advancing expenses with specific approval from the Department [HeadDirector](#) and City Administrator. As a general rule, however, advances are not available.

- (a) Employees must receive approval from their Department [HeadDirector](#) prior to registering for training. Approval is based on departmental needs, available funding and other factors.
- (b) Employees are responsible for turning in all travel related receipts and documentation within fourteen (14) calendar days after returning from City related travel.
- (c) Authorized Expenses
 - (1) Registration
 - (2) Transportation. The City will cover the cost of the most economical of the following three modes of transportation:
 - Personal vehicle
 - Commercial carrier – tourist class or most economical airline
 - City Vehicle
 - (3) Lodging. The City will cover the cost of reasonable single lodging expenses. When an employee's spouse accompanies the employee, the City will absorb the cost of the double occupancy rate. The employee is responsible for the spouse's commercial carrier expense.
 - (4) Meals
 - (a) Overnight travel. When an employee is required to travel away from home overnight for city business the meals will be provided/reimbursed by the City and are excludable as wages to the employee under IRS regulations.
 - (b) No overnight travel. When no overnight travel is required, meals will be the responsibility of the employee.
 - (5) Pay for travel: The City complies with all laws and regulations regarding payment of travel time and work time for non-exempt employees during external training. Hours expectations should be reviewed with the Department [HeadDirector](#) prior to attending the training.

F-17. Per Diem and Mileage. A per diem amount equal to the daily Federal rate for various cities for approved travel and training attendance on behalf of the City is authorized. Mileage reimbursement for the use of one's personal vehicle on behalf of the City shall be at the approved IRS mileage rate in effect at the time. To be reimbursed for mileage, the employee must submit a request for reimbursement stating where the travel was to, and for what purpose, along with the number of miles for the trip and the amount requested for reimbursement. This payment is excludable as a wage as it is a business connection and adequate accounting/substantiation has been made. All

requests for per diem and reimbursement shall be submitted to the Department [HeadDirector](#) for approval prior to travel. The City is not responsible for expenses incurred without proper approval.

F-18. Reimbursement Policy for Non Attendance at City Scheduled Functions. Occasionally staff members may be scheduled to attend functions for which the City has paid in advance. The following procedure shall apply if the individual(s) fail(s) to attend the function and the City is unable to obtain a refund.

- (a) Proposed attendee should carefully consider projected date and make every effort to ensure his/her schedule permits attendance prior to making a commitment on behalf of the City, make every effort to attend, i.e. do not take on subsequent commitments.
- (b) Staff/attendee should have clear understanding of "last cancel date for refund."
- (c) If attendee must cancel, advise City Administrator or Department [HeadDirector](#) as far in advance as possible.
- (d) Cancellation should be based on "good faith" reason, i.e., unforeseeable personal or family illness, or a death requiring attention of participant, or an unavoidable and serious conflict of personal nature that will cause undue hardship to the attendee or an unforeseen, work related emergency.
- (e) Staff/individual involved should attempt to find substitute attendee; staff will arrange to replace original attendee, if possible.
- (f) If "good faith" effort is made to attend, City will not seek reimbursement from original attendee.
- (g) If substitute attendee cannot be provided, staff/individual will seek reasonable reimbursement from program, if possible, prior to seeking individual reimbursement.
- (h) Final decision on individual reimbursement requirement will rest with the City Administrator.

F-19. City Provided Vehicles. Vehicles owned by the City are not to be used for personal use except for commuting to and from work or de minimis personal use (within 2 miles of the most direct route to and from work) as allowed by IRS regulations. The personal use of a City owned vehicle ~~for purposes outside the aforementioned parameters~~ will be a taxable benefit to the employee. The City will determine the rule which will be used to value this benefit based on the IRS regulations in effect when the vehicle is assigned to the employee. A list of employees eligible to take City owned vehicles home will be approved annually by the City Administrator.

F-20. Cell Phones. Employees whose work requires that they be accessible by cell phone will be provided a monthly phone allowance paid to the employee through the payroll system and considered a taxable benefit. The dollar amount of the monthly allowance will be determined by the Department [HeadDirector](#) and approved by the City Administrator annually. Employees may not use their cell phone cameras to photograph non-public documents or information. Likewise, employees are required to respect the privacy of individuals who come to City Hall or other municipal buildings for city business purposes.

F-21. Purchasing Cards. Employees may be issued a purchasing card (P-Card) in accordance with a program authorized by the Governing Body. Employees will be required to comply with all P-Card programs policies and procedures in accordance with a user agreement signed at the time the card is issued. Failure to comply with the terms of the program may result in disciplinary action up to and including termination.

ARTICLE G. DISCIPLINE.

G-1. General Policy. The purpose of discipline is to ensure high standards of performance and efficiency, to maintain good working relationships among employees, and to provide the citizens of the City with the highest possible level of courteous and professional public service. Discipline in the City organization is for the most part "self" discipline. It is the duty of employees to work and perform in accordance with the values, service standards, policies and guidelines of the City and the department in which they work. Each employee is expected to be self-disciplined and to work hard at being the best at what he/she does and in helping the City provide a high level of public service. When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of his/her job, it may be necessary for his/her Department [HeadDirector](#) or supervisor to consider disciplinary actions as a means of encouraging the employee to modify his/her behavior. Disciplinary action includes a process which may result in a verbal or written reprimand, disciplinary probation, suspension, demotion or dismissal of an employee or appointed official.

G-2. Issue Resolution. The City respects and values the opinions and views of all employees. The City supports employees' efforts to bring to the attention of management their questions, concerns, dissatisfaction, or complaints about work-related situations other than alleged harassment and/or discrimination. Reports of alleged harassment and/or discrimination must be raised in accordance with Article J. Employees are advised to communicate their problems or concerns, without fear of retribution, and receive fair and prompt resolution or explanation. Employees are encouraged to bring their concerns first to their supervisor. However, if the employee feels that the supervisor did not satisfactorily resolve the matter, they must submit their issue in writing to their Department [HeadDirector](#) or, if appropriate, the City Administrator. The issue will be addressed as soon as is practicable and the decision of the City Administrator is final.

G-3. Improper Conduct.

The following is a list of conduct which could result in disciplinary action, up to and including discharge. This list does NOT include every situation, but includes examples only.

1. Conviction by a court of law, or entering into a guilty or no-contest plea, of a violation of the criminal laws of the United States of America or any State. A criminal conviction will not necessarily result in

adverse employment action. Factors such as the seriousness of the offense, the nature of the offense, and the relationship of the offense to the employee's position will be taken into consideration.

2. Unnecessarily unsafe or abusive operation of City vehicles or equipment.
3. Violation of City policies pertaining to performance and/or conduct.
4. Incompetent, negligent or unsatisfactory performance.
1. Dishonesty (either by affirmative misrepresentation, or by omission or concealment of material information) in any matter involving the City, or in any matter not directly involving the City, but which could reflect negatively on the City or interfere with the employee's ability to perform his or her job.
2. Rudeness, violent, unprofessional or abusive conduct to a citizen or fellow employee while on duty, or off-duty where such conduct reflects adversely on the City or interferes with the violating employee's ability to perform his/her job.
3. Rudeness, violent, unprofessional or abusive conduct to a citizen or fellow employee utilizing the City's property or technology.
4. Improper political activity as defined in the Conflict of Interest Policy.
5. Being insubordinate, threatening, intimidating, rude or assaulting a manager/supervisor. Co-worker, citizen or vendor.
6. Intentional falsification of personnel records, time-sheets or other City records.
7. Carelessness, neglect or misuse of City funds or property, including theft, misappropriation and unauthorized private use.
8. Discussing with unauthorized persons any confidential, non-public information gained through City employment.
9. Improper conduct, behavior, or communication based on race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital_status, or any other status protected by applicable law, whether or not such conduct constitutes legally actionable harassment.

G-4. Disciplinary Procedure.

It is the policy of the City that any employee whose performance is unsatisfactory or who violates any of the City's rules and regulations or standards of employee conduct and behavior shall be subject to disciplinary action. The following disciplinary actions are authorized but should not be considered exclusive, and are in every instance discretionary, based on the specific circumstances. The City reserves the right to adopt whatever level of discipline it deems appropriate in the situation, and may skip any level, including moving directly to termination.

- (a) Oral Reprimand

The supervisor ~~should~~ take the following action:

- Meet with the employee to discuss the matter.
- Inform the employee of the nature of the problem and the action necessary to correct it
- Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place

(b) Written Reprimand

The supervisor should take the following actions:

- Meet with the employee to discuss the matter.
- Prepare a written report that outlines the nature of the incident, the policies and/or procedures that have been violated, and the action to be taken.
- Review the written report with the employee. After discussing the report, both the supervisor and employee should sign the report.
- Forward to the Human Resources Specialist and City Administrator the written report of the violations and the action taken with the employee. Such report shall become a part of the employee's personnel file.

(c) Suspension, Demotion, or Dismissal

The supervisor should take the following actions:

- Meet with the employee to discuss the matter.
- Prepare a written report that outlines the nature of the incident, the policies and/or procedures that have been violated, and the action to be taken.
- Share the report with the Department HeadDirector, who in turn will recommend to the City Administrator suspension of the employee without pay for up to five working days, demotion to position in a lower pay grade, or termination.
- Once a determination is made of the appropriate disciplinary action, the supervisor and/or Department HeadDirector will meet with the employee to share the report. Both the employee and the Department HeadDirector should sign the report, and it will become a part of the employee's personnel file.

The above steps may be disregarded if the supervisor or Department HeadDirector feel that it is warranted by the severity of the situation. The supervisor may at his/her discretion discipline the employee and, if appropriate, recommend immediate termination of the employee.

No employee sick leave or vacation leave benefits shall be paid or accrued to any employee while they are subject to a disciplinary suspension. In the case of acts of violence or other flagrant misconduct, [allegations of harassment or discrimination](#), serious safety violations, ~~or~~ criminal offense, [or any other matter deemed appropriate](#), an employee may be suspended immediately, with or without pay, pending an investigation and review of the matter.

G-5. Causes for Termination.

While all employees are employees at will and, therefore, subject to termination without cause, incidences may arise where an employee's conduct could result in termination for cause. Some incidents of misconduct may be deemed

so serious that they are cause for immediate termination. The following list is not all-inclusive; it is only representative of the types of misconduct which may subject an employee to immediate termination. Causes for termination under this section also constitute misconduct for which an employee may be subjected to disciplinary action other than termination:

- (a) Conviction of a felony or conviction of driving under the influence.
- (b) Testing positive for alcohol or drugs while operating a City vehicle.
- (c) Willful or continued violation of City or departmental safety policies and procedures or willful or negligent creation of unsafe conditions in the workplace.
- (d) Willful or continued violation of personnel policies and guidelines or departmental guidelines.
- (e) Negligent or willful damage to public property or waste of public supplies or equipment.
- (f) Taking or using any funds or property of the City for personal use or for sale or gift to others, or submitting any false claim to the City.
- (g) Gross incompetency, neglect of duty or willful or continued failure to render satisfactory service.
- (h) Refusal to abide by any lawful official regulation or order, failure to obey any proper direction made by a supervisor or Department ~~Head~~Director, or knowingly making a false statement to any employee or officer of the City.
- (i) Claiming leave time under false pretenses or falsifying attendance records for oneself or another employee.
- (j) Absence without approved leave.
- (k) Possession or use of alcohol, while on duty. Sale of or offering for sale or giving away alcohol while on duty or at any City of Mission property.
- (l) Illegal use or possession of any drug or controlled substance, or the illegal presence of any drug or controlled substance in the employee's body at any detectable level while on duty.
- (m) Improper conduct, behavior or communication based on race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law, whether or not such conduct or behavior constitutes legally actionable discrimination, or any other kind of disruptive, discourteous, or unprofessional behavior.
- (n) Disclosing or using confidential, non-public records or information in conflict with City policy.
- (o) Revocation or suspension of a certification or license, including a driver's license, when such is required as a condition of city employment.
- (p) Material falsification of application or in the course of the interview process for city employment, or making a false statement or report in regard to any test, certification or appointment, or any attempt to commit any fraud that violates the merit principles of personnel administration.

- (q) Giving or attempting to give or receive any monetary consideration, or receive or deliver of undeserved service, to or from any person or organization for, or in connection with, any test or appointment, or City service of any kind.
- (r) Taking or offering to take from any person for the employee's personal use, any fee, gift or other thing or service of value, in the course of his or her work or in connection with it, when such gift or other valuable thing or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person; accepting a bribe, gift, money or other thing of service or value intended to perform or refrain from performing any official act; engaging in any act of extortion or other means of obtaining money or other things or service of value through his/her position in the service of the City.
- (s) Discharge of duties in a manner which results in discrimination to any person on the basis of race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law.
- (t) Violent or abusive behavior.
- (u) Any behavior that negatively affects the workplace or co-workers.

ARTICLE H. GRIEVANCES

H-1. General Policy. Any employee, or appointed official, has the right to present a complaint or grievance concerning termination of his/her employment or appointment. A sincere attempt should be made by each employee and supervisor to resolve any issue before it becomes necessary to resort to the grievance procedure. Complaints or reports of harassment or discrimination must be submitted and administered under Article J.4 below.

H-2. Grievance Procedure. The following grievance procedure is established:

- (a) Any complaint or grievance shall initially be filed by the employee with his or her supervisor within seven (7) days of the notice of termination. An answer to the grievance shall be provided by the supervisor to the employee in writing within seven (7) business days or as soon thereafter as possible. If the employee disagrees with the decision of the supervisor, the employee may forward the complaint or grievance in writing to his/her Department HeadDirector, who shall provide an answer to the employee within five (5) business days or as soon thereafter as possible.
- (b) If the termination is upheld by the Department HeadDirector, the employee may forward his/her written grievance to the City Administrator, specifying the specific basis for the challenge, provided he/she has informed the Department HeadDirector of his/her intentions to do so. The City Administrator will administer a decision within five (5) business days or as soon thereafter as possible. The decision of the City Administrator will be final and binding.

H-3. Grievance Toward City Administrator. Grievances toward City Administrator shall be brought to the attention of the Governing Body through the Mayor. The Governing Body shall provide an answer within seven (7) days of the notice of termination. The decision of the Governing Body will be final and binding.

ARTICLE I. VOLUNTARY SEPARATION

I-1. Resignation. An employee who terminates his/her employment voluntarily shall be terminated in good standing, providing the employee gives a minimum of ten working days written notice to his/her immediate supervisor or Department HeadDirector. Under appropriate circumstances, a shorter period of notice may be approved by the employee's Department HeadDirector. The City Administrator, City Clerk and Department HeadDirectors shall give thirty (30) calendar days written notice. Under appropriate circumstances, a shorter period of notice may be approved by the City Administrator or Mayor.

I-2. Reinstatement. An employee who was terminated in good standing and who is re-employed within a period of 90 calendar days following separation may be reinstated under the terms of Section C-2 Recruitment, (f) Rehire. Employee will be reinstated at the salary he/she was receiving at the time of termination unless approved by the City Administrator.

ARTICLE J. ANTI-HARASSMENT

J-1. General Policy. It is the policy of the City to maintain a work environment free of discrimination, harassment, intimidation, humiliation, insult, physical, or verbal abuse or actions based on race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law. To insure that this policy is strictly adhered to, the City will not tolerate sexual or any other type of illegal harassment or discrimination by or toward any of its employees, and will take immediate disciplinary or other appropriate action toward any individual who violates this policy. The City will also not tolerate any disrespectful, vulgar or otherwise offensive or unprofessional behavior that may not rise to the level of illegal improper behaviors. The City does not have the ability to act on improper behavior that is not reported. Thus, employees are required to report any conduct or behavior they witness or experience that may violate this policy. The City prohibits retaliation against any employee who, in good faith, reports any behavior that may violate this policy, participates in any investigation of such a report, or is closely associated with another employee who does so.

J-2. Definition. Prohibited harassment is defined as:

- (a) The threat or insinuation by a supervisor or person in successive authority toward a subordinate employee, either explicitly or implicitly, that the subordinate's submission to or rejection of unwelcome sexual advances

will adversely affect employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment or career development; and

- (b) The subjecting of an employee, by a supervisor, employee, government official, citizen, or other person, to unwelcome conduct, verbal, physical, visual or otherwise, based on any legally protected status or characteristic, which creates an intimidating, hostile, or offensive working environment for a reasonable person.

J-3. Policy.

- (a) No employee, whether supervisory or nonsupervisory, may harass another employee based on any status protected by applicable law. Nor may any government official, citizen, contractor, or other person engage in prohibited conduct toward any City employee in connection with that employee's employment. Prohibited conduct based on of race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law, includes but is not limited to the following:
 - (1) Unwelcome touching, propositions, advances;
 - (2) Abusive or vulgar language epithets, slurs, stereotypic insults, joking or teasing based on any protected status;
 - (3) Suggestive stereotypic, insulting or degrading jokes or comments;
 - (4) Displaying of sexually graphic or suggestive pictures, photographs, cartoons, or similar material based on other protected status including but not limited to of race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law.
- (b) Any employee who believes that he/she has witnessed or experienced behavior that may violate this policy shall immediately report all as set forth below in Section J-4. If the allegation involves the City Administrator, such report shall be made immediately to the Mayor.
- (c) All complaints involving claims of discrimination or harassment shall be promptly investigated; the existence of the complaint and the investigation will be treated as confidentially as practical to conduct the investigation.
- (d) Any employee, supervisory or nonsupervisory, found to have violated this policy, whether or not the violation constitutes illegal harassment, will be disciplined, up to and including discharge. Non-employees whose behavior is to have found violated this policy will be dealt with as appropriate to ensure that inappropriate behavior ceases and does not recur.

J-4. Complaint Procedure. Any employee who feels he/she has witnessed or experienced conduct, behavior or communication that may violate this Policy should immediately contact one of the persons listed below with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:

- Employee's immediate supervisor.
- Employee's Department HeadDirector.
- Other supervisory personnel.
- Human Resources.
- City Administrator.

The employee should be prepared to provide the following information:

- Employee's name, department and position title.
- Name of the person or persons engaging in the prohibited conduct.
- Date(s) and approximate time(s) of the prohibited conduct.
- The specific nature of prohibited conduct, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee as a result of the prohibited conduct, or any other threats made against him/her in connection with result of the prohibited conduct.
- Witnesses to the prohibited conduct, if any.
- Whether the employee has previously reported such prohibited conduct and, if so, when and to whom.

After receiving a complaint of prohibited conduct under this Policy, the person receiving the complaint shall immediately advise Human Resources, who will designate someone to assist the employee filing the complaint to document the incident in writing. (If the allegations are about the City Administrator, see J-6 below.) The employee may be requested to sign the written complaint, attesting to the accuracy and truthfulness of the incident.

All information related to the investigation of such a complaint will be treated as confidentially as possible and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter, or as required by valid legal process.

J-5. Review of a Complaint Under this Policy. It is the responsibility of the City Administrator to coordinate and investigate (or designate another suitable individual to coordinate and/or investigate) any complaint brought pursuant to this Policy. The following procedures shall apply to the handling of such complaints:

- (a) The person to whom the complaint is made shall immediately present it to Human Resources.
- (b) Human Resources will promptly initiate an investigation.

- (c) The investigator shall keep a written record of the investigation, including notes of any oral responses made to the investigator by the complainant, any witnesses interviewed during the investigation, the person against whom the complaint was made, and any other person (other than legal counsel) contacted by the investigator in connection with the investigation.
- (d) The investigator shall notify the employee accused of the violation as promptly as possible of the complaint and the severity of the allegations. (Immediate notification is not necessary if such notification would jeopardize the investigation.) The employee accused of the violation will be instructed of the City's policy prohibiting retaliation against any complainant or witness in the investigation simultaneously with the notification of the complaint. Likewise, the employee accused of the violation will be instructed not to tamper with the investigation efforts.
- (e) For the protection of the complainant, the person accused of violation, and any witnesses involved in the investigation, unless there is a specific operational necessity to do so, Human Resources, in consultation with the City Administrator may determine in their sole discretion that the Department [HeadDirector](#) and/or supervisor of either the complainant or the employee accused of the violation (or both) not be informed of the complaint, the investigation, or the outcome of the investigation. If the Department [HeadDirector](#) and/or supervisor is notified of the complaint and/or investigation, s/he will be instructed of the City's policy prohibiting retaliation against any complainant or witness in the investigation simultaneously with the notification of the complaint or investigation.
- (f) The employee accused of the violation may be given appropriate opportunity to refute the allegations and present information and/or suggest witnesses to be interviewed on his/her behalf.
- (g) Based on the investigative report, Human Resources shall determine whether the conduct of the person against whom a complaint has been made constitutes a violation of City policy. In making that determination Human Resources shall look at the record as a whole and the totality of circumstances, including the nature of the conduct in question, the context in which the conduct, if any, occurred. Determination of whether City policy has been violated will be made on a case-by-case basis. Conduct need not constitute illegal harassment to violate City policy.
- (h) After completion of the investigation, in accordance with paragraph (e) above, Human Resources may discuss the recommendations (if any) regarding the employee who was the subject of the complaint, with the employee's Department [HeadDirector](#) and supervisor, and City Administrator as appropriate. Appropriate disciplinary steps (if any) will be determined and implemented upon approval of the City Administrator. If a violation is found, the City Administrator will report the findings/discipline to the Governing Board.

- (i) Any disciplinary action shall be consistent with the nature and severity of the offense. Considerations may include, but are not limited to, whether there have been previous counseling or discipline, whether the offending party is in a supervisory position, and any other factors the City Administrator believes relate to fair and efficient administration of the City, including the effect of the offense on employee morale, public perception of the offense if it were known, and the light in which it would cast the City if known. The disciplinary action may include demotion and/or suspension, dismissal, oral or written reprimand. A determination of the level of disciplinary action shall also be made on a case-by-case basis.
- (j) If Human Resources determines that no violation of policy has occurred, he/she shall notify the employee accused of the violation of the determination and advise that no disciplinary action is warranted. In that case, only those who have a direct need to know of the situation will be informed of the existence of the complaint, the investigation, and its outcome.
- (k) If Human Resources determines a policy violation has occurred, the violating employee will be notified of that determination and the resulting corrective action be administered. Only those who have a legitimate need to know of the investigation and resolution (including any discipline for any employee found to have violated the policy) will be informed of the existence of the complaint, the investigation, and its outcome.
- (l) The employee making the complaint shall be notified in general of the results of the investigation. If appropriate, the complaining employee may be notified of the discipline, if any, to be administered. In any event, the investigation file will remain confidential.

J-6. City Administrator. In the event the City Administrator is the subject of the investigation, Human Resources will assist the Governing Body in the process and resolution.

J-7. Records of a Complaint and Investigation. All records concerning a complaint and investigation under this Policy shall be confidential and kept in a separate locked file except those affected by Kansas Open Records Act. Access to these records shall be given only to City representatives with legitimate need to have access, and only with approval by the City Administrator and/or in response to valid legal process.

ARTICLE K. POLITICAL ACTIVITY.

K-1. General Policy. It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations, or groups and to become involved in political activities subject to the restrictions of this article.

K-2. Activities.

- (a) As private citizens, employees may participate in all political activities, including holding public office, except for activities involving the election of candidates for any City office, or issues impacting Mission, or where holding an appointive or elective public office is incompatible with the employee's City employment.
- (b) City employees may support candidates for other offices and may contribute labor to candidates and organizations that endorse candidates other than for City office. Employees are not permitted to be candidates for City elective office or to make public endorsements of a candidate for City elective office.
- (c) Any employee desiring to become a candidate for City elective office shall first take a leave of absence without pay or resign. Should an employee on leave of absence without pay be unsuccessful in seeking such elective office, he/she shall be returned to employment on the same terms and conditions as any other employee who has taken a leave of absence without pay. An employee is considered to be a candidate for elective office once all statutory requirements have been met to qualify as a candidate.
- (d) Political activity of any nature must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections. They are not permitted to wear or display political badges, buttons or signs on their person during duty hours on any City property for any candidate or issue.
- (e) No supervisor or other person in authority shall solicit any City employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.
- (f) The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to, nor retained in, the City service on the basis of their political affiliations or activities.

ARTICLE L. OUTSIDE EMPLOYMENT.

L-1. General Policy. Outside employment constitutes a City employee holding a second job with another employer. Outside employment by a full-time employee is permitted only when such outside employment: (1) is considered secondary to service with the City; (2) does not interfere with the performance of duties for the City; and (3) no legal, financial or ethical conflict of interest results from such dual employment. To allow the City to analyze whether all of the above criteria are met, a City employee must disclose the proposed outside employment before it is accepted, or upon hiring by the City, whichever occurs later.

ARTICLE M. WORKER SAFETY.

M-1. General Safety. All employees are required to wear appropriate safety equipment and follow appropriate safety precautions according to City and/or departmental policy at all times. Failure to comply with safety policies may result in disciplinary action. Specific safety policies and procedures are included in the City's Employee Safety Manual.

M-2. Substance Abuse. As a part of the City's commitment to safeguard the health of its employees, to provide a safe place for its employees to work, and to promote a drug-free community, the City has established the policy on the use or abuse of alcohol and illegal use of drugs by its employees. This policy is explained in detail in section N-5.

M-3. Drug and Alcohol Policy.

- (a) All non-elected City employees, including full-time, regular part-time, appointed, seasonal and temporary employees, are covered by this policy.
- (b) In its desire to provide a drug free, healthy and safe workplace, the City requires all of its employees to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. While on City property and while conducting business-related activities off City premises, no employee covered by this policy may use, possess, distribute, sell or be under the influence of alcohol; nor may such an employee illegally use, possess, distribute, sell or illegally have in his/her body in any detectable amount, of any controlled substance or drug. The legal use of prescribed drugs is permitted on the job only if the use does not impair an employee's ability to safely and effectively perform the essential functions of the job, or does not endanger the employee or other individuals in the workplace. Violations of this policy may result in disciplinary action, up to and including immediate termination of employment.
- (c) Drug and alcohol testing of [applicants](#)/employees may occur in the following situations: in the case of applicants who are applying for safety-, integrity- and/or security-sensitive positions, after an offer of employment is made (providing all applicants for the same safety-, integrity-, and/or security-sensitive positions are subject to drug testing during the post-offer stage); when there is reasonable suspicion of drug/alcohol use on premises or during working hours; and following an accident, where there is reasonable suspicion that drug/alcohol use by the employee may have contributed to the accident. Random, unannounced drug/alcohol testing of all employees holding safety-sensitive jobs that require a Commercial Driver's License (CDL) will be conducted on a routine basis. Any employee who refuses to take an alcohol or drug test under this policy, or who tampers with or attempts to tamper with such a test, will be subject to disciplinary action, including, but not limited to immediate termination. All employees of the City are

provided with and acknowledge receipt of the City's drug and alcohol policy, Section N-5. Substance Abuse by a signed acknowledgement of the Personnel Policy and Guidelines.

- (d) The City offers an Employee Assistance Program that employees voluntarily seeking assistance can utilize. Seeking assistance after a drug or alcohol test has been requested, or after a violation of this Policy has been detected, will have no effect on discipline imposed on that employee.

M-4. Worker's Compensation. City employees are covered by state Workers' Compensation law. To comply with this law, an employee injured on the job, regardless of how minor the injury, must report such incident to his/her Supervisor immediately, but no later than 24 hours following the incident. The supervisor will arrange for proper medical care and will complete any injury report forms required under the Workers' Compensation law. Because reporting injuries is key to the overall safety program at the City of Mission, failure to timely report any injury may result in disciplinary action.

M-5. Returning Injured Employees to Work. It will be the policy of the City of Mission to return employees to work as quickly and safely possible, within the restrictions provided by the physician. However, due to the size of the City's staff, light duty assignments are limited, and cannot be guaranteed. Department [HeadDirectors](#), the City Administrator, and/or supervisors will be responsible for attempting to find productive work for each injured employee. The City will attempt to identify alternative or modified work-duty tasks when available.

Temporary restricted duty work reassignment need not be confined to the current department or pay rate to which the employee is assigned at the time of injury. The Department [HeadDirector](#) will review the temporary restricted duty work reassignment within 30 days. Extensions will be determined by the Department [HeadDirector](#) and the City Administrator. Light duty assignments will typically not last longer than 90 days.

Returning injured employees to work as soon as possible benefits both the employee and the City of Mission; therefore, the City shall adhere to this policy. Any questions concerning this policy should be addressed to Human Resources.

This policy in no way may be used to diminish the rights and privileges of employees under provisions of the Family Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act or other federal or state law.

ARTICLE N. OTHER POLICIES.

N-1. Reasonable Accommodation for Disability and/or Religion: The City of Mission offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but who can perform the essential

functions of the job, with or without reasonable accommodation. The City will provide a reasonable accommodation upon request for known or disclosed disabilities, provided that the accommodation does not create an undue hardship on the City. Qualified individuals with disabilities may make requests for reasonable accommodation to Human Resources. The City reserves the right to require medical certification of the condition necessitating the requested accommodation, as well as the need for the requested accommodation. Any such medical certification must be submitted to Human Resources, and will be treated confidentially, and maintained in a confidential medical file separate from the regular personnel file. Similarly, the City offers reasonable accommodation; to the extent it does not create an undue hardship, for an employee's religious beliefs or observances. Requests for reasonable accommodation for religion may be submitted to Human Resources.

N-2. Technology Policy: This policy will establish guidelines for the use of the City's computer, communication and related systems to ensure that this equipment is used in a manner consistent with its intended purpose and the mission of the City, and to discourage or eliminate inappropriate use of the equipment. Equipment subject to this Policy will include, but is not limited to, all computers and related hardware and software, voice mail, electronic mail, internet access, internet e-mail, phone systems, network systems, voice and data communications, printers, copy and fax machines, ~~video-cassette and DVD recorders,~~ any digital or other type of recorders, cameras, pagers, radios and electronic equipment in general which is owned by the City, licensed to the City, or otherwise provided for use by the City through the use of public funds. Violation of any provision of this policy may result in disciplinary action up to and including termination, and/or where applicable, legal action.

All users of the City of Mission's technology equipment must adhere to City, State, Federal and International laws governing the use of such equipment. All users of the City of Mission's technology equipment should strive to use such equipment in an efficient, effective, and appropriate manner consistent with the City's mission, and must avoid unethical, unauthorized, inappropriate or any other use of such equipment in a manner inconsistent with good stewardship of public resources.

Use of the City's technology equipment for improper political advocacy, threats, harassment, slander, defamation, profane, obscene or suggestive messages and images, political endorsements, personal activities or gain, commercial activities, or for the production or dissemination of any material which is discriminatory, degrading, insulting or stereotypic with regard to of race, color, religion, sex, national origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law is prohibited. E-mailing objectionable, unprofessional or inappropriate information from a City e-mail or to a City

employee at their City e-mail is also prohibited. Employees should greatly restrict their use of City email for personal emails.

- (a) **No Expectation of Privacy:** No individual or group utilizing the City's technology equipment should have any expectation of privacy in their use of the City's technological equipment. The equipment, and all communication and traffic flowing through the equipment, is managed by the City for the purpose of City business, and authorized representatives of the City may access any aspect of the City's technology equipment at any time for work related non-investigatory or investigatory purposes. Authorized representatives of the City may, without further notice, access any portion of the City's technology equipment for purposes related to claims of misconduct by the City staff.

Management reserves the right to monitor the use of any or all portions of the City's technology equipment, including electronic messages either sent or received, electronic files stored on the City's network, and internet sites visited.

Management reserves the right to access, without notice, data or text caches, pager, memory banks, e-mail, voice mail boxes or accounts, and other employer provided electronic storage systems.

All data, information, electronic mail, and other documents contained on the City's network, or any component of the City's network, is considered City property, and may be accessed by authorized representatives of the City.

- (b) **General Computing and Network Policy:** Users of the City of Mission's network services shall promote efficient use of the networks to minimize, and avoid if possible, congestion of the networks and interference with the work of other users of the network.
- (1) Encryption of communications will be allowed only if it is determined to be necessary for the protection of citizens or employees, or is determined to be an integral part of an employee's performance of their assigned work.
 - (2) No "bios" (basic in and out system) passwords will be allowed unless approved by the Systems Manager or his/her designated representative.
 - (3) Users of the City's network services shall not intentionally disrupt or damage any components of the system.
 - (4) Deletion, examination, copying, or modification of files and/or data belonging to other users without their prior consent, or City authorization for a legitimate purpose, is prohibited.

- (5) Any unauthorized access or attempts to gain unauthorized access to data, system resources and passwords is prohibited.
- (6) Any attempt to secure system access privileges other than those assigned by the System Manager or his/her designated representative is prohibited.
- (7) Decryption of system or user passwords is prohibited.
- (8) The copying or deleting of any software without the authorization of the System Manager is prohibited.
- (9) Infringement on software licenses and copyrights is prohibited.
- (10) No software may be loaded onto the City's network, or any component of the network, without the advance approval of the System Manager or his/her designated representative.
- (11) The intentional introduction of computer viruses or other disruptive programs into the City's system is prohibited.
- (12) Sharing of passwords with other users is prohibited.

(c) **Guidelines for use of Electronic Mail Systems:** Electronic mail, in general, lends itself to a more relaxed and less guarded method of communication, which could lead to misunderstandings and unwarranted liability. All users should adhere to the following guidelines to ensure that City systems for electronic mail production and delivery are used in a manner consistent with the City's policies and practices of quality public service.

- (1) All electronic files and messages on the City's systems are periodically backed up, and generally available for re-creation even if erased.
- (2) Do not put anything into an electronic mail message that you would not broadcast to the general public.
- (3) Excessively accessing personal e-mail accounts using the City's network/internet/e-mail systems is prohibited.
- (4) In all electronic mail communications, be polite and use appropriate language.
- (5) To help efficiently manage network storage resources, delete all messages from the electronic mail system when they are no longer needed.
- (6) Be aware that Internet electronic mail transmissions can easily be intercepted and read by others.
- (7) Do not use electronic mail to send illegal or inappropriate messages.
- (8) Do not use the City's electronic mail system for sending "junk mail" or "chain letters."
- (9) Never send electronic mail from someone else's account or electronic mail address posing as that person.

(d) **Policy on Internet Access/Use:** Use of the Internet should be limited to City business. Accessing "adult entertainment", pornography, illegal, suggestive, racial, ethnic or religious, or other inappropriate material via the Internet at any time from any City facility using either individually-owned or City technology equipment is prohibited. Excessive use of the Internet for personal use during work time may be grounds for disciplinary action up to and including separation of employment.

N-3. Personal Appearance. City employees are expected to dress and groom themselves appropriately for their required duties and responsibilities and as prescribed by departmental policies.

N-4. Workplace Violence. The City of Mission expressly prohibits any acts or threats of violence by any City employee or former employee against any other employee in or about the City's facilities or elsewhere at any time. ~~Additionally, the City will not condone any acts or threats of violence by anyone against its employees or visitors on the City's premises at any time or while employees are engaged in business with or on behalf of the City. Therefore, the possession of weapons and/or other dangerous unauthorized materials, such as knives (not used during the normal course of business), firearms or explosives (unless required for the employee's job) and other items which could be used with the intent of injuring an individual, are strictly prohibited in any City facility, including City vehicles wherever they may be located (including City vehicles parked in parking lots under the City's ownership or control).~~

Additionally, threats ~~of bodily harm~~ against other employees will not be tolerated whether they are made in person, by mail, by text, over the phone, on e-mail systems or any other form of technology or means of communication. Please remember that e-mail messages are records of the City. Therefore the City reserves the right to access and disclose all messages sent over this system for any purpose whenever there is a business need to do so.

Employees must report to either their supervisor or Human Resources any violence or threat of violence, where that violence or threat of violence may occur on City premises or in connection with a City activity, whether the source is a City employee, or an outside party. Such activity may include: suspicious workplace activity, situations or incidents including threats that they observe involving current or former employees or visitors. Additionally, employees must report weapons or dangerous unauthorized materials observed in the workplace.

Once management has been made aware of the situation, an immediate investigation will be conducted. Confidentiality will be maintained where practical, but absolute confidentiality cannot be guaranteed. The City will not condone any form of retaliation against any employee for reporting such an occurrence. Any employee who violates this guideline may be subject to disciplinary action up to and including termination.

The City reserves the right to amend this general operational policy, or any portion thereof, at its sole discretion to the extent permitted by applicable State and Federal laws and regulations.

N-5. Substance Abuse.

(1) The City is committed to safeguarding the health of its employees, providing a safe place for its employees to work, and promoting a drug-free community. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems. The City has established this policy to detect users and remove from the workplace employees whose alcohol abuse interferes with their job performance, and those who illegally use drugs. It is also the policy of the City to prohibit the use and/or presence of these substances in the workplace and to assist employees in overcoming any dependence on drugs and/or alcohol in accordance with the following guidelines.

- (a) The purpose of this policy is to communicate the City's position on alcohol and illegal drug activity in the workplace, and to provide guidance for implementing related programs within the City.
- (b) City policies and/or procedures on substance abuse or employee assistance programs, are not intended to create or alter any existing, implied or express contracts, written or verbal, between the City and its employees, independent contractors, or job applicants. The City reserves the right to alter any of its policies, procedures, or programs, at will and without notice to its employees, independent contractors or job applicants.

(2) All City employees are covered by this policy. As a condition of employment, employees are required to abide by the terms of this policy. This substance abuse policy primarily governs actions in the areas of alcohol and drugs. Other City policies may apply in these areas to the extent that they do not conflict with this policy. Certain employees may be subject to additional requirements under state and/or federal regulations.

(3) Substance Abuse Policy Dissemination:

- (a) All employees are to be informed of the City's substance abuse policy. Employees shall be given a copy of the City's substance abuse policy via the Personnel Policy and Guidelines Manual.
- (b) All applicants shall be informed in writing of the City's policy of pre-employment testing and shall be required to sign an acknowledgement and agreement.

(4) Definitions

- (a) Illegal use of Drugs: "Illegal drug use" is the use of any drug or controlled substances where the substance is: 1) not legally obtainable or (2) legally obtainable, but not obtained or used in a lawful manner. Examples include, but are not limited to, use of "street drugs," as well as prescription

drugs, which are not lawfully obtained or properly used, or are obtained from a doctor or person authorized to prescribe them, but are obtained under false pretenses. The term "illegal drug use" also includes the use of mind-altering and/or addictive substances which are not sold as drugs or medicines, but are used for the mind- or behavior-altering effect, and not for the purpose the substance is manufactured or distributed.

- (b) Legal Use of Drugs: "Legal use of drugs" means use of drugs or controlled substances or over-the-counter drugs that are legally obtained by the employee, and used for the purpose and at the dosage for which they were prescribed and sold.
 - (c) Supervisor: The term "supervisor" includes any employee of the City that may be responsible for overseeing and directing (on a routine or intermittently basis) the work activities of other employees. This definition would include, but not be limited to, the City Administrator, Department Directors, captains and sergeants in the police department, public works superintendent, recreation supervisor, aquatic manager, and municipal pool manger. ~~the City Administrator, Finance Director, Chief of Police, Captains, Sergeants, and acting senior officers in the Police Department; the Director of Public Works, Public Works Superintendent and Assistant Public Works Superintendent in the Public Works Department; the City Clerk; the Director, Administrative Supervisor, Aquatic Manager, Recreation Supervisor, and Maintenance Supervisor in the Parks & Recreation Department, Managers and Assistant Managers at the municipal swimming pool in the Parks and Recreation Department, and the Community Development Director.~~
 - (d) City Property: The term "City property" includes property owned or controlled by the City of Mission, Kansas, and locations where the employee represents the City in any capacity.
 - (e) On Duty: The term "on duty" includes all working hours, as well as meal periods and break periods, and all hours when the employee represents the City in any capacity.
- (5) Drug Use Prohibitions
- (a) The illegal use, sale, purchase, possession, manufacture, distribution, or dispensing of controlled substances or drugs on City property or during working time is against City policy and is cause for immediate termination.
 - (b) It is also against City policy for any employee to report to work or to work with any controlled substance or drug illegally present in the employee's body in any detectable level. Employees who violate this policy are subject to disciplinary action, up to and including termination.
 - (c) Legally-used drugs may also affect the safety of the employee, fellow employees or members of the public. Therefore, any employee who is legally taking any controlled substance or drug that

might impair safety, performance, judgment, or any motor functions must advise Human Resources before reporting to work while using such medication. A failure to do so may result in disciplinary action. Improper use of controlled substances, prescription or over the counter drugs, even if lawfully prescribed, is prohibited and may result in disciplinary action up to and including termination.

- (d) Refusal to submit to, efforts to tamper with, or failure to pass a drug test will result in disciplinary action, up to and including termination.

(6) Alcohol Use Prohibitions

- (a) The consumption, possession, being under the influence of alcohol, or testing positive for alcohol at a level of .02 or more on City property, or anywhere while on duty, is prohibited and will result in disciplinary action, up to and including termination.
- (c) Employees may be asked to submit to an alcohol test based on reasonable suspicion that their ability to perform work safely or effectively may be impaired. An alcohol test result of .02 or higher will be considered positive.
- (d) Refusal to submit to, efforts to tamper with, or failure to pass an alcohol test will result in disciplinary action, up to and including termination.

(7) Testing

(a) Testing of Applicants

- (1) Applicants considered final candidates for a position, who have received a conditional offer of employment for a safety-, integrity-, or security-sensitive position, may be tested for the presence of alcohol and/or the illegal presence of controlled substances or drugs as part of the application process.
- (2) Applicants subject to such testing will be advised of the City's pre-employment testing requirements in writing via the employment application and/or the conditional offer of employment, and prior to referral for a physical and/or drug and/or alcohol testing.
- (3) Any applicant for a safety-, integrity-, or security-sensitive position who refuses to submit to, tampers with, [makes any attempt to delay,](#) or fails to pass the post-offer pre-employment drug and/or alcohol test shall be ineligible for hire.

(b) Reasonable Suspicion Testing

- (1) Employees may be asked to submit to a drug and/or alcohol test based on a reasonable suspicion that their ability to perform work safely or effectively may be impaired, or that they otherwise are in violation of this Policy. Reasonable suspicion is defined as the

reasonable belief that an employee is under the influence of drugs or alcohol, based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee, the employee's possession of prohibited substances or drug paraphernalia, and/or access to reliable/credible information. Someone trained to recognize the signs of alcohol or drug use or abuse will determine whether reasonable suspicion exists. The person who determines that such a test is warranted will make a written record of the observations establishing reasonable suspicion.

(2) Factors that individually or in combination could result in reasonable suspicion include, but are not limited to:

- (a) Direct observation of an individual engaged in drug and/or alcohol-related activity
- (b) A pattern of abnormal conduct
- (c) Unusual, irrational or erratic behavior
- (d) Unexplained or excessive negligence or carelessness
- (e) Discovery or presence of drugs or alcohol, or drug-related paraphernalia, in an employee's possession while on duty or near an employee's workplace
- (f) Odor or residual odor peculiar to some drugs or alcohol
- (g) Bodily appearance or behavior suggesting impairment
- (h) Arrest or conviction for a drug related crime
- (i) Information provided by reliable and credible source.

(c) Post Accident Testing: Employees who may have caused, contributed to, or increased the severity of an accident may be tested for the presence of drugs and/or alcohol following an accident that results in a fatality, an injury requiring immediate hospitalization, an injury requiring outside medical attention, and/or damage to vehicles or other property.

(1) Testing procedure:

- (a) The City will determine for which drugs and/or alcohol testing will be performed.
- (b) If the employee refuses to consent to testing, attempt to delay the testing, fails to appear for testing, tampers with the test, or fails to cooperate with the testing procedures, he or she may be disciplined up to and including termination.
- (c) Test samples will be analyzed by a qualified laboratory or technician selected by the City. All urine or hair samples (type of test to be selected at the City's discretion) will be tested according to the following sequence;

- (1) All test samples will be subjected to an initial screening process to detect the presence of controlled substances.
- (2) Those samples having a negative screen (no substance present) will be considered to have tested negative, and no further testing will be done on that sample, and
- (3) Those samples that test positive on the initial screen will be subject to confirmatory testing.
- (d) Employees who consent to testing will be informed of the results by a supervisor or the Department ~~Head~~Director or the City's designee. As set forth within, a positive test will result in disciplinary action, up to and including termination.
- (e) If the urine specimen is determined to be a "dilute specimen" (urine specimen with a creatinine level of less than 20 g/dl and a specific gravity of 1.003 or less) the donor will be required to refrain from drinking excessive amounts of fluids, and to provide (with minimum possible advance notice) another specimen to be tested. The second test shall become the test of record.
- (f) Any employee who adulterates a specimen or who otherwise attempts to invalidate a test shall be subject to discipline up to and including termination.
- (d) Random drug/alcohol testing of all employees in safety-sensitive positions who have a Commercial Driver's License (CDL) will be conducted on a routine basis. This testing may be conducted unannounced throughout the year. Those selected for testing are chosen through the use of a random computerized system by a provider outside of the City to assure complete objectivity in selection. When notified of selection for testing it will be necessary to report immediately for the testing procedure.
- (8) Disciplinary Action
 - (a) Except when part of regular employment responsibilities, any employee engaging in the use, sale, purchase, possession, or distribution of alcohol while on duty, or the illegal use, sale, purchase, possession, distribution, of drugs at any time, or having the illegal presence of a controlled substance or drug in any detectable amount in the employee's body while on duty, is subject to disciplinary action, up to and including termination.
 - (b) The City may suspend employees with or without pay under this policy pending the results of a drug test or investigation.
- (9) Employee Assistance Program (EAP)

- (a) The City regards its employees as its most important asset. Accordingly, the City maintains an EAP, which provides help to employees who, among other things, suffer from alcohol or drug abuse and/or other personal or emotional problems. No employee will be subject to discipline merely for voluntarily seeking EAP assistance. An employee may not, however, avoid discipline for violating the substance abuse policy, or any other policy, by seeking this assistance after the employee is referred for testing pursuant to this policy, or any other violation of this policy, or any other policy, is detected.
 - (b) Any performance, attendance or behavioral problems may result in discipline up to and including termination, even if an employee is voluntarily participating in the EAP.
 - (c) Employees referred to the EAP as a result of a violation of the City's substance abuse policy may continue their employment with the approval of the City, provided that:
 - (1) They contact the EAP and strictly adhere to all the terms of treatment and counseling prescribed by the EAP;
 - (2) Immediately cease any and all use of alcohol and/or drugs; and
 - (3) Enter into a "last chance agreement," and consent in writing to periodic unannounced testing for a period of up to two years after returning to work or completion of any rehabilitation program, whichever is later.
 - (4) The City will determine, in its sole discretion, whether an employee will be offered the opportunity to participate in a rehabilitation program (at employee's expense, to the extent not covered by the health plan) or be terminated.
- (10) Investigation
- (a) To ensure that illegal drugs and alcohol do not enter or affect the workplace, the City reserves the right, with or without reasonable suspicion, to search all City-owned or jointly held vehicles, containers, lockers, or other items brought onto City property. Individuals may be required to display personal property for visual inspection when upon City property. Employees may not have any reasonable expectation of privacy in desks, offices, or lockers provided by the City. Nor should they have any reasonable expectation of privacy in any purse, backpack, briefcase, container, clothing items, etc. brought onto City premises. All are subject to search upon reasonable suspicion of a violation of policy and/or law. Failure to consent to a search or to display personal property for visual inspection will be grounds for termination or denial of access to City premises.

- (b) The City will turn over all confiscated drugs to the proper law enforcement authorities. Further, the City will cooperate with and may enlist the service of the proper law enforcement authorities in the course of any investigation.
- (11) Arrest or Conviction for Drug-Related Crime.
- (a) If an employee is arrested for or convicted of a drug-related crime, the City may investigate the circumstances, and if appropriate under the guidelines set forth above, City officials may utilize the drug-testing procedure.
 - (b) As a condition of employment, an employee shall notify his or her supervisor of any criminal drug and/or alcohol statute conviction or of any plea of guilty, nolo contendere, or suspended imposition of sentence that has been entered on a criminal drug statute charge. The employee must give notice in writing to the City within five (5) days of such conviction, plea or imposition.
- (12) Confidentiality: Results of an applicant's or employee's test for the use of illegal drugs or alcohol shall be transmitted to Human Resources. In order to effectively address the employees with drug or alcohol problems, it may be necessary for the supervisor to consult with other persons in the process. However, such results may be disseminated only on a need-to-know basis, or in response to valid legal process.

N-6. Development of Additional Policies. There may be additional policies developed from time to time and shall be kept on file and made available for employee review at any time. They shall be mandatorily reviewed during initial employee in-processing with the Human Resources Department.

N-7. Confidentiality. All non-public matters regarding the operations, activities, and business affairs of the City of Mission, our citizens, clients, and vendors are to be kept confidential to the greatest extent possible. No City of Mission-related documents, files, records, computer files, citizen lists, citizen requirements, vendor lists, financial information, products, and other related information may be removed from the City's premises without permission from the City of Mission except in the ordinary course of the City business. Do not share information about other employees without their permission. In addition, the contents of non-public City records or information may not be disclosed to anyone, except where required for a business purpose. Any employee leaving the City's employment should return all City of Mission-related information and property. Revealing confidential City information will result in disciplinary or other appropriate action.

Privileged Information

The City of Mission regards employee information as confidential and has established the following guidelines for such information:

Release of Information Within the City

Access to any personnel file is limited to those who have proper authorization and a legitimate business reason, unless otherwise required by federal, state, local law or legal process.

Release of Information Outside of the City

All inquiries, whether by telephone or written request, regarding current or former employees shall be referred to the Human Resource Specialist. Employees, including supervisors, should not provide any information about current or former employees. Further, no employee may issue a reference letter for any current or former employee without the permission of and review by the Human Resource Specialist or the City Administrator.

In response to an outside request for information regarding a current or former employee, the City will furnish or verify only an employee's name, dates of employment, job title and department. No other data or information regarding any current or former employee, or his/her employment with the City of Mission, will be released unless the City of Mission is required by law to furnish any such information.

N-8. Prevention of Occupational Exposure to Bloodborne Pathogens. The purpose of this policy is to provide guidelines for preventing the contraction and spread of infectious disease (HIV virus, hepatitis B virus, and other bloodborne pathogens) to employees and the general public.

It shall be the responsibility of each Department HeadDirector to identify those employees who, as a result of their occupation, may be exposed to bloodborne pathogens or other potentially infectious materials. Persons who are reasonably expected to come in contact with potentially infectious materials are required to follow the procedures outlined below.

All employees whose job duties and responsibilities indicate that they are a high risk to being exposed to blood, saliva, and other bodily fluids are subject to this policy.

The department's training coordinator or safety representative shall ensure that all employees in job classifications identified as high risk to bloodborne pathogens complete courses of instruction on prevention of exposure to and transmission of bloodborne diseases.

Employees subject to this policy shall receive annual refresher training and additional training whenever job tasks or procedures are modified in a manner that may alter their risk of exposure. All trainees shall have access to applicable federal and state regulations pertaining to the regulation of bloodborne pathogens.

The department training coordinator or safety representative shall insure that records are maintained for a period of three years from the date of training. The training records will include: names and job titles of all department members attending the training sessions, dates and content of training sessions, and names and qualifications of persons conducting the training.

Prevention - HBV Vaccination. All employees in job classifications identified as high risk to occupational exposure to bloodborne pathogens shall be offered (paid by the City) the HBV (Hepatitis B Virus) vaccination. If the vaccination is declined, a waiver must be signed. The waiver may be rescinded by the employee at a later date. The vaccination will be provided after training on exposure and within 10 working days of the initial assignment which creates the risk of exposure.

Exposure. All human blood, saliva, other bodily fluids, and other potentially infectious materials are treated as if known to be infectious for HIV (AIDS) and HBV (hepatitis B virus). Employees are required to utilize appropriate personal protective equipment furnished by the City (gloves, gowns, mouthpieces, masks, etc.).

- (1) Hands shall be washed after removing gloves or as soon as possible after contact with body fluids.
- (2) Contaminated personal protective equipment should be removed immediately and placed in a designated container with liner for disposal.
- (3) Cleaning requirements shall be established for City facilities. Current approved methods include the use of bleach with a solution of 8 ounces/gallon of water and Disinfectant Pine-Sol with a solution of 5 ounces/gallon of water.
- (4) All contaminated towels, gloves, etc. shall be bagged and properly disposed. All syringes, needles, scalpels, etc. shall be disposed of using puncture resistant containers.
- (5) All contaminated waste shall be properly bagged and stored in a trash container marked "Biohazard."

Post Exposure: Evaluation and Follow-up. Employees are required to report an exposure to the City and complete an Exposure Incident Investigation Form and Workers' Compensation "First Report of Injury" form immediately after the exposure.

Following a report of an exposure incident, the City requires employees to receive a confidential evaluation and counseling by the City's designated medical provider.

Supervisors shall be responsible for documenting the route of exposure, HBV and HIV status of the source person if known, and the circumstances under which the exposure occurred. Confidentiality of the involved person(s) shall be maintained.

The City's designated medical provider shall provide post-exposure testing, vaccination, follow-up testing, medical evaluation, and counseling.

Recordkeeping. The Human Resources Department shall maintain a confidential and accurate record for each occupational exposure that includes information on vaccination status; the results of all examinations, tests and follow-up procedures, the designated medical provider's written opinion and information provided by healthcare professionals.

These confidential healthcare records shall be retained in a secured area with limited access for the duration of the employee's employment plus 30 years and may not be disclosed or reported without the express written consent of the employee.

N-9. Driving On Behalf of the City. To ensure the safety of its employee and any individual that they may come in contact with while performing City business, the City requires that employees who operate a personal vehicle for City business, whether the vehicle belongs to the City, or is leased on its behalf, or belongs to the individual employee, shall comply with the following:

- maintain and provide proof of valid liability and property insurance on a privately owned vehicle with limits as specified by the City and/or applicable state requirements;
- wear seat belts at all times while driving on City business;
- consent to periodic motor vehicle (MVR) checks;
- abide by all safety regulations;
- abide by all traffic regulations, laws and ordinances while driving for the City;
- drive courteously and practice defensive driving techniques;
- turn cell phones off or put on silent or vibrate before starting the car;
- pull over to a safe place if a call must be made or received while on the road;
- do not text and drive – even when the car is at a standstill at a stoplight;

- avoid driving after having consumed alcohol beyond the legal limit, and/or drugs, including legal drugs, which may impair an employee's ability to operate a motor vehicle on City business;
- do not carry on their persons, or on the premises a firearm or other weapon (unless the employee is a police officer), while on duty or after duty if the employee is still on City property or business.
- affirmatively report to Human Resources any driving-related infraction incurred by the employee on or off-duty no later than the first business day following receipt of the infraction.

Further, the City is not responsible for tickets or other traffic citations incurred by employees while on City business. Employees who utilize their personal vehicle for City business will be reimbursed for business mileage at the current rate as stipulated by the travel expense and reimbursement policy.

N-10. Use of Social Media Policy. This policy applies to employees who participate in any form of social media, social networking, or electronic communication tools including, but not limited to, internal and external blogs and websites and any other social media, social networking or electronic communication tool whether known today or developed in the future. The City understands that employees may maintain or contribute to personal blogs, message boards, networking pages and other forms of social media outside of their job function. If an employee elects to engage in social media of any form, they are required to exercise good judgment, abide by Mission policy, and comply with the following:

- (1) **Only on Your Own Time.** Unless you have received advance permission from your manager you may not engage in social media activity on work time.
- (2) **Post as Yourself.** Do not speak or post as a representative of Mission or use Mission's name in your username, screen name, etc. It must be clear that you are expressing your personal views only, not the views of Mission or its other employees.
- (3) **Be Respectful.** As an employee of Mission, you are representing Mission just as you would in any public forum, and you should exercise discretion, thoughtfulness and respect for Mission, its employees, its customers, its business contacts, and its competitors.
- (4) **Comply with Harassment and Other Policies.** Employees may not use social media technology to engage in or post communications or material that would violate any other policies which apply to you as an Employee of Mission, including, but not limited to, the Mission anti-harassment policy, general internet usage policy, alcohol and drug use policy, or Personnel Manual. Among other things, employees may not use social media technology to post communications or materials that are derogatory or offensive toward City employees with respect to race, color, religion, sex, national

origin, age, disability, genetic information, citizenship, military status, ancestry, sexual orientation, marital status, or any other status protected by applicable law.

- (5) **Confidentiality.** Employees may not disclose Mission confidential or proprietary information through social media or otherwise. Confidential information includes [non-public](#) financial information, proprietary processes or technology, confidential personnel information, etc. All social media technology is also subject to any other confidentiality agreement that you may have entered into with Mission.
- (6) **Intellectual Property.** Mission owns intellectual property rights in its trademark including The City of Mission name and logos. You may not use or disclose Mission intellectual property in any manner without advance, written permission.
- (7) **Use Good Judgment.** Because what you say online is accessible to the public, including Mission and its employees, use good judgment in your communications.

N-11. Break Time for Nursing Women. The City provides female employees who are nursing with reasonable break times during normal working hours to express breast milk. The City encourages female employees to use regularly-scheduled breaks during the work day to express breast milk. However, the City also permits a female employee to take additional, unpaid breaks each work day for up to one year after the birth of her child as reasonable and necessary to express breast milk. The City will designate an area as a private location where female employees who are nursing may express breast milk.

N-12. Smoking Policy. Smoking shall not be permitted in any enclosed City facility. This includes common work areas, conference and meeting rooms, private offices, elevators, hallways, cafeterias, employee lounges, stairs, restrooms and all other enclosed facilities. Smoking is also prohibited at all times in any City vehicle. This policy applies to all employees, contractors and visitors. Smoking shall be permitted only at a reasonable distance of more than 25 feet outside entrances, doorways, operable windows and ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas. No Smoking signs are posted in all City facilities. Those employees who smoke and would like to take this opportunity to quit are invited to call the free Kansas Tobacco Quitline (1-800-QUIT-NOW) for telephone cessation counseling and support. The success of this policy will depend on the thoughtfulness, consideration and cooperation of both smokers and non-smokers. All employees share in the responsibility for adhering to and enforcing this policy. Employees who are aware of violations of this policy are encouraged to report them immediately to Human Resources. Please do not attempt to enforce the policy or confront a violator yourself. Failure to adhere to this policy may result in disciplinary action, leading up to and including termination. The City reserves the right to develop and implement additional no-smoking policies.

N-13. Weapons Free Workplace. ~~It is the policy of the City to prohibit the possession, storage, keeping, use, or transportation of weapons in the workplace, at City-sponsored functions, in or on City property, or in City vehicles. The City adopts this Policy in recognition of the danger presented to the health, safety, and welfare of employees and members of the public by the introduction of weapons into the workplace. All persons, other than those specifically exempted in this Policy, are prohibited from carrying, possessing, using, or transporting weapons in or on City property or while performing services for the City in any location or in any City vehicle. Certified law enforcement officers, Federal law enforcement and protective service personnel, members of the Uniformed Services actively engaged in the performance of their duties, security guards licensed to carry firearms who are actually performing such services, and private detectives licensed by the State of Kansas are specifically exempted from this Policy.~~

~~The term "weapons" includes, without limitation, firearms of all types and sizes, whether loaded or not; air guns, BB-guns, pellet guns, and the like; simulated weapons; knives, swords, switchblades, razors, and the like — other than small pocket knives, utility knives, and the like with a blade of less than three inches in length, or kitchen utensils while in use; clubs, bludgeons, batons, bats, and the like; incendiary or explosive devices of any sort whatsoever; martial arts weapons, including num-chuks, throwing stars, and the like; and any item carried with the intent to go armed, or used to threaten or intimidate another. The term "weapons" shall not include the lawful possession of personal security devices, intended for use by members of the general public, including without limitation, pepper spray, mace, and such other personal defense sprays.~~

~~The City Administrator may include other items within the definition of weapons and post any notices he/she deems appropriate consistent with the intent of this Policy.~~

Weapons Free Work Place and Possession of Personal Firearms. ~~It is the policy of the City of Mission to ensure a safe and secure work environment, free from intimidation and threat of physical harm. To this end the City reserves the right to limit and/or prohibit any and all weapons in the workplace, at City sponsored functions, in or on City property, or in City vehicles. For purposes of this section, the term "weapons" includes firearms (other than those excluded under K.S.A 75-7c01 et. Seq, the Personal and Family Protection Act); knives, swords, switchblades, razors, and the like (other than small pocket knives, utility knives, and the like with a blade of less than three inches in length, or kitchen utensils while in use); clubs, bludgeons, batons, bats, and the like; incendiary or explosive devices of any sort whatsoever; martial arts weapons, including num-chuks, throwing stars, and the like; and any item carried with the intent go armed, or used to threaten or intimidate another. The term "weapons" shall not include the lawful possession of personal security devices, intended for use by members of the general public~~

(including but not limited to pepper spray, mace, and other personal defense sprays) or concealed personal firearms as authorized under the K.S.A 75-7c01 et. Seq, the Personal and Family Protection Act.

Employees who are authorized by the State of Kansas to carry concealed personal firearms pursuant to K.S.A. 75-7c01 et. Seq., the Personal and Family Protection Act, may exercise their right to carry concealed personal firearms in any unsecured municipal building which is not posted as prohibiting the carrying of concealed weapons. Use or possession of a personal firearm pursuant to the Personal and Family Protection Act or otherwise, is not regarded as conduct within the scope of employment. In addition, under any and all circumstances, the use and possession of a firearm shall be in accordance with and only as authorized by law.

1. All employees are prohibited from carrying, possessing, using or transporting firearms, other than concealed firearms authorized under the Personal and Family Protection Act, during the course of employment, while performing services representing the City, or while wearing City apparel.
2. Any employee carrying a concealed firearm pursuant to the provisions of state law must keep said firearm completely concealed on their person, in a proper holster or similar product, with all safety features in place.
3. It is the sole responsibility of the employee to maintain control of his or her concealed firearms and ammunition by ensuring that such firearm is on his or her person and attended to at all times unless stored pursuant to subsection 5 below.
4. If an employee elects to lawfully carry a concealed firearm, said firearm cannot interfere or delay in the performance of their assigned duties or obstruct required safety equipment.
5. When not properly concealed on their person with safety features in place, a personal firearm shall be stored in the employee's personal vehicle. Employees must ensure that personal firearms stored in personal vehicles must be stored out of plain view from the exterior of the vehicle and that the vehicle is locked and secured.
6. Employees who enter upon or in "private property" during the course of their duties are required to comply with any restrictions imposed by that property owner, including compliance with any signs conspicuously posted in accordance with rules and regulations adopted by the Kansas Attorney General.
7. It is prohibited for any City employee to brandish, intentionally display, joke about using the weapon, use, discharge, point, engage in even slightly risk behavior involving the weapon, or threaten any person with the use of a weapon in the workplace or in the exercise of his or her duties.
8. An employee's failure to maintain a firearm in a fully concealed manner and secured manner or stored as described herein could result in discipline, up to and including termination.

9. In the event that a City employee discharges a firearm while on duty, the Mission Police Department shall administratively investigate the discharge and file a report of investigation with the City Administrator. Based on such report, the City Administrator will determine what constitutes grounds for disciplinary action, up to and including termination. The discharge of a firearm while on duty may also result in criminal charges.
10. Subject to other policies and procedures of the City of Mission and Kansas law, law enforcement officers are the only individuals authorized to use deadly force while acting for and on behalf of the City of Mission. Employees who are not authorized to use deadly force do not have the immunities and are not entitled to the same indemnity afforded law enforcement. The City will not provide for, reimburse or pay attorney fees or other costs in defense of any employee if deadly force is not a function of their position.

A violation of any portion of this policy may result in disciplinary action, up to an including termination.

Firearms; HB 2502

HB 2502 makes changes to several laws concerning firearms.

Air Guns

The bill amends the Weapons Free School Act to prohibit school districts from adopting policies preventing organizations from conducting activities on school property solely because the activities involve the possession and use of air guns.

School districts may prohibit the possession of air guns at a school, on school property, or at a school-supervised activity except when a pupil is participating in activities conducted by an organization or is in transit to or from such activities. School districts cannot implement policies that prohibit the possession of an air gun by a pupil on school property if the pupil is a participant in the activities of an organization.

Individuals, or parents of individuals, participating in activities conducted by an organization can be required to sign a liability waiver as prescribed by the chief administrative officer of the school. The waiver is required to contain appropriate language to relieve the school district, the school, and all school personnel from liability for claims arising from the acts or omissions of individuals or school personnel relating to activities conducted by an organization.

The definition of “weapon” is amended to specifically exclude air guns. The bill defines “air gun” to mean any device that will or is designed to or may be readily converted to expel a projectile by the release of compressed air or gas, and that is of .18 caliber or less and has a muzzle velocity that does not exceed 700 feet per second. The bill defines “organization” to mean any profit or nonprofit association, whether school-sponsored or community-based, whose primary purpose is to provide youth development by engaging individuals under the age of 19 in activities designed to promote and encourage self-confidence, teamwork, and a sense of community.

Active Duty Military Personnel

The bill makes several amendments to concealed carry statutes to allow active duty military personnel to apply for and receive a concealed carry license while stationed outside of Kansas. First, the bill adds evidence of completion of a course offered in another jurisdiction which is determined by the Attorney General to have training requirements that are equal to or greater than those required by the Personal and Family Protection Act to the definition of what constitutes evidence of satisfactory completion of an approved handgun safety course.

The bill also specifies that a person presenting proof that such person is on active duty with any branch of the U.S. armed forces and is stationed at a military installation outside the state can submit a concealed carry application and supporting materials by mail. Fingerprints taken at a U.S. military installation also can be submitted by mail with such application.

The bill requires a sheriff receiving such items to forward the application and the Attorney General’s portion of the application fee to the Attorney General.

Public Employers and Employees

The bill prohibits public employers from restricting or prohibiting through personnel policies any employee legally qualified to conceal carry from carrying a concealed handgun while engaged in employment duties outside the employer's place of business, including while in a means of conveyance. School districts are specifically exempted from the definition of public employer.

Public Buildings

Under previous law, the concealed carrying of firearms could be prohibited throughout the entirety of state and municipal buildings by the governing body or chief administrative officer of the building. The bill makes the requirements for prohibiting concealed carry in public areas the same as those found in continuing law for prohibiting concealed carry in public buildings: the building or public area must have adequate security at all public access entrances to ensure no weapons are permitted to be carried in the area or building and must conspicuously post the prohibition. The bill specifies such public areas could be posted with either permanent or temporary signage approved by the governing body or the chief administrative officer if no governing body exists.

"Public area" is defined as any portion of a state or municipal building that is open to and accessible by the public or is otherwise designated as a public area by the governing body or the chief administrative officer, if no governing body exists, of such a building. The bill defines "public employer" as the State and any municipality as defined in KSA 2015 Supp. 75-6102 (under this statute, a "municipality" means any county, township, city, school district, or other political or taxing subdivision of the state, or any agency, authority, institution, or other instrumentality thereof).

The bill specifies that the chief judge of each judicial district may prohibit the carrying of concealed firearms into courtrooms or ancillary courtrooms within the district provided the public area has adequate security measures to ensure that no weapons are permitted to be carried into the area and the area is conspicuously posted in accordance with the law.

The bill also states that exemptions from the Personal and Family Protection Act for state and municipal buildings found in previous law expire July 1, 2017. No specific expiration date was included in law previously.

Restricted Access Entrances

The bill amends the Personal and Family Protection Act to allow entry through restricted access entrances for persons who are not state or municipal employees or otherwise authorized to enter a state or municipal building through a restricted access entrance.

To qualify for restricted access entry, such persons will be required to:

- Obtain authorization from the chief law enforcement officer, governing body, or the chief administrative officer (if no governing body exists) to enter such state or municipal building through a restricted access entrance;

- Be issued an identification card by the chief law enforcement officer, governing body, or chief administrative officer; and
 - The identification card is required to include a statement that such person is authorized to enter such building through a restricted access entrance, and include the person's photograph, name, and any other identifying information deemed necessary by the issuing entity;
- Execute an affidavit or notarized statement that such person acknowledges certain firearms and weapons may be prohibited in such building and violating any such regulations may result in revocation of authority to enter a building through a restricted access entrance.

The chief law enforcement officer, governing body, or chief administrative officer is required to develop criteria for approval of individuals to qualify for entry through restricted access entrances. The criteria can include a requirement that the individual submit to state and national criminal history checks before issuance and renewal of such approval and a requirement the individual pay a fee to cover the cost of such background checks.

An individual who has been issued a concealed carry permit by the State is not required to submit to further state and national background checks before the issuance and renewal of such authorization to enter buildings through restricted access entrances.

Individuals can be subjected to additional security screening measures upon reasonable suspicion or in circumstances where heightened security measures are warranted.

The bill states authorization to enter state and municipal buildings through restricted access entrances does not allow the individual to carry a concealed weapon in a public building which has adequate security measures and is conspicuously posted in accordance with the law.

“Authorized personnel” is defined to mean employees of a state agency or municipality and any person who is, under the provisions of the bill, authorized to enter a state or municipal building through a restricted access entrance.

Adequate Security Measures

The bill amends the definition of “adequate security measures” to specify that personnel used at public entrances of buildings prohibiting concealed carry within the building must be armed.

City of Mission	Item Number:	2.
ACTION ITEM SUMMARY	Date:	December 1, 2016
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

RE: 2017 Worker's Compensation Insurance Renewal

RECOMMENDATION: Approve the City's 2017 workers compensation coverage through the Kansas Eastern Regional Insurance Trust (KERIT) for an estimated annual premium of \$84,335.

DETAILS: The City has been a member of the Kansas Eastern Regional Insurance Trust (KERIT), a workers compensation pool, since 2009. The Trust is comprised of eighteen member cities and counties.

The 2017 premium for workers compensation coverage has been estimated at \$84,335, which is paid in two installments, the first in January and the second in July. Premiums are based on the City's annual payroll, the level of exposure to risk that certain jobs may entail, and an experience modifier that reflects past claims. The 2017 premium is 5% higher than the previous year.

KERIT Premiums - 2014 through 2017

Year	2014	2015	2016	2017
Total Premium	\$82,481 (audited)	\$83,701 (audited)	\$80,470 (audited)	\$84,335 (estimated)

The City will undergo a payroll audit after the first of the year to review current year actual expenses. Mid-year premiums are adjusted to reflect the results of the audit.

The Trust continues to maintain a strong emphasis on loss control, and all member entities are actively engaged in proactive risk management activities. Because of this, members routinely receive a dividend from the trust when prior claim years are closed out. Last year the City received a dividend of \$9,995 from the trust. This year the City received a dividend of \$9,248 from the trust.

Premiums will be finalized by the KERIT Board at their December 13th meeting. We do not anticipate any significant change in the estimated premium. Should a change be approved at the Board meeting, a revised Action Item summary will be distributed prior to the December 14th Committee meeting. Funds in the amount of \$91,150 were included in the 2017 Adopted Budget for worker's compensation premiums.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	n/a
Line Item Code/Description:	Personnel Line Items in the General Fund - 01-XX-102-05
Available Budget:	\$91,150 - FY 2017 Budget

KERIT – CLAIM YEAR 2017 DEPOSIT PREMIUM SUMMARY

Member	2017 Total Payroll	Manual Premium	Exp Mod	Standard Premium	Premium Discount	Exp. Mod Discount	PLUS Discount	Discount Premium	Expense Constant	2017 Trust Premium	2016 Trust Premium
Atchison County	6,068,121	161,287	0.98	158,061	(17,671)	(1,404)	(6,254)	132,732	160	132,892	89,935
Chanute	7,381,591	202,428	1.08	218,623	(25,301)	-	(8,699)	184,622	160	184,782	180,383
Coffeyville	7,046,553	189,494	1.37	259,607	(30,465)	-	(10,311)	218,830	160	218,990	211,976
Derby	8,945,897	203,512	1.05	213,687	(24,680)	-	(9,450)	179,557	160	179,717	168,034
Fairway	1,671,147	51,823	1.14	59,078	(5,895)	-	(2,659)	50,525	160	50,685	39,581
Gardner	8,807,538	210,041	0.79	165,933	(18,663)	(2,945)	(7,216)	137,109	160	137,269	141,506
Johnson Co P & R	15,480,946	200,703	1.43	287,005	(33,918)	-	(11,389)	241,699	160	241,859	231,022
Junction City	9,293,076	298,667	1.22	364,374	(43,666)	-	(16,035)	304,672	160	304,832	292,566
Lansing	3,184,817	68,783	0.85	58,465	(5,828)	(1,053)	(2,579)	49,006	160	49,166	53,987
Leavenworth County	14,294,578	328,766	0.76	249,862	(29,238)	(4,412)	(10,811)	205,402	160	205,562	233,184
Leavenworth	13,076,885	392,181	0.72	282,370	(33,334)	(7,471)	(12,078)	229,487	160	229,647	234,931
Leawood	16,206,156	507,551	0.67	340,059	(40,602)	(8,984)	(14,524)	275,949	160	276,109	270,581
McPherson	10,573,286	233,440	0.79	184,418	(20,992)	(3,269)	(8,008)	152,150	160	152,310	195,876
Merriam	5,743,184	169,964	0.85	144,470	(15,958)	(2,570)	(6,297)	119,644	160	119,804	115,259
Mission	4,340,751	109,134	0.91	99,312	(10,280)	(890)	(3,966)	84,175	160	84,335	80,470
Ottawa	7,976,499	191,440	0.83	158,895	(17,776)	(2,822)	(6,915)	131,382	160	131,542	141,189
Shawnee	20,165,132	605,236	0.60	363,142	(41,047)	(9,663)	(15,622)	296,810	160	296,970	351,315
Winfield	7,344,756	190,275	0.71	135,095	(14,777)	(3,610)	(5,835)	110,873	160	111,033	182,837
Total	167,600,912	4,314,726	0.87	3,742,456	(430,089)	(49,093)	(158,650)	3,104,623	2,880	3,107,503	3,214,630

City of Mission	Item Number:	3.
ACTION ITEM SUMMARY	Date:	December 1, 2016
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

RE: 2017 Property/Casualty and General Liability Insurance Renewals

RECOMMENDATION: Renew coverages with OneBeacon for the policy period of January 1, 2017 through December 31, 2017 at an estimated, total annual premium not to exceed \$113,948.

DETAILS: The City maintains several lines of insurance coverage including property, inland marine, automobile, crime, and general liability with the intent of reducing the City's exposure to risk and protecting assets. OneBeacon has been the City's insurance carrier for all of these coverage since 2014.

The total premium for all lines of coverage in 2015 was \$120,345. In 2016, the City's insurance broker, CBIZ, was able to reduce the premium by 5% due to a relatively soft market and aggressive negotiations. A \$1 million excess liability policy was purchased in 2016 bringing the final premium for 2016 to \$120,063.

This year CBIZ solicited proposals from the market place. Three firms submitted proposals - OneBeacon, Travelers, and APEX-Brit. Apex-Brit's proposal was not competitive due to higher price, and higher deductibles. OneBeacon proposal was \$113,948 (including a \$1 million excess liability policy) and Travelers' proposal was \$109,860 (including a \$1 million excess liability policy).

Though Traveler's proposal was 4% lower than OneBeacon, CBIZ and staff are both recommending that the City renew with OneBeacon. OneBeacon has become the leader in public entity insurance. In addition, OneBeacon has provided an excellent level of service to the City over the past few years including handling some very difficult and unusual claims that the City has had. Staff is recommending that the City renew its property and general liability insurance coverage with OneBeacon for 2017 in the amount of \$113,948.

OneBeacon Premiums - 2014 through 2017

	2014	2015	2016	2017
Base Premium	\$ 120,579	\$ 120,345	\$ 112,257	\$ 106,871
Excess Liability	Not Requested	Not Requested	\$ 7,806	\$ 7,077
Total Premium	\$ 120,579	\$ 120,345	\$ 120,063	\$ 113,948

Base Premium includes property, inland marine, liability, and auto.

Related Statute/City Ordinance:	
Line Item Code/Description:	Various
Available Budget:	\$141,000

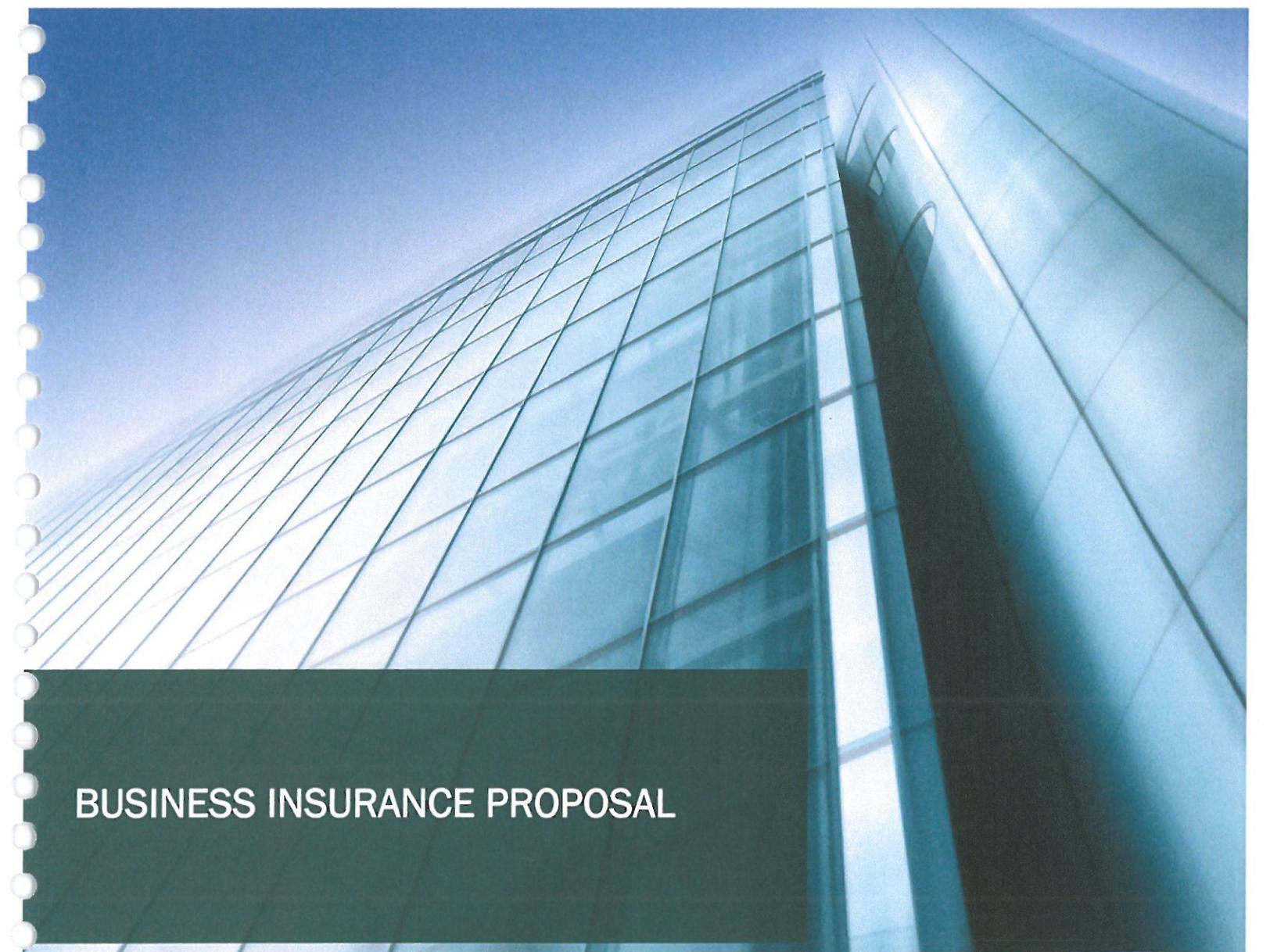
City of Mission	Item Number:	3.
ACTION ITEM SUMMARY	Date:	December 1, 2016
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

A total of \$141,000 has been budgeted in the adopted 2017 Annual Budget for this expenditure. This covers not only the premiums for one OneBeacon, but the premium (\$1,500) for an additional bond required annually for the City's Treasurer and other miscellaneous claims which might arise throughout the year.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	
Line Item Code/Description:	Various
Available Budget:	\$141,000



BUSINESS INSURANCE PROPOSAL

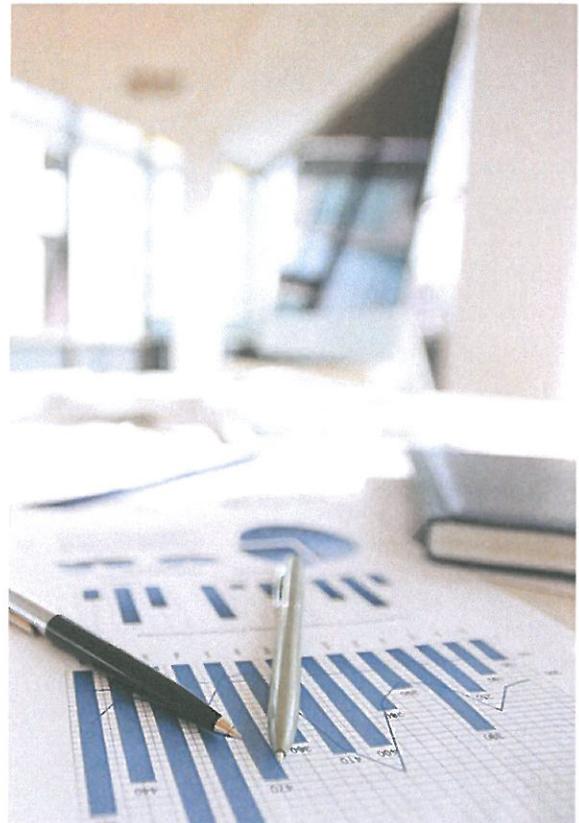
Presented to:



City of Mission
6090 Woodson Rd
Mission KS 66202

CBIZ

CBIZ Insurance
Services, Inc.





CBIZ SERVICE TEAM

INDIVIDUAL / TITLE	FUNCTIONAL POSITION
PUBLIC ENTITY - PRACTICE LEADER <u>MONTE GIDDINGS, CIC, ARM</u> VP – Public Entity Practice Leader Direct Line: 816-945-5554 Email: mgiddings@cbiz.com	Your account representative responsible for overall delivery of excellent service.
ACCOUNT EXECUTIVE <u>TOM MCGUIRE, CSRM</u> Direct Line: 816.945.5293 E-mail: tmcguire@cbiz.com	Your primary contact and the senior person responsible for coordinating and implementing the activities of the various specialists who will provide for your service needs. This includes the coordination of technical services, program services, claims management and claim reviews.
ACCOUNT MANAGER <u>LIVIA BORCEA, ARM, AU, AIS, AINS</u> Direct Line: 816.945.5140 E-mail: lborcea0@cbiz.com	Direct every day contact for any account service activities. Will handle accounts renewals, maintenance and coordinates pre & post renewal activities, contracts reviews, endorsements, accounting/billing, certificates, audit reviews/disputes etc.
CLAIMS SERVICES <u>CAROL STOBAUGH, CSR</u> Direct Line: 816.901.0911 E-Mail: cstobaugh@cbiz.com	Our designated claims consultant will assist in the initial process of the claims reporting and follow up. Directly involved in initial submission of claims and follow-up with insurance carriers adjusters & claims personnel. Provides quarterly loss reporting and support with claim billings and questions.
LOSS CONTROL - Property <u>Coleman Brown</u> Direct Line 443-256-3275 Cell 410-404-8962 E-mail: cbrown@cbiz.com	Coordinates carrier and in house loss control property services.
LOSS CONTROL – Liability/ Health & Safety <u>Paul Beck</u> Direct Line 612-436-4609 Cell 612-203-2264 E-mail: pbeck@cbiz.com	Coordinates carrier and in house loss control services for Work Comp & Liability.

This is a summary of your insurance coverages. It is designed for your convenience. It does not alter or extend coverage in any way. Please consult your insurance contract for specific policy terms, conditions, or exclusions.

CITY OF MISSION, KANSAS

2017-2018 Property & Casualty Renewal

Premium Summary

Line of Coverage	2015/2016 OneBeacon	2016/2017 OneBeacon	2017/2018 OneBeacon	2017/2018 Travelers
PROPERTY	\$44,863	\$43,047	\$44,237	\$29,337
CRIME	<i>Included In Property</i>	<i>Included In Property</i>	<i>Included In Property</i>	\$2,875
INLAND MARINE	\$3,695	\$4,816	\$3,747	\$2,880
LIABILITY COVERAGE	\$50,492	\$38,971	\$35,570	\$48,920
General Liability /EBL	<i>Included</i>	<i>Included</i>	<i>Included</i>	\$14,299
Law Enforcement Liability	<i>Included</i>	<i>Included</i>	<i>Included</i>	\$15,304
Public Entity Management Liab	<i>Included</i>	<i>Included</i>	<i>Included</i>	\$5,216
EPLI	<i>Included</i>	<i>Included</i>	<i>Included</i>	\$14,101
AUTOMOBILE	\$21,295	\$23,905	\$21,836	\$20,209
UMBRELLA EXCESS LIABILITY	NA	\$7,806	\$7,077	\$5,639
TRIA	<i>Included</i>	\$1,518	\$1,481	<i>Included</i>
TOTAL	\$120,345	\$120,063	\$113,948	\$109,860

ORDER TO BIND

Please bind the coverage as per the following proposal :

_____ OneBeacon

_____ Travelers

As set forth in the quotes recommended by CBIZ Insurance Services, Inc.

With the following changes _____

CITY OF MISSION, KANSAS

Signature: _____

Name: _____

Title: _____

Date: _____



MARKETING EFFORTS

Carrier	Line of Business	Indication/ Total Premium	Notes
OneBeacon (Incumbent)	ALL Lines	\$113,948	Program remained as per expiring.
APEX – BRIT	ALL Lines	Not competitive	BRIT indicated pricing at approx. \$120k with higher deductibles on the professional than expiring.
Travelers	ALL Lines	\$110,160	Details in the side-by-side comparison

CITY OF MISSION, KANSAS

2017-2018 Property & Casualty Insurance Renewal

GENERAL LIABILITY

Carrier	2016-2017 OneBeacon	2017-2018 OneBeacon	2017-2018 Travelers
Premium	\$38,971	\$35,570	\$48,920

Coverage Description	Limit	Limit	Limit
GENERAL LIABILITY			
General Aggregate	\$2,000,000	\$2,000,000	\$2,000,000
Products/Completed Operations Aggregate	\$2,000,000	\$2,000,000	\$2,000,000
Personal & Advertising Injury	\$1,000,000	\$1,000,000	\$1,000,000
Each Occurrence	\$1,000,000	\$1,000,000	\$1,000,000
Damage to Premises Rented to You	\$1,000,000	\$1,000,000	\$1,000,000
Medical Expenses	Excluded	Excluded	Excluded
SEXUAL ABUSE/MOLESTATION			
Each Abuse or Molestation - Occurrence	\$1,000,000	\$1,000,000	\$1,000,000
LAW ENFORCEMENT LIABILITY			
Each Wrongful Act	\$1,000,000	\$1,000,000	\$1,000,000
Aggregate Limit	\$2,000,000	\$2,000,000	\$2,000,000
Deductible	\$5,000	\$5,000	\$5,000
Retro Date	1/1/1986	1/1/1986	1/1/1986
PUBLIC OFFICIALS EMPLOYEE BENEFIT LIABILITY			
Each Employee Limit	\$1,000,000	\$1,000,000	\$1,000,000
Aggregate Limit	\$3,000,000	\$3,000,000	\$3,000,000
Each Employee Deductible (Loss Only)	\$1,000	\$1,000	\$1,000
	1/1/1986	1/1/1986	1/1/1986
PUBLIC OFFICIALS MANAGEMENT LIABILITY			
Each Wrongful Act Limit	\$2,000,000	\$2,000,000	\$2,000,000
Aggregate Limit	\$2,000,000	\$2,000,000	\$2,000,000
Injunctive Relief	\$25,000/\$25,000	\$25,000/\$25,000	Not Covered
Deductible - Each Wrongful Act	\$5,000	\$5,000	\$5,000
	1/1/1986	1/1/1986	1/1/1986
EMPLOYMENT RELATED PRACTICES LIABILITY			
Each Wrongful Employment Practice	\$1,000,000	\$1,000,000	\$1,000,000
Aggregate Limit	\$2,000,000	\$2,000,000	\$2,000,000
Deductible	\$15,000	\$15,000	\$15,000
Defense	Outside the limit	Outside the limit	Inside the limit
Retroactive Date	1/1/1986	1/1/1986	1/1/1986
Kansas Statutory Cap (where applicable)	\$500,000	\$500,000	\$500,000

UMBRELLA - EXCESS LIABILITY

Carrier	2016-2017 OneBeacon	2017-2018 OneBeacon	2017-2018 Travelers
Premium	\$7,806	\$7,077	\$5,639

Coverage Description	Limit	Limit	Limit
Aggregate Limit	\$1,000,000	\$1,000,000	\$1,000,000
Each Claim	\$1,000,000	\$1,000,000	\$1,000,000

*** Excess limits go over the following coverages: General Liability, Professional Liability and Auto Liability

CITY OF MISSION, KANSAS

2017-2018 Property & Casualty Insurance Renewal

PROPERTY

Carrier	2016-2017 OneBeacon	2017-2018 OneBeacon	2017-2018 Travelers
Premium	\$43,047	\$44,237	\$29,337

Coverage Description	Limit	Limit	Limit
Total Insured Values	\$25,638,161	\$26,742,249	\$26,742,249
Real Property (Building)	\$24,381,979	\$25,486,067	\$25,486,067
Business Personal Property	\$1,256,182	\$1,256,182	\$1,256,182
EDP - Hardware & Media	\$570,000	\$570,000	\$500,000
EDP - Processing	Included	Included	\$100,000
Business Income/Extra Expense	\$1,275,000	\$1,275,000	\$500,000
Personal Property of Others	Included in \$500,000 Basket	Included in \$500,000 Basket	\$50,000
Property Off-Premises/Other Locations	\$50,000	\$50,000	\$50,000
Claims Expense	\$50,000	\$50,000	\$10,000
Accounts Receivable	Included in \$500,000 Basket	Included in \$500,000 Basket	\$100,000
Valuable Papers	Included in \$500,000 Basket	Included in \$500,000 Basket	\$100,000
Fine Arts	Included in \$500,000 Basket (\$10,000 Maximum per item)	Included in \$500,000 Basket (\$10,000 Maximum per item)	\$50,000
Newly Acquired or Constructed Property			
Real Property(Building)	\$2,000,000	\$2,000,000	\$1,000,000
Business Personal Property	\$1,000,000	\$1,000,000	\$500,000
Business Income/Extra Expense	\$250,000	\$250,000	
Number of Days	180	180	180
Outdoor Property	Included in \$500,000 Basket	Included in \$500,000 Basket	\$50,000
Trees, Shrubs and Plants	Included in \$500,000 Basket	Included in \$500,000 Basket	\$2,500
Covered Property in Transit	\$50,000	\$50,000	\$10,000
Debris Removal (additional)	\$250,000	\$250,000	\$25,000
Pollutant Cleanup and Removal, aggregate in any one policy year	\$100,000	\$100,000	\$25,000
Ordinance or Law:			
Loss to Undamaged Portion	\$500,000	\$500,000	\$100,000
Demolition	Included Above	Included Above	\$100,000
Increased Cost of Construction	Included Above	Included Above	\$100,000
Business Income/Extra Expense			
Ordinary Payroll	Included	Included	Included
Period of Restoration	72 Hours	72 Hours	72 Hours
Civil Authority	72 Hours	72 Hours	72 Hours
Depended Proprieties - Per Occurrence	\$100,000	\$100,000	\$0
Extended Business Income	90 days	90 days	30 days
Earthquake	\$5,000,000	\$5,000,000	\$5,000,000
Flood - except for locations within Zone A and Zone V	\$5,000,000	\$5,000,000	\$5,000,000
Equipment Breakdown			
Hazardous Substance	\$100,000	\$100,000	\$250,000
Ammonia Contamination	\$100,000	\$100,000	\$250,000
Expediting Expenses	\$100,000	\$100,000	\$250,000
Spoilage	\$100,000	\$100,000	\$250,000
Sewer or Drain Back-Up			
Annual Aggregate	\$100,000 (\$5,000 deductible)	\$100,000 (\$5,000 deductible)	
Deductibles:			
All Other Perils	\$5,000	\$5,000	\$5,000
Business Income	72 Hours	72 Hours	72 Hours
Earthquake	\$25,000	\$25,000	\$25,000
Flood	\$25,000	\$25,000	\$50,000
Windstorm or Hail	\$25,000	\$25,000	\$25,000
Hardware & Media	\$1,000	\$1,000	
Valuation	Replacement Cost/ACV	Replacement Cost/ACV	Agreed Value/Replacement Cost
Co-Insurance	80% & 90% - see schedule	80% & 90% - see schedule	100% (Waived)
Margin Percentage Clause	120%	120%	Nil

CITY OF MISSION, KANSAS

2017-18 Statement of Values

BUILDING INFORMATION / COPE																	
Loc #	Bldg#	Street Address	City	ST	Zip	Occupancy	# Stories	ISO Class	Constr *	Sq Feet	Yr Built	Bldg Value	Bus Pers Prop	Loc Total Value	ACV/RC	Co-Ins	
1	1	6090 Woodson Road	Mission	KS	66205	City Hall	1 & Basement	2	JM	19,000	1985	\$ 4,077,600	\$ 249,523	\$ 4,327,123	RC		
1	2	6090 Woodson Road	Mission	KS	66205	Pool Bath House	1	MNC		3,000	1985	\$ 862,777	\$ 11,660	\$ 874,437	RC		
1	3	6090 Woodson Road	Mission	KS	66205	Tennis Courts, Racquet Ball	n/a	NC		n/a	1978	\$ 13,390	\$ -	\$ 13,390	ACV	80%	
1	4	6090 Woodson Road	Mission	KS	66205	Misc. Storage Building	1	NC		500	1987	\$ 14,066	\$ 13,657	\$ 27,723	RC		
1	5	6090 Woodson Road	Mission	KS	66205	Outdoor Park Equipment	NA	NA		NA	NA	\$ 251,730	\$ -	\$ 251,730	ACV	80%	
2	1	4775 Lamar Avenue	Mission	KS	66205	Maintenance Barn	1	4	MFR	22,685	2007	\$ 3,264,200	\$ 27,316	\$ 3,291,516	RC		
2	2	4775 Lamar Avenue	Mission	KS	66205	Salt Storage	1	JM		1,500	2007	\$ 92,737	\$ 54,631	\$ 147,368	RC		
2	3	4775 Lamar Avenue	Mission	KS	66205	Sand Storage	1	JM		5,000	2007	\$ 92,737	\$ 27,295	\$ 120,032			
3	1	6200 Martway Street	Mission	KS	66205	Community Center	2	2	FR	87,059	1999	\$ 16,341,400	\$ 861,900	\$ 17,203,300	RC		
3	2	6200 Martway Street	Mission	KS	66205	Generator	1	MNC			2013	\$ 122,155	\$ -	\$ 122,155	ACV	80%	
4	1	5701 Broadmore Street	Mission	KS	66205	Restrooms	1		Frame	209	1970	\$ 26,512	\$ -	\$ 26,512	RC		
5	1	Beverly Park	Mission	KS	66205	Gazebo	1		Frame	690	1970	\$ 11,583	\$ -	\$ 11,583	ACV	80%	
6	1	5908 Outlook	Mission	KS	66202	Storage Building	1		MNC	7914	1950	\$ 315,180	\$ 10,200	\$ 325,380	RC		
												2017-18 \$ 25,486,067	\$ 1,256,182	\$ 26,742,249			
												2016-17 \$ 24,381,979	\$ 1,256,182	\$ 25,638,161			

Authorized Representative Signature _____

Date _____

CITY OF MISSION, KANSAS

INLAND MARINE

Carrier	2016-2017 OneBeacon	2017-2018 OneBeacon	2017-2018 Travelers
Premium	\$4,816	\$3,747	\$2,880

Coverage Description	Limit	Limit	Limit
Contractors Equipment - Scheduled	\$758,105	\$790,156	\$790,156
Unscheduled Equipment	\$212,275	\$212,275	\$212,275
Data Processing/Hardware & Media	\$570,000	\$570,000	
Additional/Newly Acquired Equipment	\$100,000	\$100,000	
Employee Tools	\$5,000	\$5,000	\$5,000
Rental Expense Reimbursement	\$10,000	\$10,000	
Contractors Equipment from Others	\$100,000	\$100,000	
Rented or Borrowed by Others			
Any One Item	\$5,000	\$5,000	
Deductibles:	\$1,000	\$1,000	\$1,000
	Actual Cash Value & Replacement Cost	Actual Cash Value & Replacement Cost	
Valuation			Actual Cash Value

CRIME

Carrier	2016-2017 OneBeacon	2017-2018 OneBeacon	2017-2018 Travelers
Premium	Included in Property/IM	Included in Property/IM	\$2,875

Coverage Description	Limit	Limit	Limit
Coverage Trigger	Discovery	Discovery	Discovery
Employee Theft - Per Loss	\$500,000	\$500,000	\$500,000
Employee Theft Deductible	\$1,000	\$1,000	\$2,500
ERISA - Employee Theft	\$25,000	\$25,000	NA
ERISA - Employee Theft Deductible	NA	NA	NA
Forgery or Alteration	\$100,000	\$100,000	\$100,000
Forgery or Alteration Deductible	\$1,000	\$1,000	\$2,500
Money & Securities - Inside Limit	\$100,000	\$100,000	NA
Money & Securities - Inside Deductible	\$1,000	\$1,000	NA
Money & Securities - Outside Limit	\$100,000	\$100,000	NA
Money & Securities - Outside Deductible	\$1,000	\$1,000	NA
Computer Fraud	\$100,000	\$100,000	\$100,000
Computer Fraud Deductible	\$1,000	\$1,000	\$2,500
Faithful Performance of Duty coverage is included.	YES	YES	NA

CITY OF MISSION

2017 Inland Marine - Equipment Schedule

Itm #	Description	Identification	Value	Coments
1	Sanders (6)		\$24,000	
2	Grimmer Schmidt Air Compressor	11240	\$7,500	
3	2002 Arrow Board Trailer	02-099978	\$3,375	3375
4	2002 Case Utility Backhoe with Bucket	JJG0283500	\$48,489	
5	2003 Komatsu Wheel Loader Model WA180-3	A81346	\$112,292	
6	Toro Proline 52" Mower	240000116	\$5,499	
7	Audio Processor, 9 Gooseneck Micro		\$6,130	6130
8	Mobile Traffic Message Board	2S9US41355S132101	\$16,295	16295
9	Crack Sealing Machine	1C9SY101051418179	\$27,954	
10	Salt Conveyor	3600907	\$55,140	
11	Salt Hopper	316097	\$6,413	
12	SMTC-48 V Tiger Club Mower	B5904478	\$6,099	
13	Samplers/Flow Meeters		\$18,899	
14	Leaf Vacuum	81406263	\$2,676	
15	Audio Processor		\$4,897	
16	Plow/Dump		\$26,425	
17	Plow/Dump		\$22,992	
18	Mobil Traffic Message Board	2S9US41335S132100	\$16,295	
19	Kaivac Cleaning System		\$4,000	
20	Advenger AXP Rider Scrubber	56314658	\$12,000	
21	Genie AWP-255 Lift	AWP-08-60009	\$16,000	
22	Ultramax Pool Vacuum	10231438	\$5,000	
24	John Deere Mower Quicktrack 48"	TC647AX040224	\$3,329	
25	John Deere Mower Quicktrack 54"	TC657AX045026	\$4,745	
26	Plow/Dump on 20-306		\$29,630	
27	Cold Planer	CI1750	\$10,000	
28	35 Police Radios		\$109,771	109771
29	10 City Wide Radios		\$16,517	16517
30	6 Water Testing units		\$29,028	29028
31	John Deere Mower 72"	TC830AS010597	\$8,148	
32	Mapping Instrument		\$8,908	8908
33	2 - Honda Generators @ \$1,987 each	EB5000XK2AX2	\$3,974	
34	Electronic Message Board		\$9,525	9525
35	Wacker Asphalt Roller	20097028	\$12,850	
36	OnSite Defibrillator	A11L-01701	\$1,160	1160
37	John Deere gator & Plow	1M08550SABM041468	\$20,691	
38	Atlas Copco Air Compressor	4500A1017CR040304	\$13,510	
39	BobCat S650	ALJ818306	\$60,000	Added 7/12/16
Total			\$790,156	

CITY OF MISSION, KANSAS

2017-2018 Property & Casualty Insurance Renewal

Automobile

Carrier	2016-2017 OneBeacon	2017-2018 OneBeacon	2017-2018 Travelers
Premium	\$23,905	\$21,836	\$20,209

Coverage Description	Limit	Limit	Limit
Liability (Symbol 1)	\$1,000,000	\$1,000,000	\$1,000,000
Medical Payments (Symbol 2)	\$5,000	\$5,000	\$5,000
Uninsured/Underinsured Motorists (Symbol 2)	\$1,000,000	\$1,000,000	\$1,000,000
Number of Units	38 Units	38 Units	37 Units
Deductibles			
Comprehensive (Symbol 2)	\$1,000	\$500	\$500
Collision (Symbol 2)	\$1,000	\$500	\$500
Hired and Non-Owned Liability	Included	Included	Included

** See attached schedule for details on autos

Symbol	Description Of Covered Auto Designation Symbols	
1	Any "Auto"	
2	Owned "Autos" Only	Only those "autos" you own (and for Covered Autos Liability Coverage any "trailers" you don't own while attached to power units you own). This includes those "autos" you acquire ownership of after the policy begins.
3	Owned Private Passenger "Autos" Only	Only the private passenger "autos" you own. This includes those private passenger "autos" you acquire ownership of after the policy begins.
4	Owned "Autos" Other Than Private Passenger "Autos" Only	Only those "autos" you own that are not of the private passenger type (and for Covered Autos Liability Coverage any "trailers" you don't own while attached to power units you own). This includes those "autos" not of the private passenger type you acquire ownership of after the policy begins.
5	Owned "Autos" Subject To No-fault	Only those "autos" you own that are required to have no-fault benefits in the state where they are licensed or principally garaged. This includes those "autos" you acquire ownership of after the policy begins provided they are required to have no-fault benefits in the state where they are licensed or principally garaged.
6	Owned "Autos" Subject To A Compulsory Uninsured Motorists Law	Only those "autos" you own that because of the law in the state where they are licensed or principally garaged are required to have and cannot reject Uninsured Motorists Coverage. This includes those "autos" you acquire ownership of after the policy begins provided they are subject to the same state uninsured motorist's requirement.
7	Specifically Described "Autos"	Only those "autos" described in Item Three of the Declarations for which a premium charge is shown (and for Covered Autos Liability Coverage any "trailers" you don't own while attached to any power unit described in Item Three).
8	Hired "Autos" Only	Only those "autos" you lease, hire, rent or borrow. This does not include any "auto" you lease, hire, rent or borrow from any of your "employees", partners (if you are a partnership), members (if you are a limited liability company) or members of their households.
9	Non-owned "Autos" Only	Only those "autos" you do not own, lease, hire, rent or borrow that are used in connection with your business. This includes "autos" owned by your "employees", partners (if you are a partnership), members (if you are a limited liability company) or members of their households but only while used in your business or your personal affairs.

CITY OF MISSION

2017-2018 Auto Schedule

Veh#	Client Veh#	Year	Make	Model	Vehicle ID Number	State	Comp Ded	Coll Ded	Class Code	Cost New
27	27	1999	Blair	1' Box	KS129965	KS	1,000	1,000	68499	\$2,500
39	39	2000	Ford	Econoline 350	1FMNE31L7YHB99994	KS	1,000	1,000	01499	\$5,000
2	2	2002	Ford	F550 Super Duty	1FDAF56F42EC58390	KS	1,000	1,000	21499	\$25,605
3	3	2002		F550 Super Duty	1FDAF56F82EC58389	KS	1,000	1,000	21499	\$25,605
4	4	2002	FORD	Ranger	1FTYR14V92PB26792	KS	1,000	1,000	01499	\$15,815
6	6	2004	FORD	F450	1FDXF47544EC42550	KS	1,000	1,000	21499	\$39,200
5	5	2004	Chevrolet	Pickup	1GEC14VX4Z24529	KS	1,000	1,000	01499	\$30,194
19	19	2005	Utility	Trailer	4J6HD30276B908015	KS	1,000	1,000	68499	\$6,470
20	20	2005	Asphalt	Trailer	4755091TX3	KS	1,000	1,000	68499	\$2,495
7	7	2006	Ford	Expedition	1FMPU1658LA23881	KS	1,000	1,000	01499	\$25,454
9	9	2006	Ford	F450	1FDXW46P06EC65811	KS	1,000	1,000	21499	\$30,835
10	10	2007	Internatio	7000 Series 7300	1HTWAAARX7J446397	KS	1,000	1,000	31499	\$62,425
11	11	2007	FORD	F450	1FDXF47PP87EA7301	KS	1,000	1,000	21499	\$31,305
12	12	2007	Chevrolet	Silverado	1GCEC14CX7Z610159	KS	1,000	1,000	01499	\$23,510
1	1	2008	Internatio	7000 Series 7300	1HTWAAAR78J636630	KS	1,000	1,000	31499	\$55,714
13	13	2008	Chevrolet	1/2 Ton PU	1GCEC14XX8Z159903	KS	1,000	1,000	01499	\$13,570
14	14	2009	Ford	Crown Victoria	2FAHP71V39X105427	KS	1,000	1,000	79110	\$26,690
15	15	2009	Ford	CROWN VIC	2FAHP71V59X105428	KS	1,000	1,000	79110	\$27,235
17	17	2009	Chevrolet	Silverado PU	1GCEC14X79Z145863	KS	1,000	1,000	01499	\$12,310
16	16	2010	International	Dump Truck	1HTWAAAR5AJ244572	KS	1,000	1,000	31499	\$55,831
21	21	2011	Ford	Explorer	1FMHK8B88BGA39732	KS	1,000	1,000	01499	\$30,190
22	22	2012	Chevrolet	Tahoe	1GNLC2E02CR175589	KS	1,000	1,000	01499	\$35,634
23	23	2012	Chevrolet	Tahoe	1GNLC2E02CR172241	KS	1,000	1,000	01499	\$35,634
25	25	2012	Chevrolet	Tahoe	1GNLC2E05CR175313	KS	1,000	1,000	01499	\$35,634
26	26	2012	Chevrolet	Tahoe	1GNLC2E03CR175231	KS	1,000	1,000	01499	\$35,634
28	28	2012	Ford	F450	1FD0W4HT4CEA26401	KS	1,000	1,000	21499	\$44,527
24	24	2015	Chevrolet	Tahoe	1GNLC2E09CR174181	KS	1,000	1,000	01499	\$35,634
29	29	2015	Chevrolet	Tahoe K1500 Spec Srv	1GNSK2E02CR189250	KS	1,000	1,000	01499	\$53,493
30	30	2015	Ford	Explorer	1FM5K8D80FGB51589	KS	1,000	1,000	01499	\$42,510
31	31	2015	Ford	Explorer	1FM5K8D89FGB51588	KS	1,000	1,000	01499	\$32,453
32	32	2015	Ford	Explorer	1FM5K8D87FGB51587	KS	1,000	1,000	01499	\$32,453
33	33	2015	Chevrolet	Tahoe Police	1GNSK2EC2FR576363	KS	1,000	1,000	79110	\$42,510
34	34	2015	Harley-Davidson	FLHTP	1HD1FMM10FB619111	KS	-	1,000	79860	\$27,700
36	36	2015	Ford	Explorer	1FM5K8D86GGB54143	KS	1,000	1,000	01499	\$32,453
37	37	2015	Ford	Explorer	1FM5K8D86GGB54142	KS	1,000	1,000	01499	\$32,453
38	38	2015	Ford	Explorer	1FM5K8D86GGB54141	KS	1,000	1,000	01499	\$32,453
35	35	2015	Ravo Series 4	Street Sweeper	XL95FCHB4FA020211	KS	1,000	1,000	31499	\$213,760
37 Units										\$1,312,888

City of Mission	Item Number:	4.
ACTION ITEM SUMMARY	Date:	December 1 , 2016
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

RE: 2017 Alcohol Tax Fund Allocations

RECOMMENDATION: Approve City of Mission's 2017 Alcohol Tax Fund allocations as recommended by the Drug and Alcoholism Council.

DETAILS: By statute, the State of Kansas imposes a 10 percent Liquor Drink Tax (aka Alcohol Tax) on the sale of any drink containing alcoholic liquor sold by clubs, caterers, or drinking establishments. Revenue derived from this tax is allocated 30 percent to the State and 70 percent to the city or county where the tax is collected.

The statute further stipulates that for cities of Mission's size, the portion allocated to the local jurisdiction be proportioned in thirds, with one third to the General Fund, one third to a Special Parks and Recreation Fund, and one third to a Special Alcohol Tax Fund. The Special Alcohol Tax Fund is to support programs "whose principal purpose is alcoholism and drug abuse prevention or treatment of persons who are alcoholics or drug abusers, or are in danger of becoming alcoholics or drug abusers." (KSA 79-41a04 1997).

Alcohol Tax funds allocated to the City of Mission are estimated to be \$177,000 for 2017. A third of these funds - \$59,000 - will be proportioned to the City's Special Alcohol Tax Fund. \$15,000 will support Mission's DARE activities, \$14,000 will support the mental health response program, and \$30,000 will be provided to agencies designated by the Drug & Alcoholism Council. Another third will be proportioned to the Special Parks and Recreation Fund and the remaining third is proportioned to the City's General Fund.

The Drug and Alcoholism Council (DAC), a program supported by the United Community Services of Johnson County, offers grants each year to various organizations within the county that provide alcohol and drug abuse prevention and treatment programs. The grants are structured in such a manner that the awarded organizations have access to funds from multiple participating jurisdictions. The governing body of each jurisdiction has the ultimate authority and responsibility to determine which organizations receive funds.

The total amount available to the DAC for allocation in 2017 is \$1,830,313. There were 24 applications submitted totaling \$1,889,185 in requests. The DAC reviewed each application, met with applicants, and deliberated to develop the recommendations for this year's Alcohol Tax Fund allocations, which is the second attachment.

The DAC's recommended allocation of the City of Mission's Alcohol Tax funds are shown in the first attachment. Approval of this recommendation is approval of the DAC's recommended allocations.

Related Statute/City Ordinance:	K.S.A 79-41a01
Line Item Code/Description:	09-90-201-01
Available Budget:	\$30,000

City of Mission	Item Number:	4.
ACTION ITEM SUMMARY	Date:	December 1 , 2016
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

CFAA CONSIDERATIONS/IMPACTS: The Alcohol Fund supports activities and programs that provide services for people of all ages. These programs range from teaching children the dangers of drugs and alcoholism to helping teens and adults overcome their addictions and be positive contributors to society.

Related Statute/City Ordinance:	K.S.A 79-41a01
Line Item Code/Description:	09-90-201-01
Available Budget:	\$30,000

2017 ATF Distribution

MISSION: \$30,000

UCS administration	\$1,623
Shawnee Mission School District	\$514
Prefered Family Healthcare	\$1,756
Friends of Recovery	\$911
The Family Conservancy	\$674
Heartland Regional Alcohol & Drug Assessment Center	\$2,771
Gillis Center	\$1,002
Jo. Co. Mental Health Center Adolescent Center for Treatment	\$4,618
Johnson County Mental Health Center Adult Detoxification Unit	\$4,893
Johnson County Mental Health Center Adult Dual Diagnosis	\$2,550
Johnson County Mental Health Center Prevention Services	\$1,720
Johnson County Court Services	\$1,547
First Call	\$483
SAFEHOME	\$408
Johnson County Dept. of Corrections	\$201
KidsTLC	\$832
Mirror, Inc.	\$3,206
Johnson County District Attorney	\$109
Artists Helping the Homeless	\$182
Total	\$30,000

Source: United Community Services of Johnson County 913-438-4764



United Community Services of Johnson County

Board Members
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 Jennifer Bruning
 Tara S. Eberline
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 Charlie Sunderland
 Elaine Tatham, PhD
 Stephen Tatum
 David Warm
 Ron Wimmer, PhD
 Hannes Zacharias

Executive Director
 Julie K. Brewer

Date: November 4, 2016
 To: Laura Smith, City Administrator, Mission
 From: Julie K. Brewer, Executive Director *JKB*
 Re: Allocation of 2017 Alcohol Tax Fund

2017 Recommendation Report

The Drug & Alcoholism Council of Johnson County (DAC), a project of United Community Services, has prepared and approved the recommendations for allocation of 2017 Alcohol Tax Funds (ATF). The recommendations are in line with expectations under KSA 79-41a04. The enclosed report is submitted for the City of Mission's consideration. The DAC is an advisor to the City of Mission on the expenditure of these funds. To receive an electronic copy, please contact Marya Schott, maryas@ucsjoco.org.

The city has the ultimate authority and responsibility for determining the allocation of its portion of the Alcohol Tax Fund. Therefore, the DAC requests the city confirm its acceptance of these recommendations and the city's funding distributions as stated on the distribution chart. UCS, the DAC and ATF grant recipients understand that distribution of city funds may be altered should Kansas tax policy change, or revenues are not received by the City as expected. **Enclosed is a verification statement which we request be signed and returned to UCS by December 19, 2016.** If the ATF Recommendations Report will be considered during a city council or committee meeting, and you would like a representative of the DAC present, please notify Marya Schott of the meeting date and time (maryas@ucsjoco.org).

Distribution of Funds

For the purposes of making the recommendations, the DAC pools alcohol tax funds from all participating jurisdictions (Johnson County Government, Gardner, Leawood, Lenexa, Merriam, Mission, Olathe, Overland Park, Prairie Village, and Shawnee). Each jurisdiction, however, is responsible for distributing its own funds. A distribution chart for your jurisdiction is enclosed. Funding distribution is determined as follows:

- 1) funds for school district programs are allocated proportionally only from the jurisdictions served by particular school districts;
- 2) UCS/DAC administrative cost of 5.4% is prorated among all jurisdictions; and
- 3) remaining programs are funded proportionally by all jurisdictions.

Thank you for your continued support of this allocation process, which targets public resources to address substance abuse education, prevention, intervention, detoxification, and treatment needs for Johnson County residents. Please contact me or Marya Schott if you have questions.

Enclosures: 2017 Alcohol Tax Fund Recommendations Report
 Alcohol Tax Fund Distribution Chart
 2017 Grantee List
 2017 Alcohol Tax Fund Recommendations Verification

cc: Brian Scott





United Community Services of Johnson County

2017 ALCOHOL TAX FUND RECOMMENDATIONS REPORT DRUG and ALCOHOLISM COUNCIL OF JOHNSON COUNTY

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- Charlie Sunderland
- Elaine Tatham, PhD
- Stephen Tatum
- David Warm
- Ron Wimmer, PhD
- Hannes Zacharias

Executive Director

Julie K. Brewer

Participating jurisdictions: Johnson County, Gardner, Leawood, Lenexa, Merriam, Mission, Olathe, Overland Park, Prairie Village and Shawnee

The purpose of the grant review process conducted by the Drug & Alcoholism Council of Johnson County (DAC) is to direct local Alcohol Tax Funds (ATF) to alcohol and drug prevention, education, intervention, detoxification, treatment, and recovery programs that serve Johnson County residents. The entire community benefits when substance abuse is prevented and/or effectively treated. A continuum of services from education through treatment and recovery is vital to lowering drug and alcohol use and addiction, which in turn lowers healthcare costs, reduces crime, and child abuse and neglect, and increases productivity in employment - thus lowering associated public costs.

Alcohol Tax Funds are derived from a state excise tax on liquor sold by the drink. Part of the revenue generated is returned to the jurisdiction (city or county) in which it was collected, with the stipulation that a specified portion be used for programs “whose principal purpose is alcoholism and drug abuse prevention or treatment of persons who are alcoholics or drug abusers, or are in danger of becoming alcoholics or drug abusers” (KSA 79-41a04).

The DAC’s grant review process provides a structured and accountable system that allows organizations, through one annual application, access to funds from multiple jurisdictions. The Board of County Commissioners and city councils have ultimate authority and responsibility for determining which organizations receive funds from their respective jurisdictions based upon the recommendations in this report. **Jurisdictions are asked to accept the recommendations by December 16, 2016.**

Together, Johnson County Government and nine cities committed \$1,830,313 for 2017 ATF (listed on page 10). Twenty-four applications totaled \$1,889,185 in funding requests. After studying applications, meeting with applicants and deliberating, the DAC developed funding recommendations. This report reflects those recommendations and is organized in two sections: Education, Prevention and Intervention; and, Treatment and Recovery.

For additional information on the process or the programs, contact Marya Schott, UCS Community Initiatives Director, 913.438.4764, maryas@ucsjoco.org.



2017 Alcohol Tax Fund Requests and Recommendations

Applicant	2014 Allocation	2015 Allocation	2016 Allocation	2017 Request	2017 Recommendation
EDUCATION, PREVENTION and INTERVENTION					
Blue Valley USD 229	\$65,450	\$59,895	\$59,450	\$57,770	\$57,770
De Soto USD 232	\$20,745	\$24,020	\$24,750	\$22,775	\$22,775
Gardner-Edgerton USD 231	\$26,385	\$32,210	\$0	\$0	
Olathe USD 233	\$33,455	\$33,455	\$49,125	\$43,000	\$43,000
Shawnee Mission USD 512	\$50,000	\$50,000	\$45,000	\$27,000	\$27,000
Spring Hill USD 230	\$22,495	\$18,495	\$23,060	\$23,060	\$23,060
Artists Helping Homeless			\$10,000	\$10,000	\$10,000
Boys & Girls Club			\$10,000	\$10,000	\$10,000
First Call	\$21,000	\$22,000	\$25,000	\$26,500	\$26,500
Gillis	\$55,000	\$60,000	\$60,000	\$60,000	\$55,000
Heartland RADAC	\$117,000	\$117,000	\$117,000	\$170,000	\$152,128
JoCo Court Services	\$63,389	\$91,147	\$102,245	\$90,536	\$90,536
JoCo Dept. of Corrections	\$0	\$12,710	\$12,410	\$12,410	\$12,410
JoCo District Attorney			\$8,250	\$6,000	\$6,000
JoCo MHC Prevention	\$97,295	\$101,772	\$100,000	\$110,000	\$100,000
SAFEHOME	\$21,578	\$28,000	\$20,706	\$22,386	\$22,386
The Family Conservancy	\$33,900	\$34,500	\$35,550	\$37,000	\$37,000
Subtotal	\$627,692	\$685,204	\$702,546	\$728,437	\$695,565
TREATMENT and RECOVERY					
Friends of Recovery	\$30,000	\$40,000	\$40,000	\$50,000	\$50,000
JoCo MHC Adolescent Center for Tx.	\$219,510	\$253,510	\$253,510	\$253,510	\$253,510
JoCo MHC Adult DeTox Unit	\$268,581	\$268,581	\$268,581	\$268,581	\$268,581
JoCo MHC Dual Diagnosis Adult Outpatient	\$75,000	\$75,000	\$108,885	\$140,000	\$140,000
KidsTLC	\$38,000	\$40,000	\$44,613	\$45,657	\$45,657
KVC Behavioral HealthCare				\$125,000	\$0
Marillac	\$33,396	\$30,000	\$30,000	\$0	
Mirror Inc.	\$90,000	\$132,000	\$132,000	\$176,000	\$176,000
Preferred Family Healthcare	\$92,000	\$102,000	\$102,000	\$102,000	\$102,000
Salvation Army	\$15,500	\$0	\$0	\$0	
Subtotal	\$861,987	\$941,091	\$979,589	\$1,160,748	\$1,035,748
Total	\$1,489,679	\$1,626,295	\$1,682,135	\$1,889,185	\$1,731,313
UCS Admin	\$90,100	\$93,730	\$98,000	\$99,000	\$99,000
Total allocation/request & UCS	\$1,579,779	\$1,720,025	\$1,780,135	\$1,988,185	\$1,830,313

2017 ALCOHOL TAX FUND GRANT RECOMMENDATIONS

Education, Prevention and Intervention

Alcohol Tax Funds (ATF) support numerous programs offered by public school districts and programs delivered by four community-based organizations. In general school-based programs help to prevent and reduce substance abuse. Additionally, programs lower risk factors associated with substance abuse, such as disruptive behavior and truancy. Community-based programs help lower the rates of substance abuse, which translate to lower mental and physical healthcare costs, and less expense for law enforcement and the criminal justice system. Funding recommendations are based upon a review of each proposal (see Appendix A for criteria) and take into consideration the type of programming, outcome achievement and accountability.

School District Programs

Each school district offers a unique mix of programs to its students and parents, and each district has a mix of funding to support these programs. As a result, the programs supported by ATF and the amount of ATF dollars recommended differ for each district.

Blue Valley School District

Request: \$57,770

Recommendation: \$57,770

The DAC recommends Blue Valley School District be awarded \$57,770 to support funding for continuation of Sobriety Support groups and Trauma Informed Care “Skills for Life” groups, both led by therapists from outside the district; 15 Building Drug and Alcohol Coordinators and two district coordinators; substitutes during *Project Alert* training for new teachers and during coordinators’ meetings; *AlcoholEdu* (an on-line program implemented in all high schools and the Academy); and, stipends for *Reconnecting Youth* instructors. During 2017 the district anticipates serving approximately 13,700 adults and students through ATF supported programs.

De Soto School District

Request: \$22,775

Recommendation: \$22,775

The DAC recommends the De Soto School District be awarded \$22,775 to support implementation of three evidence-based programs - *Too Good for Drugs* (elementary and middle school students), and *AlcoholEdu* (high school); and, high school prevention clubs. Additionally, ATF funding will support the district’s coordinator for substance abuse programming, and professional development training for counselors and social workers. During 2017 the district anticipates serving approximately 10,809 adults/parents and 6,241 youth/students through ATF supported programs.

Olathe School District

Request: \$43,000

Recommendation: \$43,000

The DAC recommends the Olathe School District be awarded \$43,000 to support the implementation of *Project Alert* (delivered in middle school), sobriety support groups (high school), student substance abuse assessments, parent education through *Guiding Good Choices* (provided in English and Spanish for parents of students ages 9-13 who are identified by

school), and *AlcoholEdu* (all high schools). During 2017 the district anticipates serving approximately 9,040 adults and students through ATF supported programs.

Shawnee Mission School District

Request: \$27,000

Recommendation: \$27,000

The DAC recommends the Shawnee Mission School District be awarded \$27,000 to support implementation of *AlcoholEdu* (all high schools and Horizons). During 2017 the district anticipates serving approximately 2,260 adults and students through this ATF supported program.

Spring Hill School District

Request: \$23,060

Recommendation: \$23,060

The DAC recommends the Spring Hill School District be awarded \$23,060 to support four evidence-based programs: *Project Alert* (middle school), *Al's Pals: Kids Making Health Choices* (kindergarten), *AlcoholEdu* (high school), and *Peer Assistance and Leadership* (high school). Funding also includes support of *Students Against Destructive Decisions* (SADD – high school), and the Mental Health Social Worker who serves the entire district. During 2016 the district anticipates serving 2,200 students through ATF supported programs.

Note: Gardner Edgerton School District did not apply for 2017 ATF support.

Community-based Programs

Artists Helping the Homeless

Request: \$10,000

Recommendation: \$10,000

The DAC recommends Artists Helping the Homeless (AHH) be awarded \$10,000 for implementation of *Be The Change*, a program that helps people who are homeless access services to meet their needs and address underlying conditions of their homelessness. AHH provides transportation and a continuum of support including coordination of care to homeless adults, most of whom have substance abuse issues. Since its inception in 2010, AHH has helped enroll nearly 1,000 adults in social detox and treatment programs. Referrals come from hospitals, law enforcement, mental health and aging service providers, agencies which provide substance abuse recovery services, and from other individuals who are homeless. In 2017 Artists Helping the Homeless anticipates serving 200 Johnson County residents.

Boys and Girls Club

Request: \$10,000

Recommendation: \$10,000

The DAC recommends the Boys and Girls Club be awarded \$10,000 for implementation of *SMART Moves (Skill Mastery and Resistance Training)* at the Boys and Girls Club in Olathe. *SMART Moves* teaches Olathe club members (ages 5-18) to recognize and resist media and peer pressure to engage in tobacco/alcohol/drug use, and other risky behavior. The organization anticipates serving 200 Olathe youth during 2017; target schools are Central Elementary, Oregon Trail Middle School, Washington Elementary, and Olathe North High School.

First Call Alcohol/Drug Prevention & Recovery

Request: \$26,500

Recommendation: \$26,500

The DAC recommends that First Call be awarded \$26,500 to deliver Family Prevention Services in Johnson County. These services include the following:

- 1) *How to Cope* - This program supports adults (parents/family members) in identifying enabling and co-dependency behaviors, and assists families in abstinence and recovery of their children.
- 2) *Caring for Kids* - Children and youth in the *Caring for Kids* program attend psycho-educational groups which teach them about the effects of substance abuse disorder in the family and help them to develop healthy lifestyles.
- 3) Services within Olathe schools: a sobriety group at Olathe South High School, Life Skills class at Olathe East High School and Project Choices, Say It Straight at Olathe's North Lindenwood Support Center.
- 4) Life Skills Training at Boys and Girls Club in Olathe
- 5) Speakers Bureau – reaches Johnson County school-aged youth and community members.

First Call anticipates serving 1,580 Johnson County residents during 2017.

Gillis Center

Request: \$60,000

Recommendation: \$55,000

The DAC recommends that Gillis Center be awarded \$55,000 for the implementation of Functional Family Therapy, an evidence-based in-home family intervention program to address a variety of problems facing at-risk youth and their families. In Johnson County, the Juvenile Intake and Assessment Center, Court Services, District Court and the Johnson County Department of Corrections are the primary referral sources to Functional Family Therapy. If provided the full amount of its ATF request, during 2017 Gillis anticipates serving 70 Johnson County youth and families whose problems are related to substance abuse.

Heartland Regional Alcohol & Drug Assessment Center (RADAC)

Request: \$170,000

Recommendation: \$152,128

The DAC recommends that Heartland RADAC be awarded \$152,128 to support its recovery coaching, intensive case management and care coordination for Johnson County individuals with co-occurring substance use disorders and mental health issues who are homeless or at-risk of homelessness, and need treatment or treatment-related services. Recovery coaching helps clients engage in the recovery community and is provided in conjunction with case management and care coordination services. The program also purchases services and items needed to secure safe housing, access treatment, promote recovery and eliminate barriers to success. Heartland RADAC's ATF supported services fill a gap in the continuum of services for this population that is otherwise unfunded. If provided the full amount of its ATF request, during 2017 Heartland RADAC anticipates serving 115 Johnson County clients.

Johnson County Court Services, Juvenile Drug Court**Request: \$90,536****Recommendation: \$90,536**

The DAC recommends that Johnson County Court Services be awarded \$90,536 to support the salary and benefits for two Court Service Officers who supervise clients in the Juvenile Drug Court and Minor-In-Possession (MIP) programs. The Juvenile Drug Court targets first-time offenders applying for diversion who present with serious drug and/or alcohol issues. The MIP program is a non-Court resolution of a police report when a juvenile has been in possession of alcohol. Both programs increase youths' motivation to remain drug/alcohol free. Recidivism rates for juveniles who complete the Drug Court program are considerably lower than juvenile offenders who do not complete the program. During 2017, Court Services anticipates serving 265 Johnson County youth in these programs.

The Johnson County Department of Corrections**Request: \$12,410****Recommendation: \$12,410**

The DAC recommends the Department of Corrections be awarded \$12,410 to support *Treatment Voucher Assistance, and the Adult Residential and Adult Intensive Probation Treatment Readiness Program*. Voucher assistance supports substance use disorder evaluation and treatment for adult and youth offenders who face financial barriers to obtaining substance abuse treatment. Voucher assistance will be provided to adults in the Adult Residential Center (ARC), adults who are under Intensive Supervision, and youth who are Juvenile Intensive Supervision clients, as well as clients on House Arrest or Bond Supervision. Treatment services for clients under Intensive Supervision are provided under a contract with the district court and its agreement with licensed clinicians. ATF will also continue to support the Interactive Journaling Treatment Readiness program at the ARC which utilizes the "Courage to Change" curriculum. The curriculum includes interactive journaling, and focuses on readiness to change and risks related to criminal personality. Corrections anticipates serving 354 Johnson County clients during 2017.

Johnson County District Attorney**Request: \$6,000****Recommendation: \$6,000**

The DAC recommends the Johnson County District Attorney be awarded \$6,000 for the *Changing Lives Through Literature program (CLTL)*. This alternative intervention program targets moderate risk criminal defendants. The majority of participants are referred by Adult Diversion, and for those clients a criminal conviction is likely averted with completion of *CLTL* and meeting other diversion conditions. The program uses literature to impact the lives of clients through reading and group discussion. The program is free of charge and offered outside of traditional work hours. *CLTL* defendant participants, judges, and probation officers read literature and participate in facilitated discussion which helps to promote behavioral change. Some of the reading material used during the program relates to drug and alcohol addiction and abuse. Components of *Moral Reconation Therapy* are incorporated into the program to help address criminal thinking. The District Attorney anticipates serving 34 Johnson County participants during 2017.

Johnson County Mental Health Center, Prevention Services

Request: \$110,000

Recommendation: \$100,000

The DAC recommends Prevention Services be awarded \$100,000 to support staff who provide prevention services in three areas: youth mobilization, education/training, and community engagement; and, other expenses associated with the Youth Leadership Summit and Strengthening Families, as well as supplies, consumables and mileage. Prevention Services provides training and technical assistance to cohorts of Strengthening Families, an evidence-based prevention program for parents and children (ages 3-16) in higher risk families. During the annual Youth Leadership Summit approximately middle school and high school student leaders are trained on effective prevention strategies and action planning for implementation of those strategies. Action plans created at the Summit focus on adolescent problem behaviors prioritized by each school. If provided the full amount of its ATF request, during 2017 Prevention Services anticipates serving 5,300 Johnson County residents.

SAFEHOME

Request: \$22,386

Recommendation: \$22,386

The DAC recommends SAFEHOME be awarded \$22,386 to continue its substance abuse assessment and referral program. This program includes an onsite substance abuse screening of every new resident in this domestic violence shelter. If applicable, there is an in-depth substance abuse interview. Assessment are provided as needed by Heartland Regional Alcohol and Assessment Center. SAFEHOME makes referrals to intervention and treatment programs, along with help making connections to services. ATF dollars also support assistance to clients (such as transportation vouchers for travel to treatment), and professional conferences/training. The organization anticipates serving 90 Johnson County participants during 2017.

The Family Conservancy

Request: \$37,000

Recommendation: \$37,000

The DAC recommends the Family Conservancy be awarded \$37,000 to implement *Conscious Discipline* programming in three childcare centers in Johnson County, and for substance abuse screening and education for all clients served by Family Conservancy's counseling programs. *Conscious Discipline* is an evidence-based self-regulation program that integrates social-emotional learning and discipline, fostering healthy development to prevent future risk of substance abuse. Family Conservancy will provide on-site parenting training at three centers, the coach-train model at two centers, and individual coaching at one site. During 2017, the agency anticipates serving 450 Johnson County residents.

Treatment and Recovery

Alcohol Tax Funds are recommended to support seven treatment and recovery programs delivered by community-based organizations and Johnson County Mental Health Center. In general, treatment programs help to reduce substance abuse, lead to positive individual change and productivity, reduce mental and physical healthcare costs, improve public safety, and reduce law enforcement and court costs. Funding recommendations are based upon a review of each proposal and take into consideration the type of programming, outcome achievement and accountability.

Friends of Recovery Association

Request: \$50,000

Recommendation: \$50,000

The DAC recommends that Friends of Recovery (FORA) be awarded \$50,000 to increase staff capacity and continue to provide case management for individuals living in Oxford Houses. Oxford Houses target individuals who often have limited resources, and are seeking a supportive environment within which to recover from substance abuse. Friends of Recovery operates 32 Oxford Houses in Johnson County. During 2017 FORA anticipates opening two more houses in Johnson County and serving approximately 340 Johnson County participants.

Johnson County Mental Health Center, Adolescent Center for Treatment (ACT)

Request: \$253,510

Recommendation: \$253,510

The DAC recommends that the Johnson County Mental Health Center's Adolescent Center for Treatment be awarded \$253,510 to deliver an adolescent residential treatment program for youth ages 12-18. The ACT is the only specialized youth residential program for treatment of substance use disorders in the state of Kansas. The majority of residential patients are court-ordered; some are from the foster care system. During summer of 2016, the ACT moved into the Youth and Family Services building owned by Johnson County government, and expanded its bed capacity to 30. ACT offers a sliding fee scale to ensure that no clients are turned away due to financial reasons. During 2017 ACT anticipates serving 61 Johnson County youth in the residential program.

Johnson County Mental Health Center, Adult Detoxification Unit (ADU)

Request: \$268,581

Recommendation: \$268,581

The DAC recommends that the Johnson County Mental Health Center's Adult Detoxification Unit be awarded \$268,581 to provide a social detoxification center delivered at no cost to adult Kansas residents 24 hours a day, seven days a week. Admissions primarily come through hospitals and law enforcement. The ADU is the only social detoxification program located in Johnson County and is a cost-effective alternative to hospital emergency rooms or incarceration. During 2017 the Mental Health Center ADU anticipates serving 446 clients from Johnson County.

Johnson County Mental Health Center, Dual Diagnosis Adult Outpatient Program

Request: \$140,000

Recommendation: \$140,000

The DAC recommends that the Johnson County Mental Health Center's Dual Diagnosis Adult Outpatient Program be awarded \$140,000 to offer integrated outpatient treatment to adults

who have co-occurring substance use disorders and mental health disorders, and to provide Medication Assisted Treatment (MAT) to 22 clients appropriate for this treatment, but with no means to pay for it. The dual-diagnosis program uses a sliding fee scale to assure access for low-income residents. No one is turned away for inability to pay fees. In 2017, 514 Johnson County residents are anticipated to be served through the Dual Diagnosis program and its MAT component.

KidsTLC

Request: \$45,657

Recommendation: \$45,657

KidsTLC is licensed by the State of Kansas as a Psychiatric Residential Treatment Facility (PRTF). The DAC recommends that KidsTLC be awarded \$45,657 to support substance abuse screening/assessment, evaluation, prevention/education, and clinical treatment for youth ages 12-18 who reside within the agency's PRTF. Clinical treatment is provided to youth who are dually diagnosed with substance use disorder and mental health issues. The evidence-based *Seeking Safety* curriculum is utilized in treatment. Biofeedback and Eye Movement Desensitization and Reprocessing (EMDR) are also used when appropriate to enhance treatment. Relapse prevention sessions are provided to PRTF residents who are in recovery or were recently in treatment. Prevention education, which utilizes the evidence based program *Positive Action*, is provided to all youth in the PRTF. During 2017 the agency projects serving 50 Johnson County youth.

KVC Behavioral HealthCare, Inc.

Request: \$125,000

Recommendation: \$0

Funding is not recommended for KVC Behavioral HealthCare's program, KVC Family Substance Abuse Recovery Services, a new program to serve families who have been assessed in referrals or assessments as needing substance abuse services based upon reports from Kansas Department of Children and Families (DCF) or KVC case managers. The DAC appreciates KVC being responsive to substance abuse issues in Johnson County, however, with limited grant funding, established programs with a history of outcome achievement are recommended for ATF support.

Mirror, Inc.

Request: \$176,000

Recommendation: \$176,000

The DAC recommends that Mirror be awarded \$176,000 to support its residential treatment component for clients with co-occurring disorders (co-occurring disorder of substance use disorder and mental illness). Mirror is a statewide organization which provides residential addiction services in three communities, and has provided substance abuse services in Johnson County for 18 years. Located in Shawnee, this program addresses the needs of clients who fall below 200 percent of poverty and cannot access services in a timely manner due to limited state block grant funding. Mirror's 34-bed facility is the only residential program located in Johnson County that serves this population. During 2017, with its ATF grant, Mirror anticipates serving 48 Johnson County residents who have co-occurring disorders.

Preferred Family Healthcare, Inc.

Request: \$102,000

Recommendation: \$102,000

The DAC recommends that Preferred Family Healthcare (PFH) be awarded \$102,000 to support the delivery of outpatient substance abuse treatment services to Johnson County residents with limited or no resources to pay for services (e.g. uninsured, indigent and low income residents). During 2015, 73 percent of the clients served by PFH in Olathe received services on a sliding fee scale (e.g. fees based upon income and family size), and of those 30 percent paid no fees at all. Preferred Family Healthcare is a Johnson County Court approved provider for substance abuse services, and states it will maintain a fee policy that assures no one is turned away due to inability to pay fees. ATF support in 2017 is contingent upon Preferred Family Healthcare maintaining this fee policy. During 2017, Preferred Family Healthcare projects serving 759 Johnson County residents.

**2017 Alcohol Tax Fund
Participating Jurisdictions**

Jurisdictions	Contribution
Johnson County Government	\$121,113
City of Gardner	\$19,200
City of Leawood	\$300,000
City of Lenexa	\$130,000
City of Merriam	\$20,000
City of Mission	\$30,000
City of Olathe	\$210,000
City of Overland Park	\$887,000
City of Prairie Village	\$30,000
City of Shawnee	\$83,000
Total Alcohol Tax Fund	\$1,830,313

The recommended grant awards represent the maximum ATF award for the calendar year and are based upon an estimate from local jurisdictions of local liquor tax revenue. Awards will only be made if jurisdictions receive adequate revenue. Actual dollars disbursed are dependent upon local liquor tax revenue received by participating jurisdictions. Neither United Community Services (UCS) nor the Drug and Alcoholism Council is responsible for a reduction in ATF fund awards payable by participating jurisdictions.

APPENDIX A
DRUG & ALCOHOLISM COUNCIL of JOHNSON COUNTY FUNDING PRIORITIES

ATF Funding Priorities 2017

Numbering of priorities does not indicate one is more important than another.

By legislative mandate, ATF dollars must be used to fund substance abuse prevention, intervention and/or treatment. For the purpose of this application, these services are generally defined as follows:

- Education and Prevention programs are designed to provide information and skill building to prevent problems with, or addiction to, alcohol and/or drugs.
- Intervention programs are designed to interrupt alcohol and/or drug use.
- Substance Abuse Treatment programs are licensed by the State of Kansas to provide substance abuse treatment services, and are designed to assist clients with stopping use of alcohol and drugs and avoiding relapse.

Overall priority is given to:

1. Programs that offer affordable and accessible services to underserved individuals and/or populations at-risk (such as those with low incomes; those involved, or at-risk of involvement, in the child welfare or criminal justice systems).
2. Programs that provide services to meet a current community need (defined through indicator data or Communities That Care survey trends).
3. Programs that address barriers to services such as accessibility, language, culture, and homelessness.
4. Programs that demonstrate an awareness of the role of trauma in prevention and treatment of substance use.
5. Programs that utilize evidence-based programs or promising practices; include quality assurance practices to maintain fidelity; and, use measurable outcome information to improve service delivery.
6. Strategies and services that involve families, parents, guardians, and/or other support systems.

Priority for Education and Prevention Programs include:

1. Strategies that seek to delay onset of first use of substances.
2. Programs that target use of gateway drugs and address new trends in drug use across all age groups.
3. Programs that utilize *Risk and Protective Factors* strategies.

Priority for Treatment and Intervention Programs include:

1. Programs that provide effective treatment strategies for individuals with co-occurring substance use and mental health disorders.
2. Programs that serve targeted populations with early intervention strategies.
3. Programs that collaborate with other organizations, the legal system, and/or community-based recovery services during and after treatment in order to sustain recovery and provide linkage to community supports.

Applications will be evaluated according to these criteria:

- Community Need
 - How the program addresses a clearly-stated community need, or opportunity to address a community need.
 - Does the program coordinate with other community services to maximize the impact of available resources and meet needs of population?
 - How the program benefits local jurisdictions.
 - The purpose of proposed program or services is consistent with ATF funding priorities.
- Responsiveness of Proposed Program Activities: A detailed description of program activities proposed for funding, including a clear exposition of:
 - The targeted population, strategies for reaching the target population, and access to services (e.g. are barriers to activities/services reduced or eliminated). If applying for substance abuse prevention and education programming for youth, how program addresses Communities That Care® (CTC) risk and protective factors of target population.
 - Services/activities that are responsive to needs of population.
 - The evidence base for the effectiveness of the prevention or treatment program or services with the targeted population.
 - The ability to accommodate for cultural differences within the population.
- Measurable Outcomes
 - The program includes clear and measurable outcomes, and includes a plan for related data collection in order to evaluate success in achieving those outcomes. Outcome data reflecting on abstinence, housing, employment, criminal activity, access to and/or retention in services are strongly preferred.
 - The program demonstrates clear linkage between program activities and outcomes.
 - The program provides reasonable evidence of the achievement of previously identified outcome(s).
 - Reasonable levels of service are provided for resources expended.
- Organizational Capacity and Funding
 - The organization is stable (financial position, legal issues, etc.)
 - The program has attracted sufficient community resources from public, private, and volunteer sources, to produce proposed outcomes.
 - The program budget is realistic and reasonable in light of the proposed activities.
 - The application demonstrates that ATF funding is critical to achieving the stated outcomes.
 - The application and program comply with grant conditions.
- Qualifications, Licensing and Accreditation
 - If applicable, the agency is licensed/accredited.
 - Employees are qualified to provide services (accredited/licensed, if applicable)

APPENDIX B

2016 DRUG and ALCOHOLISM COUNCIL of JOHNSON COUNTY

*Marcy Knight, Chair, Attorney, City of Shawnee Representative**

*Ryan Erker, Vice-Chair, Erker Law **

*Jennifer Granger, Secretary, Science Applications International Corporation (SAIC) - US
Department of Agriculture Risk Management Agency**

*Wendy Biggs, M.D., University of Kansas Medical Center, Grant Review Sub-committee Chair **

*Nikki Green, Shawnee Mission Medical Center, Grant Review Sub-committee Chair **

*Judge Cindi Cornwell, Overland Park Municipal Court, City of Overland Park Representative,
Grant Review Sub-committee Co-Chair **

*Annette Maassen-Spates, Johnson County Community College, Grant Review Sub-committee
Co-Chair **

*Major David Brown, Lenexa Police Department, City of Lenexa Representative**

*Captain Troy Duvanel, Merriam Police Department, City of Merriam Representative**

Detective Brett Hays, Gardner Police Department, City of Gardner Representative

*Jessica Hembree, Health Care Foundation of Greater Kansas City**

*Roxann Kerr Lindsey, CBIZ**

Robert Kordalski, Jr., De Soto School District ♦

*Cathy Lawless, Community Volunteer, City of Leawood Representative**

Mollie McNally, Blue Valley School District ♦

*Captain Rick Newson, Johnson County Sheriff's Office **

*Marie Ramirez, Blue Cross Blue Shield of Kansas City, City of Prairie Village Representative **

*Kevin Schutte, Pastor, Pathway Community Church, Johnson County Board of County
Commissioners Representative**

Robert Sullivan, Johnson County Manager's Office ♦

*Marci Trotta, Psychotherapist, Private Practice**

*Jill Vincente, City of Olathe Prosecutor's Office, City of Olathe Representative**

* Denotes 2017 ATF Grant Review Committee member

♦ Denotes Non-Voting Ex-Officio member

Staff Support:
Marya Schott, UCS Community Initiatives Director

School Districts**Blue Valley School District**

Superintendent: Dr. Todd White
 Contact: Dr. Mark Schmidt
 15020 Metcalf
 Overland Park, KS 66283
 (913) 239-4044
 (913) 239-4154 (fax)
 mrschmidt@bluevalleyk12.org

Olathe School District

Superintendent: Dr. Pat All
 Contact: Tim Brady
 14160 Black Bob Rd.
 Olathe, KS 66063
 (913) 780-7000
 (913) 780-8006 (fax)
 tbradyec@olatheschools.org

Spring Hill School District

Superintendent: Dr. Wayne Burke
 Contact: Clay Frigon
 101 East South Street
 Spring Hill, KS 66083
 (913) 592-7355
 (913) 592-2847 (fax)
 frigonc@usd230.org

De Soto School District

Superintendent: Frank Harwood
 Contact: Dr. Stacey Yurkovich
 35200 W. 91st Street
 De Soto, KS 66018
 (913) 667-6209
 (913) 667-6202 (fax)
 syurkovich@USD232.org

Shawnee Mission School District

Superintendent: Dr. Jim Hinson
 Contact: Robin Bell
 7235 Antioch Rd.
 Shawnee Mission KS 66204
 (913) 993-6422
 (913) 993-1452 (fax)
 robbell@smsd.org

Community-Based Agencies and Departments of County Government**Artists Helping the Homeless, Inc.**

Exec Director/Contact: Kar Woo
 11412 Knox
 Overland Park, KS 66210
 (913) 668-1007
 (913) 345-2090 (fax)
 katoahh@me.com

Boys & Girls Club of Greater Kansas City

Exec Director: David A. Smith
 Contact: Jason Roth
 4001 Blue Parkway, Ste. 102
 Kansas City, MO 64130
 (816) 462-1032
 (816) 361-3675 (fax)
 jroth@helpkckids.org

First Call Alcohol/Drug Prevention & Recovery

Exec Director: Susan Whitmore
 Contact: Emily Hage
 9091 State Line Rd.
 Kansas City, MO 64114
 (816) 800-8052
 (816) 361-7290 (fax)
 emilyh@firstcallkc.org

Friends of Recovery Association

Exec Director/Contact: Kathleen Wright
 6422 Santa Fe Drive, Rm. 105
 Overland Park, KS 66202
 (913) 722-0367
 (913) 722-6325 (fax)
 kittythomas04@hotmail.com

Gillis Center, Inc.

Exec Director: Stephen O'Neill
 Contact: Connie Baker
 6420 W. 95 St.
 Overland Park KS 66212
 816-508-3541
 (816) 508-3535 (fax)
 connie.baker@gillis.org

Heartland Regional Alcohol & Drug Assessment Center (RADAC)

Exec. Director/Contact: Jason Hess
 P.O Box 1063
 Mission, KS 66222
 (913) 789-6404
 (913) 789-0954 (fax)
 jason@hradac.com

Johnson County District Attorney

District Attorney: Steve Howe
Contact: Letitia Ferwalt
100 N. Kansas Ave, PO Box 728
Olathe, KS 66061
(913) 715-3099
(913) 715-3040 (fax)
Letita.Ferwalt@jocogov.org

Johnson County Court Services

Administrative Officer: Laura Brewer
Contact: John Unterreiner
588 E. Santa Fe, Ste. 4000
Olathe, KS 66061
(913) 715-7487
(913) 715-7420 (fax)
john.unterreiner@jocogov.org

KidsTLC

Exec Director: Gordon Docking
Contact: Heidi Wooten
480 S. Rogers Rd.
Olathe, KS 66062
(913) 324-3630
(913) 780-3387 (fax)
hwooten@kidstlc.org

Mirror, Inc.

President/CEO: Barth Hague
Contact: Barth Hague
P.O. Box 711
Newton, KS 67114
(316) 283-6743
(316) 283-6830 (fax)
bhague@mirrorinc.org

SAFEHOME, Inc.

Exec Director: Janee Hanzlick
Contact: Mirra Klausner
P.O. Box 4563
Overland Park, KS 66204
(913) 378-1559
(913) 432-9302 (fax)
mklausner@safehome-ks.org

**Drug and Alcoholism Council of Johnson County
United Community Services of Johnson County**

Exec Director: Julie Brewer
Contact: Marya Schott
12351 W. 96th Terrace, Suite 200
Lenexa, KS 66215
(913) 438-4764
(913) 492-0197 (fax)
maryas@ucsjoco.org

Johnson County Dept. of Corrections

Director: Elizabeth Gillespie
Contact: Kieth Clark
135 S. Kansas Ave.
Olathe, KS 66061
(913) 715-4511
(913) 715-4557 (fax)
kieth.clark@jocogov.org

Johnson County Mental Health Center

Exec Director: Tim DeWeese
6000 Lamar, Ste. 130
Mission, KS 66202

Adolescent Center for Treatment**Adult Detoxification Unit****Adult Dual Diagnosis**

Contact: Deborah Stidham
(913)715-7638
(913) 826-1594 (fax)
deb.stidham@jocogov.org

Prevention Services

Contact: Shana Burgess
(913) 715-7880
(913)715-7881 (fax)
shana.burgess@jocogov.org

Preferred Family Healthcare

Exec Director: Marilyn Nolan
Contact: Paula Brawner
900 E LaHarpe St.
Kirksville, MO 63501
(660)665-1962
(660) 665-3989 (fax)
pbrawner@pfh.org

The Family Conservancy

Exec Director: Dean Olson
Contact: Marla Baldwin
444 Minnesota Ave., Ste. 200
Kansas City, KS 66101
(913) 742-4253
(913) 342-3632 (fax)
mbaldwin@thefamilyconservancy.org



DATE: November 4, 2016
TO: Laura Smith, City Administrator, City of Mission
CC: Brian Scott
FROM: Julie K. Brewer, Executive Director 
RE: 2017 Alcohol Tax Fund Recommendations and Distributions

The Drug and Alcoholism Council (DAC), a program of United Community Services (UCS), and the UCS Board of Directors have approved recommendations for allocation of 2017 Alcohol Tax Funds (ATF). With the understanding that distribution of ATF dollars may be altered should state tax policy change or revenues are not received by the City as expected, we ask an authorized representative of the City to sign below to indicate the City's acceptance of the 2017 ATF Recommendations Report, and agreement to distribute 2017 ATF dollars as stated on the Alcohol Tax Fund Distribution chart included with this memo.

Please sign this memo and return it by fax, postal mail or email to UCS by **December 19, 2016**.

Please let Marya Schott know if you have any questions (maryas@ucsjoco.org).

Thank you.

2017 Alcohol Tax Fund Recommendations Verification

The City of Mission accepts the 2017 ATF Recommendations Report as approved by the DAC and UCS. With the understanding that distribution of ATF dollars may be altered should Kansas tax policy change or revenues are not received by the City as expected, the City agrees to distribute funds as stated on the 2017 ATF distribution chart provided by UCS.

Name: _____

Signature: _____

Title: _____ Date: _____

*Fax: 913-492-0197
12351 W. 96th Terrace, Suite 200
Lenexa, KS 66215
maryas@ucsjoco.org*



City of Mission	Item Number:	5.
ACTION ITEM SUMMARY	Date:	December 7, 2016
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

RE: Amendment to the 2016 Budget

RECOMMENDATION: Approve the resolution to amend the maximum expenditure limits for the Mission Crossing Tax Increment Financing / Community Improvement District Fund and the Cornerstone Commons Community Improvement District Fund in the 2016 Budget.

DETAILS: The adopted annual budget establishes the maximum expenditure authority for each fund or taxing authority for that particular fiscal year. Exceeding these expenditures without formally amending the budget is a violation of Kansas budget statutes. Furthermore, state laws require that a public hearing be held when amending the budget. A public hearing has been scheduled for the City Council meeting on December 21st, and the attached notice was published in the Kansas City Star - 913 Section on December 10th.

The amendments to these funds are not the result of unanticipated or unauthorized expenditures, but rather are the result of developing an expenditure history two funds that are new. In particular, the following funds are to be amended:

Mission Crossing Tax Increment Financing Fund: The Mission Crossing Tax Increment Financing (TIF) District was established in 2010. The City began collecting sales tax increment from the development in 2013. The full property tax increment was not collected until this current year when the Wellstone development was completed. Amending the 2016 Budget will recognize and account for the full TIF receipts to be recognized from this project. This will become the basis for a history of future receipts and expenditures. These revenues are paid to the developer to reimburse for costs associated with the development.

Cornerstone Commons Community Improvement District: The Cornerstone Commons Community Improvement District was established in 2014 as a means for funding certain improvements associated with the Cornerstone Commons development including acquisition and donation of public property, streetscape, and enhanced glazing in buildings. The development was completed in July of 2015 as the 2016 budget was being completed and set for adoption. Since the revenue that the CID would generate was not known at the time, no fund was established. Since this time, the revenue base been determined, Amending the 2016 Budget will establish the fund recognize the revenue and expenditures associated with the fund. Revenue is paid to the developer to reimburse for the previously mentioned costs.

Budget amendments are established through the attached resolution.

CFAA: N/A

Related Statute/City Ordinance:	K.S.A. 79-2929a(a)
Line Item Code/Description:	Fund 60 Mission Crossing TIF/CID and Fund 65 Cornerstone Commons CID
Available Budget:	Fund 60 - \$233,480 and Fund 65 - \$61,500

**Notice of Budget Hearing for Amending the
2016 Budget**

The governing body of

City of Mission

will meet on the day of December 21, 2016 at 7:00 PM at Mission City Hall, 6090 Woodson, Mission, KS 66202 for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at City Clerk's Office, Mission City Hall, 6090 Woodson, Mission, KS 66202 and will be available at this hearing.

Summary of Amendments

Fund	2016 Adopted Budget			2016 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Mission Crossing TIF/CID			187,000	233,480
Cornerstone Commons CID			0	61,500
			0	0
			0	0
			0	0
			0	0

Brian Scott

Official Title: Asst. City Administrator/Finance Dir.

CITY OF MISSION

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MISSION, KANSAS AMENDING THE MAXIMUM EXPENDITURE AUTHORITY FOR THE 2016 BUDGET FOR THE CITY OF MISSION, KANSAS FOR THE MISSION CROSSING TAX INCREMENT FINANCING (TIF) FUND AND CORNERSTONE COMMONS COMMUNITY IMPROVEMENT DISTRICT (CID) FUND.

WHEREAS, the Mission Crossing TIF Fund was established in the 2015 Annual Budget, but the actual full amount of TIF receipts was not realized until the start of the 2016 fiscal year; and

WHEREAS, the Cornerstone Commons CID was established in 2014, but no revenue base was established until after the 2016 Annual Budget had been adopted, and thus no fund was created to recognize the revenue and expenditures of this district; and

WHEREAS, the proposed amendments are not the result of any unexpected or unauthorized expenditures; and

WHEREAS, in accordance with state law, the City of Mission conducted a public hearing and has prepared the necessary documents to amend the 2016 Budget to increase expenditure limits in the Mission Crossing TIF Fund and establish expenditure limits for the Cornerstone Commons CID Fund;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION:

Section 1. That the maximum expenditure authority in the 2016 Budget for the following funds has been established as:

Mission Crossing TIF Fund:	\$ 233,480
Cornerstone Commons CID Fund:	\$ 61,500

PASSED AND APPROVED BY THE CITY COUNCIL this 21st day of December 2016.

APPROVED BY THE MAYOR this 21st day of December 2016.

Steve Schowengerdt, Mayor

ATTESTATION:

Martha M. Sumrall
City Clerk

City of Mission	Item Number:	6.
ACTION ITEM SUMMARY	Date:	11/28/16
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Ordinance Adopting the 2017 Budget for the City of Mission, Kansas

RECOMMENDATION: Approve an ordinance adopting the 2017 Budget of the City of Mission, Kansas.

DETAILS: As part of the annual budget process, the City takes formal action to adopt the 2017 Budget by ordinance. This ordinance represents one of two ordinances that are considered each December to finalize the City's annual budget, and to provide expenditure authority.

There are no changes to the budget that was approved by the City Council in August 2016.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	
Line Item Code/Description:	
Available Budget:	n/a

**CITY OF MISSION
ORDINANCE NO. _____**

**AN ORDINANCE ADOPTING THE 2017 BUDGET OF THE CITY OF MISSION,
KANSAS.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION,
KANSAS:

SECTION 1. Adoption of Budget. The City of Mission hereby adopts its budget for the year 2017. Copies of said budget shall be open for inspection in the office of the City Clerk during business hours. Upon filing of the budget with the County Clerk of Johnson County, Kansas, said budget shall constitute an appropriation for each fund, and the appropriation thus made shall not be used for any other purpose, pursuant to K.S.A. 79-2934.

SECTION 2. Take Effect. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the official City newspaper, all as provided by law.

PASSED BY THE CITY COUNCIL this 21st day of December 2016.

APPROVED BY THE MAYOR this 21st day of December 2016.

Steve Schowengerdt, Mayor

(SEAL)

Attest:

Martha Sumrall, City Clerk

City of Mission	Item Number:	7.
ACTION ITEM SUMMARY	Date:	11/28/16
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Authorization to Spend According to the Approved 2017 Annual Budget.

RECOMMENDATION: Approve the attached ordinance authorizing the City Administrator to make expenditures in accordance with the adopted 2017 Annual Budget.

DETAILS: As part of the annual budget process, the City Council takes formal action in December to authorize and direct the City Administrator to spend according to the adopted budget and in compliance with the City Council Policy 102.

The attached ordinance will authorize the City Administrator to do such.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	
Line Item Code/Description:	
Available Budget:	

**CITY OF MISSION
ORDINANCE NO. _____**

AN ORDINANCE AUTHORIZING EXPENDITURES BY THE CITY ADMINISTRATOR FROM THE 2017 BUDGET.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

SECTION 1. Grant of Authority. The City Administrator is hereby authorized to make expenditures from the 2017 City Budget as adopted by the Resolution Number 969 and Resolution Number 970 pursuant to and in accordance with City Council Policy Number 102, as from time to time amended. Copies of said Policy shall be open for inspection in the office of the City Clerk during business hours.

SECTION 2. Take Effect. This Ordinance shall be in full force and effect from and after its passage, approval and publication in the official City newspaper, all as provided by law.

PASSED BY THE CITY COUNCIL this 21st day of December 2016.

APPROVED BY THE MAYOR this 21st day of December 2016.

Steve Schowengerdt, Mayor

(SEAL)

Attest:

Martha Sumrall, City Clerk

City of Mission	Item Number:	8.
ACTION ITEM SUMMARY	Date:	11/28/16
Administration	From:	Martha Sumrall

Action items require a vote to recommend the item to full City Council for further action.

RE: 2017 Cereal Malt Beverage Licenses

RECOMMENDATION: Approve the 2017 Cereal Malt Beverage License Renewals

DETAILS: City ordinance and Kansas statutes require that any person wishing to sell any cereal malt beverage (CMB) at retail must obtain an annual license for each place of business.

Renewal applications for 2017 include the following Mission businesses:

- Johnny's Hickory House BBQ, 5929 Broadmoor
- Hy-Vee Grocery, 6655 Martway
- Hy-Vee Grocery (Convenience Store), 6645 Martway
- ShortStop BP, 5500 Johnson Drive
- QuikTrip, 4700 Lamar

Background checks for each renewal applicant are conducted prior to renewal licenses being issued.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	K.S.A. 41-2702; City of Mission Code Section 600.160 & 600.170
Line Item Code/Description:	n/a
Available Budget:	n/a

City of Mission	Item Number:	9.
ACTION ITEM SUMMARY	Date:	December 2, 2016
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Johnson Drive Speed Limit Reduction

RECOMMENDATION: Adopt an ordinance reducing from 30 mph to 25 mph on Johnson Drive between Lamar and Roe.

DETAILS: Several times in the last eighteen months, the City Council has reviewed and discussed pedestrian and traffic safety on Johnson Drive. In October 2016, the Mayor convened a working group to review options with Olsson Associates which might improve safety throughout the corridor without compromising the intent of the original street design.

The working group discussed concerns with traffic speeds, motorists observing pedestrian crosswalks, visibility while turning onto Johnson Drive, and backing from parking stalls. While the incident of accidents, both vehicular and pedestrian, throughout downtown is very low, the group made several recommendations for the Council's consideration. Those recommendations included:

1. Reducing the speed limit on Johnson Drive from the east City Limits (Roe) to Lamar from 30 mph to 25 mph.
2. Designating nine (9) parking stalls as "Compact Car Only."

At the November 2nd Finance & Administration Committee meeting, both recommendations were forwarded to Council for approval, along with a third recommendation to upgrade the signs at the existing pedestrian beacon locations to include LED lighting for a total estimated cost of \$16,800 plus installation.

At the November 16, 2016 City Council meeting, the motions to designate the parking stalls as "Compact Car Only" and the purchase of the LED pedestrian signs were approved. The motion to reduce the speed limit failed because five (5) votes were required to pass an ordinance. There were only five Councilmembers present, and the vote was 4 in favor, one opposed. Councilmember Suzie Gibbs asked if the speed limit recommendation could be placed back on the December committee agenda, and because she voted with the majority that request could be accommodated.

The following items are included for review and discussion of the speed limit change: 1) draft ordinance; 2) memo from Olsson Associates recommending reduction in speed limit; 3) ticket and accident data from the Johnson Drive corridor.

Related Statute/City Ordinance:	n/a
Line Item Code/Description:	n/a
Available Budget:	n/a

City of Mission	Item Number:	9.
ACTION ITEM SUMMARY	Date:	December 2, 2016
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

CFAA CONSIDERATIONS/IMPACTS: The work of this committee and its recommendations support safe access to multi modal forms of transportation, including pedestrian, which is one of the base components of the Community for All Ages initiative. Providing safe pedestrian access along Johnson Drive will support a higher quality of life for residents of all ages in our community.

Related Statute/City Ordinance:	n/a
Line Item Code/Description:	n/a
Available Budget:	n/a

ORDINANCE NO. ____

AN ORDINANCE AMENDING SCHEDULE I OF SECTION 310.010 OF THE CODE OF THE CITY OF MISSION, KANSAS ADJUSTING SPEED LIMITS ON VARIOUS STREETS THROUGHOUT THE CITY.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS AS FOLLOWS:

Section 1. Schedule I of Section 310.010 of the Code of the City of Mission is hereby amended as follows:

SCHEDULE I. SPEED LIMITS

In accordance with Chapter 310, speed limits so declared shall be effective when appropriate signs giving notice thereof are erected upon such streets and/or parts of streets.

<i>Street</i>	<i>Speed Limit</i>
Johnson Drive:	
From Metcalf (U.S. Highway 69) to Roe Boulevard <u>Lamar</u>	30 mph
<u>From Lamar to East City Limits</u>	<u>25 mph</u>
Nall Avenue:	
From Johnson Drive to U.S. Highway 56	30 mph
From U.S. Highway 56 to 67 th Street	35 mph
Lamar Avenue:	
From North City limits to South City limits at 67 th Street	30 mph
Foxridge Drive:	
From Lamar Avenue to 56 th Street	35 mph
Roe Avenue:	35 mph
Martway Street:	
From Metcalf to Lamar	30 mph
From Shawnee Mission Parkway to Martway Street	25 mph
Metcalf:	
From Martway Street to I-35	55 mph
From Shawnee Mission Parkway to Martway Street	45 mph

Roeland Drive:
From Johnson Drive to Shawnee Mission Parkway 25 mph

Shawnee Mission Parkway:
From east City limits to west City limits 45 mph

I-35:
From east City limits to west City limits 60 mph

63rd Street:
From east City limits to west City limits 30 mph

School Zones (When school is in session, school zones will operate from 7:15 AM to 8:15 AM and 3:00 PM to 4:00 PM.

52 nd Street, Horton to Woodson	20 mph
Roe Avenue, 61 st Street to 63 rd Street	20 mph
51 st Street, Dearborn to Outlook Street	20 mph
53 rd Street, Lamar Avenue to Outlook Street	20 mph
Lamar Avenue, 53 rd Street to 50 th Street	20 mph

Section 2. This Ordinance shall take effect and be in full force from and after its publication in the official City newspaper according to law.

PASSED AND APPROVED by the City Council this ____ day of _____, 2016.

APPROVED by the Mayor this ____ day of _____, 2016.

(SEAL)

Steve Schowengerdt, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

| ~~PREPARED BY:~~

| APPROVED AS TO FORM:
PAYNE & JONES, CHTD.

David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

September 19, 2016

City Mission
Laura Smith
6090 Woodson Road
Mission, KS 66202

RE: Johnson Drive – Lamar to Nall – Recommended Corridor Modifications

Dear Mrs. Smith,

Thank you for taking the time to set up the meeting with the Mayor. We appreciate the conversation and we are glad to be made aware of his concerns regarding safety along the corridor. The following are recommendations that can be immediately implemented to improve the corridor from a pedestrian and vehicular standpoint. These solutions can all be implemented at a very reasonable cost and do not affect the intent of the original design.

It should be noted that during the design phase, it was our and staff's expectation that the traffic calming measures utilized on the project would decrease the 85th percentile speeds in the corridor below the 30mph posted speed limit. These measures included the design of the 10' lanes, the installation of the speed table at Woodson Rd., and pedestrian nodes at each intersection. Post construction, Olsson Associates conducted a speed study in October of 2015 and found that the 85th percentile speeds were 33 mph. Although this meets the posted speed limit, it does not achieve the desired effect of reducing speeds. Although there have been no reported accidents, in order to make the corridor safer for pedestrians, cars backing out of angled parking, and cars turning onto Johnson Drive from side streets, Olsson recommends reducing the speed limit on Johnson Drive to 25 miles per hour.

In addition, based on the corridors current performance and the concerns expressed by the Mayor, it is Olsson's recommendation that the City implement one these three options:

1. **Special Parking Use Signs and Markings:** The parking stalls on the northeast and southwest of the intersections can create difficult visibility issues for exiting traffic when these stalls are occupied by large vehicles. We recommend making the first parking stall closest to the intersection on these corners "motorcycle / bicycle only" and the adjacent stall "compact car only". This would be accomplished with signing and pavement markings. See Exhibit – 1. The stall signed for compact cars could have additional wider striping added to make the stall appear narrower to discourage large vehicles from utilizing the compact car stall. The motorcycle parking stall would actually accommodate two motorcycles since a motorcycle stall is 4.5 feet wide, or half a stall width. This would be accomplished by adding an additional stripe to delineate the two stalls and further discourage vehicular parking. Implementing this plan would eliminate large vehicles from blocking visibility for turning side street vehicles.
 - a. We recommend the following locations receive this treatment:
 - i. Northeast corner of Horton
 - ii. Northeast corner of Beverly
 - iii. Southwest corner of Dearborn
 - iv. Northeast corner of Woodson

- v. Southwest corner of Woodson
- vi. Northeast corner of Outlook
- vii. Southwest corner of Outlook.
- viii. Northeast corner of Reeds
- ix. Southwest corner of Reeds



Example signing

2. **Adding stop signs on Johnson Drive at Woodson** (4 way stop condition) while keeping all the special parking stalls listed in item 1 above minus the Woodson intersection.
 - a. The pros and cons of this idea are listed below.
 - i. Pros
 1. Requires cars on Johnson Drive to stop at Woodson thereby reducing speeds in the corridor while at the same time allowing vehicles on Woodson an improved ability to turn left onto Johnson Drive.
 2. Increased Pedestrian safety at Woodson.
 3. In this scenario the motorcycle and compact car stalls could be eliminated from the northeast and southwest corners of Woodson since the stop controlled situation eliminates any potential intersection visibility issues.
 - ii. Cons
 1. Queue lengths on Johnson Drive during the peak hour.
 - a. Our traffic team analyzed the intersection as a 4 way stop with a traffic model using the traffic counts obtained during the speed study in 2015. This analysis yielded 7 vehicles queued in both westbound Johnson Drive lanes and 4 vehicles queued in both eastbound Johnson Drive lanes during the PM peak hour. This also corresponds to the worst 15 minutes in the PM peak hour.
 - b. The queues during the peak hour would affect angled parking near the intersection during this period and should be weighed against the benefits of this idea. This would also have been an issue with the old signal, but to a lesser extent, since with a signal the green time would clear out the cars and potentially allow gaps for cars to back out.
 2. If Johnson Drive were ever converted to a three lane section the stop signs on Johnson drive would yield queue lengths that would extend into the next intersection in the PM peak hour. In a three lane scenario the 4 way stops don't work. These could be removed at a later date if the roadway section was revised.

3. **Adding stop signs on Johnson Drive at Beverly and Outlook** (4 way stop condition) while keeping all the special parking stalls listed in item 1 above minus the Beverly and Outlook intersections.
 - a. The pros and cons of this idea are listed below.
 - i. Pros
 1. Requires cars on Johnson Drive to stop at Beverly and Outlook thereby reducing speeds in the corridor while at the same time allowing vehicles at these two intersections a better ability to turn left onto Johnson Drive.
 2. Increased Pedestrian safety at Beverly and Outlook on top of the current raised intersection at Woodson.
 3. Traffic from the Community Center on Beverly could more easily turn onto Johnson Drive.
 4. In this scenario the motorcycle and compact car stalls could be eliminated from the northeast corner of Beverly and the northeast & southwest Corners of Outlook since the stop controlled situation eliminates any potential intersection visibility issues.
 5. Woodson would be a two way stop in this scenario but still has the raised intersection treatment which will continue to slow traffic on Johnson Drive at that location.
 - ii. Cons
 1. Queue lengths on Johnson Drive during the peak hour.
 - a. As noted in Idea #2 above the queue lengths along Johnson Drive will be an issue but in this instance it would occur at Beverly and Outlook.
 - b. The queues during the peak hour would affect angled parking near the intersections of Beverly and Outlook during this period and should be weighed against the benefits of this idea.
 2. If Johnson Drive were ever converted to a three lane section the stop signs on Johnson drive would yield queue lengths that would extend into the next intersection in the PM peak hour. In a three lane scenario the 4 way stops don't work. These could be removed at a later date if the roadway section was revised

An additional measure that would increase parking capacity and provide parking for business owners would be for the city to improve the city owned parking lots on the south legs of Woodson and Outlook. It is understood that the city has been considering this action. Olsson staff have expertise in parking lot layout and could be of service in the design of these facilities.

An idea that could aid in vehicle backing out of the angled parking stalls would be to change the stall angle from 60 degrees to 45 degrees. While the vehicle would have to turn less to back into the lane on Johnson Dr. the following negatives outweigh this advantage:

1. The overall parking stall count would have to go down.
2. Restriping the concrete parking pavement would require removing the old markings which often times means leaving a scar on the pavement which would still look like pavement marking and would confuse drivers.

3. 45 degree parking would increase the angle a person would have to look over their shoulder to see oncoming cars as you back out.

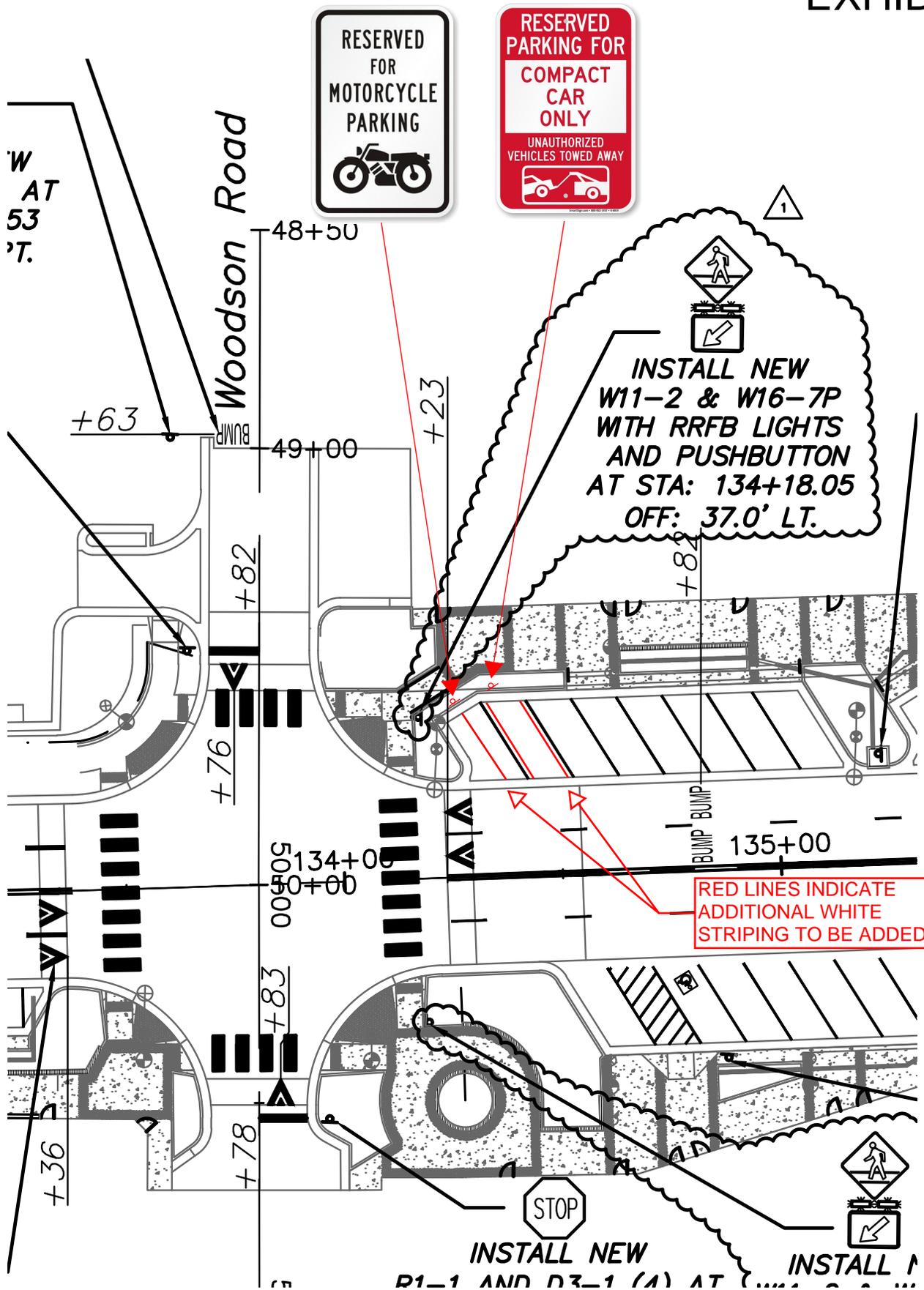
The attached Exhibit - 1 should help illustrate the parking stall reconfiguration described in the Special Parking Use Signs and Markings idea above. We are here to address any questions and will be glad to help implement the recommendations.

Please contact me if you have any questions or need additional information.

Sincerely,



Paul Moore, P.E.
Project Manager



TYPICAL PARKING STALL USAGE MODIFICATION FOR THE NE AND SW CORNERS OF INTERSECTIONS



MEMORANDUM

Date: December 2, 2016
To: Debbie Kring
From: Laura Smith/Dan Madden
RE: Speeding and Accident Data for Johnson Drive

Please find summarized below the speeding and accident data for Johnson Drive that you requested from Captain Madden. We will plan to include this data with agenda items prepared for the December 14, 2016 Finance & Administration Committee discussion of the Johnson Drive speed limit.

The Table 1 below details the number of accidents recorded at various intersections (or nearest to these intersections) from January 2015 through the end of November 2016:

Table 1.

Accidents at Johnson Drive Intersections 01/01/2015 to 11/30/2016	
Nall	3
Maple	1
Reeds	4
Outlook	1
Woodson	5
Dearborn	4
Beverly	2
Horton	5
Lamar	7

In addition to the accident data, speed limit violations/tickets were tallied for 2014, 2015 and YTD in 2016. Please note that the 20 mph speed limit reflected in the 2014 data was the result of the road construction. Total tickets and the average speed over the posted limit are included.



MEMORANDUM

2014 - Speeding Violations

Violation Date	Violation Time	Street IO	Cross Street IO	MPH	In	Over	
7/26/2014	1:47 AM	JOHNSON DRIVE	DEARBORN	37	20	17	
7/26/2014	2:20 AM	JOHNSON DRIVE	BEVERLY	39	20	19	
7/26/2014	1:20 AM	JOHNSON DRIVE	DEARBORN	33	20	13	
8/3/2014	12:36 AM	JOHNSON DRIVE	DEARBORN	35	20	15	
8/6/2014	12:20 AM	JOHNSON DRIVE	MAPLE	35	20	15	
8/9/2014	11:52 PM	JOHNSON DRIVE	MAPLE	33	20	13	
8/10/2014	12:44 AM	JOHNSON DRIVE	WOODSON	35	20	15	
8/22/2014	9:55 PM	JOHNSON DRIVE	OUTLOOK	32	20	12	
8/24/2014	1:52 AM	JOHNSON DRIVE	LAMAR	34	20	14	
8/24/2014	1:04 AM	JOHNSON DRIVE	BEVERLY	33	20	13	
8/24/2014	1:30 AM	JOHNSON DRIVE	OUTLOOK	32	20	12	
9/3/2014	9:49 PM	JOHNSON DRIVE	OUTLOOK	37	20	17	
9/11/2014	1:28 AM	JOHNSON DRIVE	OUTLOOK	35	20	15	
9/24/2014	2:04 AM	JOHNSON DRIVE	WOODSON	34	20	14	
9/28/2014	3:20 PM	JOHNSON DRIVE	WOODSON	36	20	16	
9/29/2014	6:20 PM	JOHNSON DRIVE	MAPLE	35	20	15	
10/4/2014	1:50 AM	JOHNSON DRIVE	DEARBORN	38	20	18	
10/11/2014	12:18 AM	JOHNSON DRIVE	OUTLOOK	35	20	15	
10/12/2014	4:28 AM	JOHNSON DRIVE	WOODSON	35	20	15	
10/12/2014	4:51 AM	JOHNSON DRIVE	WOODSON	36	20	16	
10/12/2014	5:09 AM	JOHNSON DRIVE	WOODSON	36	20	16	
10/12/2014	5:52 PM	JOHNSON DRIVE	WOODSON	36	20	16	
10/16/2014	10:07 PM	JOHNSON DRIVE	OUTLOOK	38	20	18	
10/24/2014	11:21 PM	BEVERLY	JOHNSON DRIVE	34	20	14	
11/2/2014	10:46 PM	WOODSON	JOHNSON DRIVE	34	20	14	
				Total Tickets	25	Avg Over	15.1

2015 - Speeding Violations

Violation Date	Violation Time	Street IO	Cross Street IO	MPH	In	Over	
2/28/2015	12:19 AM	JOHNSON DRIVE	MAPLE	41	30	11	
3/15/2015	4:39 PM	JOHNSON DRIVE	OUTLOOK	50	30	20	
3/29/2015	4:00 PM	JOHNSON DRIVE	LAMAR	60	30	30	
5/18/2015	4:25 PM	JOHNSON DRIVE	OUTLOOK	44	30	14	
6/9/2015	8:40 PM	JOHNSON DRIVE	NALL	42	30	12	
7/26/2015	6:30 PM	JOHNSON DRIVE	OUTLOOK	43	30	13	
7/31/2015	5:24 PM	JOHNSON DRIVE	HORTON	45	30	15	
8/24/2015	10:05 AM	JOHNSON DRIVE	OUTLOOK	47	30	17	
9/5/2015	7:07 PM	JOHNSON DRIVE	MAPLE	40	30	10	
9/20/2015	3:39 PM	JOHNSON DRIVE	MAPLE	42	30	12	
10/23/2015	5:00 PM	JOHNSON DRIVE	LAMAR	45	30	15	
10/23/2015	12:33 AM	JOHNSON DRIVE	NALL	40	30	10	
10/24/2015	5:10 PM	JOHNSON DRIVE	HORTON	42	30	12	
				Total Tickets	13	Avg Over	14.7



MEMORANDUM

2016 - Speeding Violations

Violation Date	Violation Time	Street IO	Cross Street IO	MPH	In	Over
1/11/2016	7:02 PM	JOHNSON DRIVE	HORTON	43	30	13
2/4/2016	4:20 PM	JOHNSON DRIVE	NALL	42	30	12
2/10/2016	3:35 PM	JOHNSON DRIVE	NALL	42	30	12
4/9/2016	4:42 PM	JOHNSON DRIVE	OUTLOOK	50	30	20
5/6/2016	4:05 PM	JOHNSON DRIVE	OUTLOOK	41	30	11
5/31/2016	5:28 AM	JOHNSON DRIVE	WOODSON	44	30	14
6/3/2016	5:10 PM	JOHNSON DRIVE	OUTLOOK	43	30	13
6/17/2016	2:21 AM	JOHNSON DRIVE	WOODSON	38	30	8
7/6/2016	11:52 PM	JOHNSON DRIVE	LAMAR	45	30	15
8/12/2016	8:18 PM	JOHNSON DRIVE	HORTON	45	30	15
9/4/2016	2:45 AM	JOHNSON DRIVE	BEVERLY	44	30	14
9/5/2016	9:11 PM	JOHNSON DRIVE	WOODSON	44	30	14
9/15/2016	1:55 PM	JOHNSON DRIVE	NALL	43	30	13
9/29/2016	6:27 AM	JOHNSON DRIVE	BEVERLY	46	30	16
11/12/2016	4:09 AM	JOHNSON DRIVE	LAMAR	42	30	12
			Total Tickets	15	Avg Over	135

If you have any questions, please feel free to contact either Dan or me.

City of Mission	Item Number:	10.
DISCUSSION ITEM SUMMARY	Date:	December 6, 2016
Administration	From:	Laura Smith

Discussion items allow the committee the opportunity to freely discuss the issue at hand.

RE: Disbanding the Mission Convention and Visitors Bureau (MCVB) Committee and making alternate arrangements for the allocation of transient guest tax funds.

DETAILS: The Mission Convention and Visitors Bureau (MCVB) was formed by City ordinance in February of 2009. This organization replaced the former Mission Business Development Committee (MBDC), first established in August of 2003 to assist in the revitalization and redevelopment of the Mission business district. They were responsible for coordinating three annual special events (Spirit of Mission Days, Battle of the Brisket/Arts and Eats, and Holiday Lights and Festive Sights) as well as overseeing the Business Improvement Grant (BIG) program.

In addition to the sponsorship/event revenues that were generated by the MBDC, they were initially provided \$450,000 to help support their activities (especially the BIG Program). The funding level was roughly equivalent to the amount the City had approved to reimburse Target for the demolition of their property when it was redeveloped. Several years ago, the responsibility for administering and funding the BIG Program was transitioned into the General Fund, leaving the primary responsibilities of the MBDC special event coordination.

With construction of the Value Place hotel in 2007, the City adopted a transient guest tax, and restructured the MBDC, making it the Mission Convention and Visitors Bureau (MCVB). The mission of the MCVB is to bring visitors and citizens together to share in the spirit of our community events and to patronize our local businesses. Under the leadership of Chair Suzie Gibbs, the MCVB took on the responsibility of producing the Mission Magazine and coordinating the holiday adoption program. The revenues that have been available to support the MCVB include:

- Transient Guest Tax Revenues (9% hotel/motel tax)
- Sponsorships
- Vendor/Event fees
- Contributions from City's General Fund

Over the last two years, there have been several changes in the leadership, roles, and responsibilities of the MCVB Committee. They are no longer directly involved with the production of the Mission Magazine or with the holiday adoption program, leaving only the annual special events, which are now reduced to two (Battle of the Brisket and Holiday Lights and Festive Sights). In an effort to be more respectful of the volunteer time put in by Committee members, and to be more efficient with staff resources, Staff requests that the City Council consider eliminating the MCVB Committee as it is currently structured.

Related Statute/City Ordinance:	KSA 12-1692 et. seq Mission Municipal Code Chapter 135 and Chapter 660
Line Item Code/Description:	n/a
Available Budget:	n/a

City of Mission	Item Number:	10.
DISCUSSION ITEM SUMMARY	Date:	December 6, 2016
Administration	From:	Laura Smith

Discussion items allow the committee the opportunity to freely discuss the issue at hand.

The state statutes indicate that the Governing Body of any City levying a transient guest tax **may** appoint a Committee “to make recommendations concerning the programs and expenditures for promotion of conventions and tourism.” If the Council desires the have a committee, KSA 16,101 outlines the following membership/appointment criteria:

“...If the governing body decides to appoint a convention and tourism committee, the board of county commissioners or city governing body shall appoint 10 members to such committee, a majority of which shall be representatives of businesses coming within the terms of this act. In appointing such members, the board of county commissioners or city governing body shall attempt to create a representative balance of large and small businesses and businesses from the various geographic areas of such county. The board of county commissioners or city governing body shall provide, by resolution, for the method of appointment and the length of the term of members. The length of term shall not exceed four years.”

Staff will review options and discuss in more detail at the December 14, 2016 Committee meeting. If Council concurs, the necessary ordinances will be drafted and placed on the January 4, 2017 Committee agenda as an action item.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	KSA 12-1692 et. seq Mission Municipal Code Chapter 135 and Chapter 660
Line Item Code/Description:	n/a
Available Budget:	n/a